



**2018-2019  
ANNUAL CRIME REPORT  
AND  
ANNUAL FIRE SAFETY REPORT**

**Weatherford Campus**  
100 Campus Drive  
Weatherford, OK 73096

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## **INTRODUCTION**

The Chief of Southwestern Oklahoma State University (SWOSU) Campus Police, or his/her designee, will compile data, review policies, and prepare the annual report pursuant to the Jeanne Clery Disclosure of Campus Security Policy, Campus Crime Statistics Act, Violence Against Women Act as well as other applicable laws and regulations. The Chief will work with appropriate SWOSU departments and individuals to compile and to create the necessary information for the annual report. In addition, this group will work with local law enforcement agencies to collect statistical data for inclusion in the report.

## **CLERY ACT REPORTING REQUIREMENTS**

Each institution of higher education receiving federal financial assistance under the programs authorized under Title IV of the Higher Education Act of 1965 is required to disclose annual information about campus crime and security policies as well as timely warnings in certain situations. The Clery Act (Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 1990, as amended) specifically requires that colleges and universities have in place and disclose policies, practices and procedures including those listed below:

- Policies regarding procedures and facilities for students and others to report criminal actions or other emergencies on campus and regarding SWOSU's response to such reports. Reports should be made to SWOSU Campus Police Department or other Campus Security Authorities including: Any official who has significant responsibilities for student and campus activities, including student housing, student discipline, student activities, club sponsors, team coaches, etc.
- Policy concerning security of and access to campus facilities, including residences, and security considerations used in the maintenance of campus facilities.
- Campus law enforcement policies, including enforcement authority, and policies encouraging accurate and prompt reporting of crimes.
- Description of the type and frequency of educational programs designed to inform students and employees about campus security procedures and crime prevention procedures and practices to encourage students and employees to be responsible for their own security and security of others.
- Annual reporting of statistics concerning the occurrence on campus, in or on non-campus buildings or property and on public property contiguous to campus, the following criminal offenses are reported: murder, manslaughter and sexual assaults including: rape, fondling, incest, statutory rape; aggravated assault, burglary, motor vehicle theft, arson and crimes in which the victim is intentionally selected because of actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin or disability; robbery, aggravated assault, burglary, motor vehicle theft, arson, and including larceny-theft, destruction/damage/vandalism of property and intimidation. Crimes of domestic violence, dating violence, stalking, and arrests of persons referred for campus disciplinary action for liquor law violations, drug-related violations and weapons violations.

- Policy concerning the monitoring and recording through local police agencies of criminal activity at off-campus student organizations recognized by SWOSU that are engaged in by SWOSU students, including student organizations with off-campus housing facilities.
- Policy regarding possession, use and sale of alcoholic beverages and enforcement of state underage drinking laws.
- Policy regarding possession, use and sale of illegal drugs and enforcement of federal and state drug laws.
- Description of drug and alcohol abuse education programs.
- Campus sexual assault programs and procedures to prevent sex offenses.
- Where information concerning registered sex offenders may be obtained.
- Information regarding emergency response and evacuation procedures.
- Policies, procedures, statistics and programs associated with sexual misconduct.
- Fire safety information and statistics/equipment for campus residential facilities.
- Policy regarding missing student notification procedures.

## **NOTICE OF AVAILABILITY OF ANNUAL SECURITY REPORT**

The Federal Student Right-to-Know, Crime Awareness and Campus Security Act, now cited as the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” and herein identified as the “Clery Report,” requires institutions of higher education to annually prepare and publish a report concerning campus crime statistics and security policies. The report is distributed through appropriate publications, mailings, or computer networks to all current students, staff and faculty, as well as to all prospective students, staff and faculty upon request. The report contains annual specific campus crime and arrest statistics and campus policies and practices intended to promote crime awareness, campus safety and security.

This report is prepared by SWOSU Campus Police Department. All prospective faculty, staff and students are required and will be notified through Human Resources on the availability of this report. A disclosure letter will be disseminated to all faculty/staff/students by October 1 each year, in addition to once in the spring semester.

Prospective faculty, staff and students will get the information on the SWOSU web site under “future students” <http://www.swosu.edu/admissions/campus-safety.aspx> and “human resources” <http://www.swosu.edu/administration/hr/emp-reg.aspx> Copies of this report may be obtained at: <http://www.swosu.edu/administration/police/index.aspx>

Upon request, a copy of this report can also be obtained in person at:

SWOSU Campus Police Department  
200 E College Ave.  
Phone: (580) 774-3111  
Fax: (580) 774-7116  
Email: [police@swosu.edu](mailto:police@swosu.edu)

## **CAMPUS SECURITY AUTHORITIES**

The U.S. Department of Education defines Campus Security Authorities (CSA) as:

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.

## **Designated Campus Security Authorities**

The following individuals are Designates Campus Security Authorities:

- President
- Vice President for Administration & Finance
- Vice President for Academic Affairs
- Vice President for Student Affairs
- Vice President for Public Relations & Marketing
- SWOSU Public Safety
- Dean/Chairs of Departments
- Human Resource Department
- Dean of Students
- Counseling/Nursing Services
- Athletic Director/Coaches
- Director of Housing/ RA's
- Dean of Sayre Campus
- International Student Affairs

Each CSA is required to complete a training program coordinated by SWOSU Campus Police, which includes mechanisms for forwarding reports to SWOSU Campus Police and other campus offices such as Title IX and Student Affairs and overall responsibilities of a CSA.

A CSA is responsible for reporting Clery Act crimes they discovered themselves or which they received in good faith from other. These crimes (including weapons, drug, alcohol offenses, dating violence, stalking, etc.) are reported to SWOSU Campus Police who will investigate the incident or refer it to the appropriate office or agency for investigation.

A CSA is NOT responsible for determining whether a crime took place. A CSA should never attempt to apprehend an alleged perpetrator of a crime.

## **SWOSU CAMPUS POLICE DEPARTMENT**

SWOSU Campus Police operates its own full-time, police department. SWOSU Campus police officers are duly commissioned State of Oklahoma police officers. Their authority comes from Oklahoma State Statute (74 O.S. 360) Each police officer is certified by the Oklahoma Council on Law Enforcement Education and Training (CLEET) certifies each officer via attendance at the state-sponsored police academy.

SWOSU Campus Police Officers have complete police authority on property owned by SWOSU and any other property contiguous to SWOSU pursuant to an agreement with the City of Weatherford. SWOSU police officers also have limited authority within the City of Weatherford pursuant to a Memorandum of Understanding (MOU) agreement. Fraternity and Sorority housing facilities, which are privately owned, fall under the Weatherford Police Department's primary jurisdiction.

If a student commits minor offenses involving SWOSU rules and regulations, the SWOSU Campus Police may also refer the individual to the Dean of Students. Major offenses such as rape, murder aggravated assault, robbery, and auto theft are reported to the local police and joint investigative efforts with investigators from SWOSU Campus Police and the Weatherford Police Department are deployed to solve these serious felony crimes. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted at municipal, county, or federal court.

SWOSU jurisdictional boundaries map is located on the SWOSU web site under "campus police" <http://www.swosu.edu/administration/police/docs/jurisdictional-boundaries.pdf>

## **Working Relationship With Other Law Enforcement Agencies**

SWOSU Campus Police personnel work closely with local, state, and federal police agencies and have direct radio communication with the Weatherford Police Department on the Weatherford Police Department's radio network. The SWOSU Campus Police Department is also a part of the county 911 emergency system. By mutual agreement with state and federal agencies, the SWOSU Campus Police maintain a link with the Oklahoma State Bureau of Investigation (OSBI). Through this connection, police personnel can access the National Crime Information Computer System (NCIC) as well as all information enforcement system. These computer databases are used for accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

Per agreement with Weatherford Police Department, the SWOSU Campus Police's jurisdiction extends to any university owned or leased property and in outlying areas. Both SWOSU Campus Police and Weatherford Police Department patrol these areas jointly.



Through coordination with Weatherford Police Department, any criminal activity engaged by students at off-campus locations of student organizations, is monitored and recorded. This information is provided to the dean of students for any action or follow-up that may be required.

### **TIMELY WARNING POLICY**

To help prevent crimes or serious incidents, the SWOSU Campus Police, in conjunction with other departments on campus, issue timely warnings to notify SWOSU community members about crimes or other serious incidents in and around the community. If a situation arises that, in the judgment of the President, any Vice President, Chief of Police or his/her designee constitutes an ongoing or continuing threat, a campus-wide warning will be issued. The warnings will be issued Campus Crime Alerts may be e-mailed, text (Omnilert) message, bulletin boards or other available means, as reasonably and timely as possible to faculty, staff, and students, distributed throughout campus, provided to campus media, posted on the SWOSU Campus Police website and, if appropriate, posted in off-campus areas frequented by students.

Whenever the Weatherford Police Department issues a news release about an off-campus crime that represents a serious or ongoing threat to the safety of students, faculty and staff, SWOSU may assist in publicizing the crime on campus.

The purpose of timely warnings is to provide the SWOSU community with more immediate notification. Anyone with information warranting a timely warning should report the circumstances to SWOSU Campus Police at (580) 774-3111.

### **DAILY CRIME LOG**

A daily crime log is available for review during normal business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m. at the SWOSU Campus Police Department located at 200 E. College Ave. The information in the crime log typically includes the case number, classification, date reported, date occurred, time occurred, general location and disposition of each crime. It does not include names of the parties involved.

### **EMERGENCY RESPONSE AND EVACUATION PROCEDURES STATEMENT (ERAEP)**

The SWOSU administration will immediately notify the campus community in the event and confirmation of an emergency or dangerous situation involving an immediate threat to the health or safety of the campus community. The decision to notify the community will be based on a case-by-case basis.

Law enforcement personnel at the scene will make the initial recommendation and they will request notification of the campus community based on their professional judgment. This recommendation can be made to any senior administrator, but is typically made to the President, Executive Vice President or the Vice President for Academic Affairs. The persons responsible for sending the official notification include, but is not limited to, the SWOSU Chief of Police, the SWOSU dispatcher, the SWOSU Information Technology Service Director and the Vice President of Public Relations and Marketing.

In the event of an incident, which would require the larger community to be notified, information will be sent through the internet, local media, and local cable channels if appropriate.

SWOSU Campus Police and designated persons will test the ERAEP annually and document the information concerning a description of the exercise, i.e. date, time and if announced or not announced. This documentation will be kept in the Annual Security Report paper file at the SWOSU Campus Police Department.

### **Notification to University Community about an Immediate Threat**

If the SWOSU Campus Police confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Southwestern Oklahoma State University community, the SWOSU Campus Police and/or the President, any Vice President, Chief of Police or his/her designee will utilize some or all of the systems described under the Timely Warning Policy (page 5) to communicate the threat to the SWOSU community or appropriate segment of the community if the threat is limited to a particular building or segment of the population. The SWOSU Campus Police Department immediately, and taking into account the safety of the community, determines the content of the notification and initiates the notification system unless issuing a notification will, in the judgment of the responsible authorities including the President, any Vice President, Chief of Police or his/her designee compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

### **Emergency Text Messaging System**

SWOSU provides emergency notification services (Omnilert) to the SWOSU community via cell phone text messages and email. The Emergency Text Messaging System is available to students, faculty and staff on Weatherford and Sayre campuses.

To participate in this service, individuals must register through the SWOSU Campus Police web site. <https://swosu.omnilert.net/>

Messages may be used for situations that pose immediate danger or the closing of an entire campus. Messages about campus crime alerts generally will not be sent unless it is decided there is imminent threat of danger. This notification service is provided in addition to existing emergency reporting procedures and does not replace or eliminate any emergency notification system (e.g., tornado sirens).

### **Emergency Notification Policy Test**

SWOSU Campus Police Chief or his/her designee will test the system annually and record this information. Test results will be kept in SWOSU Campus Police Department and available for public viewing on request.

### **Medical Emergencies**

Steps to take in a medical emergency:

- Do not move the patient unless his or her life is in danger.

- Have someone stay with the patient until help arrives.
- Call 911. Tell them your name, your exact location and a brief description of the problem. Do not hang up until told to do so.
- Meet emergency personnel to guide them to the patient.

SWOSU Campus Police will contact SWOSU Health Services or emergency services if necessary. SWOSU Health Services Hours: 8:00 a.m. -12:00 p.m. and 1:00 p.m. - 5:00 p.m. Monday thru Friday while class is in session, in the Wellness Center.

### **Campus Wide Emergency Response**

The purpose of this policy is to establish emergency response procedures SWOSU, as required by the Higher Education Opportunity Act of 2008. This policy applies to all students, staff and faculty of SWOSU.

The goal of this plan is to limit the loss of life and property in the event of an emergency or crisis that affects the operations of SWOSU. The proper use of available resources and personnel is critical to the successful management of Emergency Operations, including, but not limited to:

- Provide maximum preparation to reduce the potential for injury or damage;
- Provide a coordinated, interdisciplinary, and comprehensive response to a critical situation;
- Maximize the effectiveness and immediacy of response to victims;
- Facilitate assistance to the primary, secondary, and tertiary victims;
- Reduce the severity and duration of the trauma to the campus community;
- Provide coordinated internal and external communications;
- Facilitate coordination with external agencies;
- Prepare for post-crisis support, evaluation, and condition;
- Reassure the public and local community;
- Guard the institution's image.

For the purposes of this plan, an emergency is defined as any unplanned or sudden serious event or condition that cannot be controlled by normal responses or measures. SWOSU's Chief of Police or his/her designee will have primary responsibility for convening the Emergency Management Team and will manage the institutional response. Once a state of emergency is declared, the plan's guidelines are to be implemented by all faculty, staff and students. The procedures contained in this document are guides and should be used as a flexible tool to respond to a variety of circumstances. This plan applies to all SWOSU

personnel and properties. The City of Weatherford has developed its own plan and SWOSU's plan will be incorporated into the overall City of Weatherford plan.

## **Natural Disasters**

In the event of storm conditions, the Weatherford Fire Department will sound sirens strategically located across the city and on the SWOSU Campus to warn the population to seek immediate shelter or take proper precautions. Members of the SWOSU community have several campus buildings available to them, which are readily accessible for shelter.

The following facilities are available to residents for shelter when needed:

- The basements of Neff Hall, Mann Hall, Black Kettle Hall (Parker Center basement), and Stewart Halls are available to residents of the halls.
- The Oklahoma Hall residents should seek shelter in the Gold Program Hall area.
- The basement of the Campbell Building is available for its occupants at the time.
- The basement of the Stafford Building is available for its occupants at the time.
- The basement of the Science Building and Al Harris Library are voluntary shelters.
- Residents from the Mary Mabry Savage Apartments should seek shelter in the basement of Neff.

For information from the National Weather Service and local storm updates, please tune to 95.5 FM on your radio.

The following information is a guideline to aid you in determining what action you should take in severe weather.

*Tornado WATCH:* Conditions are such that storms capable of producing a tornado may develop.

*Tornado WARNING:* Either a tornado has been sighted or it is highly probable that one will develop. The storm warning sirens will signal a warning.

Weatherford Fire Department will test the storm sirens monthly on the first Monday at 12:00 pm.

## **Tornado Precautions**

- If you are in the warning area, seek shelter immediately, each building has a designated storm shelter area, if unaware of the location use the lowest accessible floor of the building away from windows and doors. Volunteer storm shelters are the Science Building and the Library Auditorium west entrance.

- If you are in a vehicle, get out and seek shelter in a sturdy building. If a building is not available, a depression such as a ditch or ravine offers some protection but be alert for flashfloods.
- Do not open windows. This can actually increase damage to the building. Stay away from windows and exterior doors.
- Basements, interior hallways on the lower floors and small interior rooms on the lower floors offer the best shelter.
- Do not attempt to turn utilities on or off.
- Report injuries and damage to the SWOSU Campus Police Department at (580) 774-3111. After the all clear, leave badly damaged buildings and do not attempt to return unless directed to do so by emergency personnel.

### **Earthquake Procedures**

All employees and students should take immediate cover in the event of an earthquake.

- Position yourself under a desk or in a doorway and cover your head.
- Stay clear of windows, shelves and heavy objects.
- If outdoors, move away from buildings, trees, utility poles, power lines and gas meters.
- DO NOT USE ELEVATORS DURING EVACUATION AFTER AN EARTHQUAKE.
- Once the tremor has passed, immediately evacuate the building and proceed to established points.

### **Bomb Threats**

If you receive a bomb threat over the phone, remain calm and try to act courteous. If possible, get another person to listen on another extension. Take notes on the caller's threat, tone, voice, characteristics and background noise. Contact SWOSU Campus Police at (580) 774-3111 immediately, and follow directions.

### **CRIME PREVENTION**

Policy Statement Addressing Crime Prevention Programs for Students, Staff and Faculty  
 Crime Prevention Programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year. SWOSU Campus Police personnel facilitate programs for student, parent, staff, faculty, and new employee orientations, student organizations, community organizations, in addition to quarterly programs for Housing Services Resident Advisers and residents providing a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes.

Tip: To enhance personal safety, and especially after an evening class, walk with friends or someone from class that you know well or contact campus police for an escort.

## Personal Safety

### General Precautions and Crime Prevention Tips:

1. Program the SWOSU Campus Police Department's phone number (580) 774-3111 into your cell phone. Report any suspicious activity to the SWOSU Campus Police Department immediately.
2. Never take personal safety for granted. Always be aware of your surroundings.
3. Try to avoid walking alone at night. Request an escort from the SWOSU Campus Police Department by calling (580) 774-3111.
4. Limit your alcohol consumption and leave social functions that get too loud or too crowded, or that have too many people drinking excessively. Remember to call the SWOSU Campus Police Department or the Weatherford Police Department for help at the first sign of trouble.
5. Use lighted walkways and thoroughfares, even if it means going out of your way.
6. Carry only small amounts of cash and keep purses, backpacks and money belts close to the body.
7. Do not struggle if someone attempts to take your property.
8. Never leave valuables unattended. (Wallets, purses, books, calculators, laptops, etc.)
9. Carry your keys at all times and do not lend them to anyone.
10. Lock up bicycles and motorcycles. Lock doors and close windows when leaving your car.
11. Remember to lock the doors at your residence. Be certain that your door is locked to your residence when you go to sleep, and keep windows closed and locked when you are not at home.
12. Do not leave valuables in your car, especially if they can be easily noticed.
13. Engrave serial numbers or owner has recognized numbers, such as a driver's license number, on items of value.
14. Inventory your personal property and insure it appropriately with personal insurance coverage.

### At home, in an apartment building, or in a residence hall

1. Keep your room door locked when you are sleeping.
2. Never let unauthorized persons come into your room, enter residence halls, or enter apartment security doors. Always ask to see proper identification.

3. Never prop open inside or outside doors.
4. Do not hide keys outside your room or apartment. Do not put your name or address on your key rings.
5. Avoid working or studying alone in a campus building.
6. Never dress in front of a window. Close blinds or curtains after dark.
7. If an intruder awakens you inside your room, do not attempt to apprehend the intruder. Try to get an accurate description of the intruder and call the police.
8. Any suspicious activity should be reported to the SWOSU Campus Police Department immediately.

When driving:

1. Park your vehicle in a well-lit and populated area.
2. Have your car keys in your hand when approaching your vehicle so you can enter quickly.
3. Scan the area before getting into your vehicle and always check underneath your car upon approach and in the rear seat for intruders before entering the automobile.
4. Lock your doors and keep windows rolled up whenever possible.
5. Drive on well-traveled and well-lit streets.
6. Never hitchhike, and never pick up hitchhikers.
7. If someone tries to enter your stopped vehicle, sound the horn and drive to a safe area such as a convenience store.
8. If your vehicle breaks down, ask any person who stops to help to call the police. Do not allow any person access to you or inside your car. Roll down your window no more than an inch. Be aware that an accident may be staged to provide the other driver an opportunity to commit a criminal act.
9. Leave enough room between your car and the one ahead so you can drive around it if necessary.
10. Call ahead when driving to your home or apartment late at night and have someone watch you walk from your car to the residence.
11. Limit distractions such as cellphones.

While walking or jogging:

1. Avoid walking or jogging alone, and try not to walk or jog after dark.

2. Avoid dark or vacant areas. Walk along well-lit routes.
3. Be alert to your surroundings. If you suspect you are being followed: Run in a different direction, go to the other side of the street and yell for help, or move quickly to a lighted area, a group of people.

Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks can be found at <http://www.helpguide.org/articles/abuse/domestic-violence-and-abuse.htm>

### **Safety Escort Service**

SWOSU Campus Police Department provides a safe escort to and from buildings/vehicles to all Staff, Faculty and Students in the event that they are uncomfortable walking alone or if they feel, threatened. Anyone on campus wishing to have an Officer escort them should call the SWOSU Campus Police Department at (580) 774-3111 and provide their name, location and a contact number where the Officer may call if they cannot locate the person.

### **Active Shooter Response Training A.L.I.C.E. Program**

When a hostile person(s) is actively causing deadly harm or the imminent threat of deadly harm within a building or other location, it is important that you be prepared to act.

SWOSU has adopted the A.L.I.C.E. active shooter civilian response-training program. A.L.I.C.E. stands for Alert, Lockdown, Inform, Counter, and Evacuate.

This program is founded on the principle that to survive an active shooter emergency, you must be prepared to acknowledge a threat immediately and then Run, Hide or Fight. SWOSU Campus Police Department is prepared to train any interested SWOSU community members in this valuable and potentially lifesaving program for no cost.

Classes can be tailored around the needs of the group and can include a two (2) hour program on basics or a four (4) hour comprehensive program where attendees simulate a response to a life threatening active shooter.

For more information on the A.L.I.C.E program at SWOSU, including seeking information on attending an open class for individuals, please call SWOSU Campus Police Department at (580) 774-3111.

### **Self Defense Training Rape Aggression Defense R.A.D. Program**

SWOSU Campus Police Department is instructing three self-defense programs on campus.

The Rape Defense <http://www.rad-systems.com/> is a national program of realistic self-defense tactics and techniques taught for women only. Nationally certified R.A.D. instructors teach all courses.

The goal of R.A.D. is to provide realistic self-defense options to women, regardless of their level of physical conditioning. Students at all levels of ability, age, experience, and strength will be provided with techniques and information that can be effectively used from the first day



of class. R.A.D. is not a martial arts program, nor does it require students to be athletes in training to succeed.

R.A.D. Aerosol Defense option: <http://www.rad-systems.com/rad.aerosol.html> using the proven R.A.D. Systems philosophy, A.D.O. destroys the myths and manufacture hype about pepper spray effectiveness and even its ability to deter a Committed Focused Aggressor. Learn the most realistic methods for accessing, deploying and assisting the aerosol defense option; and if it fails to work (and it may), learn the proven backup strategies needed for successful escape. R.A.D. Systems has conducted over 300 videotaped live test exposures to various aerosol products with a wide range of delivery systems. Stop believing a manufacturer's selling hype. We know what works and what does not through hands on experience.

### RESISTING AGGRESSION WITH DEFENSE R.A.D. Program

The R.A.D. for Men [http://rad-systems.com/rad\\_men.html](http://rad-systems.com/rad_men.html) participants will have the opportunity to: raise their awareness of aggressive behavior, recognize how aggressive behavior impacts their lives, learn steps to avoid aggressive behavior, consider how they can be part of reducing aggression and violence, and practice hands-on self-defense skills to resist and escape aggressive behavior directed toward them. This program is designed to empower participants to make safer choices when confronted with aggressive behavior.

Every student receives a manual for reference and practice. Once a student has completed a R.A.D. program, their signed manual becomes a ticket for free return and practice with any instructor in the US and Canada.

The widespread acceptance of R.A.D. system is due to the ease, simplicity, and effectiveness of our tactics, solid research, legal defensibility, and unique teaching methodology. R.A.D. is the only self-defense program endorsed by the International Association of Campus Law Enforcement Administrators (IALCEA).

SWOSU is now offering R.A.D. for credit. SWOSU students may enroll in this course and receive a one-hour credit.

For more information, please call SWOSU Campus Police Department at (580) 774-3111.

### **SEX OFFENDER REGISTRY**

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained.

Oklahoma law (Title 57, Sections 583-584) requires anyone required to register as a sex offender do so with both their local law enforcement, municipal or county agency at their residence and also with the police or security department of any institution of higher education at which they are enrolled as a student (full-time or part-time), are an employee (full-time or part-time) or reside (or intend to reside or stay) on any property owned or controlled by the institution of higher education.

Information on any sex offender who works for, attends, or lives on property owned by SWOSU can be found at the SWOSU Campus Police Department, 100 Campus Drive, Weatherford, OK 73096/Weatherford Police Department (580) 772-7791. You may also access the Oklahoma Sex Offenders Registry at the following link: <https://sors.doc.state.ok.us/svor/f?p=119:1> Or the National Sex Offenders Registry at the following link:

[https://www.nsopw.gov/\(X\(1\)S\(h1fx5mlojy2ef5s521zoz23t\)\)/Registry/AllRegistries](https://www.nsopw.gov/(X(1)S(h1fx5mlojy2ef5s521zoz23t))/Registry/AllRegistries)

## **LOST AND FOUND**

The SWOSU Campus Police Department Lost and Found is located at the 200 E. College. Additionally, the Dean of Students' Office, Room 214, Stafford Building, (580) 774-3767, serves as the main lost and found collection point on campus. However, most offices have lost and found collections, which they turn over to the Dean of Students after a period to maintain a central location for persons seeking lost property.

## **PROCEDURES FOR REPORTING A CRIME OR EMERGENCY**

### **Crime Reporting**

Crime victims and witnesses to a crime, regardless of the crime, are encouraged to promptly report incidents to the SWOSU Campus Police Department or other appropriate police agencies. To report a crime, the victim, if he or she elects to, or witness needs only to call the police and a police officer will meet them to gather information. An official report will be made with copies available to the victim after a completed investigation. Each month, the number of incidents in each category of crime are counted and reported to the Oklahoma State Bureau of Investigation (OSBI), which in turn provides the information to the Federal Bureau of Investigation (FBI).

Each year, the FBI publishes a book of crime statistics, "Crime in the United States," which includes accurate accounting of the criminal incidents that occurred on the SWOSU Campus.

To report a crime in progress, dial 911, or call (580) 774-3111.

### **Confidential Crime Reporting**

Confidential reporting of crimes is allowed at SWOSU. If, for a personal reason, a person does not wish to report an on-campus crime or suspected crime to the police, that person may anonymously report it by reporting it online at:

<http://www.swosu.edu/administration/police/docs/crime-incident-form.pdf>

SWOSU Campus Police Department encourages all persons to report any criminal activity, suspicious conduct, and other general emergencies to SWOSU Campus Police at 3111 from any campus phone or (580) 774-3111 from any cellular telephone. We are partnered with the City of Weatherford Police Department for all 911 related calls.

### **Crimes Disclosed to Pastoral or Mental Health Counselor**

To be exempt from disclosing reported offenses to appropriate SWOSU officials, a pastoral or mental health counselor must be acting in their role as a pastoral or professional counselor.

This exemption does not relieve counselors of the duty to exercise reasonable care to protect a foreseeable victim from danger posed by the person being counseled. When speaking to a victim or witness to a crime, counselors are encouraged to inform the individual to report the crime to the police.

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

A mental health counselor is a person whose official responsibility includes providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. This definition also applies to professional counselors who are not employees of the institution but are under contract to provide counseling to the institution.

Note that the pastoral counselor or mental health counselor must report the crime to SWOSU Campus police for purposes of including the incident in the annual crime statistics only. Personal information will not be conveyed when making this disclosure unless the victim consents to such disclosure.

### **Crimes in Progress**

To report a crime in progress, a person, victim or witness can dial 911 or (580) 774-3111. Any reporting method will stimulate the response of police, fire, ambulance or other first responders. In addition, the victim of a serious crime can request support personnel, such as ministers and rape crisis or domestic violence counselors, during or after reporting the incident.

Additionally, crime victims may be eligible for funds through victims' compensation laws administered by the local district attorney's office. Prompt reporting of criminal activity to the police enables a quick response, a timely warning, and a safer campus for everyone.

If you are the victim of a crime or a witness to one, you should do the following:

- Call the police immediately: Dial 911 for emergencies or call (580) 774-3111 or ext. 3111.
- Obtain a description: Attempt to obtain a description of the offender(s), including gender, age, race, hair, clothing and distinguishing features.
- Obtain a description and license number of any vehicle(s) involved. Note the direction of travel of any offender(s) or vehicle(s) and report these to the police.
- Preserve the crime scene: Do not touch any items involved in the incident. Close off the area of the incident, and do not allow anyone in the crime area until police arrive.

### **Off-Campus Crime**

If Weatherford Police Department is contacted about criminal activity occurring off-campus involving a member of the SWOSU community, the Weatherford Police Department may notify

the SWOSU Campus Police Department. However, there is no official policy requiring such notification. There are no officially recognized student organizations with off-campus locations.

### **Crime Disclosure**

SWOSU policies and procedures require the publication of annual crime statistics. Included in this report are crimes reported to the SWOSU Campus Police Department and other campus officials, including SWOSU Residential Life, and Dean of Students, and local law enforcement. Crime statistics are collected by SWOSU Chief of Police or his/her designee and maintained at the SWOSU Campus Police Department.

The tables Campus Crime Report (page 23) comply with the Clery Act.

The crime and arrest statistics reported are those that occurred within the jurisdictional boundaries of campus. They do not include off-campus private housing, which are within the Weatherford Police Department jurisdiction. SWOSU does not report crime and arrest statistics for fraternities and sororities although they are within the jurisdictional boundaries of Weatherford. Crimes occurring on public property immediately adjacent to campus are also reported when available. Crime statistics concerning other locations are available at the Weatherford Police Department.

### **Obtaining Reports**

To request a copy of a report or ask other related questions, contact the SWOSU Campus Police Department at (580) 774-3111. Requests for incident reports or traffic crash reports by persons involved generally will be processed when the investigation is completed. SWOSU faculty, staff, and students are not charged for obtaining report copies when involved in the reported incident.

The SWOSU Campus Police Department is committed to complying with its obligations under the Freedom of Information Act (F.O.I.A.) without undue delay but realizes that under certain circumstances the release of records may have an impact on victims, witnesses and the integrity of investigations. If an investigation is ongoing and still open, a request for any related SWOSU Campus Police Department report may be denied and information of a personal nature will be withheld or redacted where the public disclosure of such information would constitute an invasion of privacy.

### **SECURITY AND ACCESS TO CAMPUS FACILITIES**

During business hours, SWOSU will be open to students, parents, staff, faculty, contractors, guests, and invitees. During non-business hours, access to all SWOSU facilities is by key, if issued, or by admittance via the SWOSU Campus Police or Residence Life staff. In the case of periods of extended closing, SWOSU will admit only those with prior written approval to all facilities.

Over extended breaks, the doors of all halls will be secured around the clock. Some facilities may have individual hours, which may vary at different times of the year. These facilities may be secured according to schedules developed by the department responsible for the facility.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic have security surveys conducted of them. Administrators from the Dean's Office, Physical Plant, Residence Life, and other concerned areas review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Additionally, during the academic year, the Directors of Facilities Management, Housing, Residence Life, SWOSU Campus Police, and Maintenance meet monthly to discuss issues of pressing concern.

## **Maintenance of Campus Facilities**

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. SWOSU Campus Police officers regularly patrol and report malfunctioning lights and other unsafe physical conditions to Physical Plant for correction. Other members of the SWOSU community are helpful when they report equipment problems to the SWOSU Campus Police Department at (580) 774-3111 or Physical Plant at (580) 774-3788.

## **DEFINITION OF TERMS FOR STATISTICAL CHARTS**

The charts setting forth statistical data on reported crimes include the following terms.

*Campus:* Any building or property owned or controlled by the institution within the same reasonably contiguous geographic area and used by the institution in the direct support of, or related to, its educational purpose.

*Clery Geography:* Buildings and property that are part of the institution's campus; the institution's non-campus buildings and property; and public property within or immediately adjacent to and accessible from the campus.

*Campus-Housing (Residential):* Any facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

*Other:* Any non-residential area on campus.

*Non-Campus Building or Property:* Buildings or property owned or controlled by a student organization, such as a fraternity or sorority, recognized by the institution, and any building or property (other than a branch campus) owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is used by students and is not within the same reasonable contiguous geographical area of the institution

*Public Property:* All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, street or other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution, if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

## **CRIME DEFINITIONS**

The definitions that follow are provided for ease of reference when interpreting data included on the statistical summary that follows. Questions about crime data should be forwarded to

SWOSU Campus Police at 200 E. College Ave. Weatherford, OK 73096, or telephone at (580) 774-3111 or e-mail at [police@swosu.edu](mailto:police@swosu.edu). The following definitions of criminal activities are based on Uniform Crime Reporting definitions as provided by the FBI and in accordance with Clery Act provisions. These definitions are for use by “Campus Security Authorities” at SWOSU. Any activity that meets any of these definitions, if reported to a “Campus Security Authority,” is included in the statistical section of the annual report in compliance with the Clery Act. Definitions under Oklahoma law can be found in appendix A.

## **Criminal Offenses**

*Murder and Non-negligent manslaughter:* The willful (negligent or non-negligent) killing of one human being by another.

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

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

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

*Aggravated Assault:* An unlawful attack of one person by another for inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon, likely to produce death or great bodily harm. Simple assaults are excluded.

*Burglary:* The unlawful entry of a structure to commit a felony or theft. Attempted forcible entry is included.

*Motor Vehicle Theft:* The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on land surface and not on rails. Motorboats, construction equipment, airplanes, and farming equipment are specifically excluded from this category.

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

*Weapons: carrying, possessing, etc.:* The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. Attempts are included.

*Drug abuse violations:* The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The following drug categories are specified: opium or cocaine and their derivatives (morphine, heroin, codeine), marijuana, synthetic narcotics—manufactured narcotics that can cause true addiction (Demerol, methadone), and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

*Liquor laws:* The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Federal violations are excluded.

*Forcible Fondling:* The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

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

*Statutory Rape:* Non-forcible sexual intercourse with a person who is under the statutory age of consent.

## **Hate Crimes**

A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim of their Race, Religion, and Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin or Disability.

Hate Crimes include any of the following offenses that are motivated by bias. Murder and Non-negligent Manslaughter, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson as defined above. In addition to those offenses, Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property.

*Larceny-Theft:* The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another person.

- *Pocket picking:* The theft of articles from another person's physical possession by stealth where the victim usually does not become immediately aware of the theft.
- *Purse snatching:* The grabbing or snatching of a purse, handbag, etc., from the physical possession of another person.
- *Shoplifting:* The theft, by someone other than an employee of the victim, of goods or merchandise exposed for sale.
- *Theft from Building:* A theft from within a building, which is either open to the general public or where the offender has legal access.
- *Theft from Coin Operated Machine or Device:* A theft from a machine or device, which is operated or activated by the use of coins.
- *Theft from Motor Vehicle* (Except "Theft of Motor Vehicle Parts or Accessories"): The theft of articles from a motor vehicle, whether locked or unlocked.

- *Theft of Motor Vehicle Parts or Accessories:* The theft of any part or accessory affixed to the interior or exterior of a motor vehicle in a manner which would make the item an attachment of the vehicle, or necessary for its operation.
- *All Other Larceny:* All thefts, which do not fit any of the definitions of the specific subcategories of Larceny/Theft, listed above.

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

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

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

### **Violence against Women Act (VAWA)**

Sexual assault: An offense that meets the definition of rape, fondling, incest, or statutory rape, used in the FBI's UCR program.

- *Rape:* The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- *Fondling:* The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- *Incest:* Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- *Statutory Rape:* Sexual intercourse with a person who is under the statutory age of consent.

For the purpose of this definition:

Consent means voluntary, positive agreement between the participants to engage in specific sexual activity.

An individual cannot give consent who is asleep, is mentally or physically incapacitated through the effect of drugs or alcohol, or for any other reason, is under duress, threat, coercion or force.

Inferred under circumstances in which consent is not clear including, but not limited to, the



absence of an individual saying "no" or "stop", the existence of a prior or current relationship or sexual activity.

*Age of consent* in Oklahoma is 16 years of age.

*Domestic Violence:* A felony or misdemeanor crime 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 cohabited with the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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

For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts that meet the definition of domestic violence.

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

For the purpose of this definition:

*Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

*Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

*Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

## **Arrests and Referrals for Disciplinary Action**

Arrest is defined as persons processed by arrest, citation, or summons. Referred for disciplinary action is defined as the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction. Clery Act statistics are disclosed for arrests and referrals regarding violations of liquor, drug abuse, and weapons laws. Only violations of the law resulting in arrest or referral are disclosed. Violations of institutional policy alone are not included in Clery Act statistics.

*Drug Abuse Violations:* The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment of devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine), marijuana, synthetic narcotics (Demerol, methadone), and dangerous non-narcotic drugs (barbiturates, Bensedrine). Classify as a drug abuse violation: all drugs, without exception, that are illegal under local or state law where your institution is located and all illegally obtained prescription drugs.

*Liquor Law Violations:* The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness. Classify as a liquor law violation: the manufacture, sale, transporting, furnishing, possessing, etc. of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and attempts to commit any of the aforementioned acts.

*Weapon: Carrying, Possessing, Etc.:* The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Classify as a weapons: carrying, possessing, etc. violation: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc. of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the aforementioned acts. SWOSU policy prohibits deadly weapons on campus with limited exceptions. In accordance with state law, no one other than a commissioned law enforcement officer may carry firearms on campus. Firearms on campus must be stored at the SWOSU Campus Police Department.

**CRIME STATISTICS: Tables of Known Criminal Offenses 2016, 2017, 2018**

<b>KNOWN CRIMINAL OFFENSES</b>					
<b>OFFENSES</b>	<b>GEOGRAPHIC LOCATION</b>				
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY</b>	<b>ON-CAMPUS STUDENT HOUSING FACILITIES</b>	<b>NON-CAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
<b>CRIMINAL HOMICIDE:</b>	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018-2019	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2018-2019	0	0	0	0
<b>SEXUAL ASSAULT:</b>	2016-2017	0	0	0	0
	2017-2018	1	0	0	0
RAPE	2018-2019	0	1	0	0
	2016-2017	0	0	0	0
	2017-2018	1	1	0	0
FONDLING	2018-2019	1	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
INCEST	2018-2019	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
STATUTORY RAPE	2018-2019	0	0	0	0
<b>ROBBERY:</b>	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0
<b>AGGRAVATED ASSAULT:</b>	2016-2017	1	0	0	0
	2017-2018	0	0	0	0
	2018-2019	3	0	0	0
<b>BURGLARY:</b>	2016-2017	2	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	1	0	0
<b>MOTOR VEHICLE THEFT:</b>	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	1	0	0	0
<b>ARSON:</b>	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0

# KNOWN HATE CRIMES

OFFENSES	GEOGRAPHIC LOCATION				
	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
<b>CRIMINAL HOMICIDE:</b> MURDER/ NON-NEGLIGENT MANSLAUGHTER	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0
<b>SEXUAL ASSAULT:</b> RAPE	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0
FONDLING	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0
INCEST	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0
STATUTORY RAPE	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0
<b>ROBBERY:</b>	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0
<b>AGGRAVATED ASSAULT:</b>	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0
<b>SIMPLE ASSAULT:</b>	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0
<b>BURGLARY:</b>	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0
<b>LARCENY/THEFT:</b>	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0
<b>VANDALISM/DESTRUCTION/DAMAGE OF PROPERTY:</b>	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0
<b>MOTOR VEHICLE THEFT:</b>	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0
<b>ARSON:</b>	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0
<b>INTIMIDATION:</b>	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0
HATE CRIMES: (RA) RACE, (RE) RELIGION, (SO) SEXUAL ORIENTATION, (GE) GENDER, (GI) GENDER IDENTITY (DI) DISABILITY, (EN) ETHNICITY/NATIONAL ORIGIN					
NO HATE CRIMES FOR 2016, 2017, 2018					

## KNOWN VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES

OFFENSES	GEOGRAPHIC LOCATION				
	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
<b>DOMESTIC VIOLENCE:</b>	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	1	0	0	0
<b>DATING VIOLENCE:</b>	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0
<b>STALKING:</b>	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	0

## ARRESTS AND DISCIPLINARY REFERRALS

OFFENSE	GEOGRAPHIC LOCATION				
	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
<b>ARRESTS WEAPONS:</b> CARRYING, POSSESSING, OTHER	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	1	0	0	1
<b>ARRESTS: DRUG ABUSE VIOLATIONS</b>	2016-2017	0	0	3	3
	2017-2018	0	0	0	4
	2018-2019	0	0	0	1
<b>ARRESTS: LIQUOR LAW VIOLATIONS</b>	2016-2017	1	0	3	0
	2017-2018	0	0	0	0
	2018-2019	0	0	0	2
<b>DISCIPLINARY REFERRALS: WEAPONS</b> CARRYING, POSSESSING, OTHER	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
	2018-2019	1	1	0	0
<b>DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS</b>	2016-2017	0	0	0	0
	2017-2018	1	0	0	7
	2018-2019	2	3	0	1
<b>DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS</b>	2016-2017	3	0	0	0
	2017-2018	0	0	0	0
	2018-2019	4	1	0	0

### Unfounded Crimes

No Unfounded Crimes for 2016, 2017, 2018

## **ALCOHOL AND DRUG POLICIES**

SWOSU seeks to encourage and sustain an academic environment that respects individual freedoms and promotes the health, safety and welfare of its students, faculty staff and visitors. These participants are expected to know and follow the applicable laws and all SWOSU rules and regulations. Each person is responsible for his/her own behavior. The SWOSU enforces compliance with state law and alcoholic beverage laws on campus and at SWOSU-sponsored activities.

In compliance with the Drug-Free and Communities Act Amendments of 1989, SWOSU recognizes that drug and alcohol abuse diminish the integrity of the institution and erodes the strength and vitality of its human resources. Faculty and staff are expected to be in suitable mental and physical condition able to perform their assigned duties satisfactorily. It is the intent of SWOSU to educate students, staff and faculty about the dangers of drug and alcohol abuse and to discourage the illegal possession and distribution of drugs and alcohol.

Accordingly, SWOSU adopts the following policy: The unlawful possession, use or distribution of illicit drugs and alcohol by students, and employees on SWOSU property, or as a part of any SWOSU student sponsored activity, is strictly prohibited. All students, staff and faculty must abide by this policy as a condition of enrollment or employment. Continuance of employment or enrollment following receipt of this policy constitutes acceptance of this policy by the, employee or student. Sanctions will be imposed for violation of this policy. Employees are required to notify SWOSU Human Resources of any state or federal drug statute conviction for a violation occurring on SWOSU campus no later than five (5) days after conviction. Students are required to notify the Dean of Students within the same period.

Student Policies: The University enforces all state laws regarding the possession, use, and sale of alcoholic beverages, including those prohibiting the consumption of alcoholic beverage to persons under the age of 21. Unlawful use, sale, possession, distribution, or being under the influence or association with narcotics, drugs, marijuana, hallucinogens, or other dangerous drugs while on or off campus. Drinking, being in possession of, or under the influence of alcoholic beverages on the campus or at university sponsored events off the campus. Confiscated liquor and beer will not be returned to those persons from whom it was seized. All beverages, which are confiscated, will be destroyed pending resolution of any legal action taken against parties in possession of the alcohol. Possession of any form of illegal contraband and paraphernalia, which is usually associated with the use of narcotics and/or dangerous drugs. The consumption or possession of alcoholic beverages or illegal narcotics in any form on the campus, in university housing or at any event sponsored by or for a student organization or other university sponsored activity for students, is forbidden. Rooms in the residence halls may not be decorated with alcoholic beverage containers. Any advertisement which promotes the use, purchase, or giveaway of drugs, including alcohol, in university supported publications, flyers, or hand.

## **DRUG-FREE SCHOOLS AND COMMUNITIES ACT**

Southwestern Oklahoma State University Weatherford and Sayre Campuses

For full 2018 Biennial Review Report: <https://www.swosu.edu/administration/shs/docs/drug-free-schools-communities-act-biennial-review-a.pdf>

The Drug-Free Schools and Campuses Regulations require an institution of higher education to conduct a biennial review of its program to determine its effectiveness, implement changes if needed, and to ensure that the sanctions are enforced consistently.

The objectives of the biennial review as identified by the U.S. Department of Education include determining the effectiveness and consistency of policy enforcement to identify and implement any changes needed to AOD (Alcohol and Other Drug) policies and/or prevention program. The University enforces the disciplinary sanctions for violating standards of conduct consistently. The review is completed to ensure compliance with the Code of Federal Regulations, 34 CFR Part 86, or the Drug-Free Schools and Communities Act.

Southwestern Oklahoma State University recognizes its responsibility as an educational and public service institution to promote a safe and productive educational and work environment. This responsibility demands implementation of programs and services which facilitate that effort. Southwestern supports federal laws requiring the establishment of antidrug programs, which prohibit the use of illegal drugs in the schools and the workplace. Toward this goal, the University has implemented the following policies:

- Students and employees are required to abide by the terms of the Drug-Free Schools and Drug-Free Workplace Policies as a condition of enrollment and/or employment.
- Illegal manufacture, distribution, possession or use of illegal drugs on university property is strictly prohibited.
- A violation of the policy is to be considered a major offense that can result in immediate expulsion for students, termination of employment or require satisfactory participation in a drug rehabilitation program. A criminal conviction is not required for sanctions to be imposed upon an individual for violation of this policy.
- Employees are required to notify their supervisors of a criminal conviction for drug-related offenses occurring in the workplace no later than five days following the conviction. Students are required to notify the Dean of Students of such a conviction on university property within the same period.
- Students and employees are provided access to the University's Employee Assistance Program (EAP), counseling and training programs which are designed to inform individuals about the dangers of drug abuse. Voluntary participation in or supervisory referrals to the Employee Assistance Program are on a confidential basis.
- Students and employees are forbidden from performing sensitive safety functions while a prohibited drug is in their system.
- Drug testing is mandated for sensitive safety positions prior to employment when there is reasonable cause, after an accident, on a random basis, and before returning to duty after refusing to take a drug test or after not passing a drug test. (Sensitive safety employees are defined in CFR Volume 32, Part 280 and CFR Volume 49 Part 653.) This legislation is available for review in the Human Resources Office.

## University Sanctions

Under Federal Regulations, SWOSU must impose sanctions for violations of its Drug-Free Schools Policy. SWOSU sanctions include, but are not limited to reprimand, restriction of activities, conduct probation, administrative leave, expulsion, and termination of employment. Administrative sanctions shall be imposed immediately or within 30 days of notification or awareness of the employee's workplace related criminal drug statute conviction. SWOSU may also require the completion of an approved rehabilitation program at the employee or student's expense. All disciplinary action will be taken in accordance with the applicable policies of SWOSU.

It is also within the discretion of SWOSU to refer any violations to the appropriate authorities for criminal prosecution. Local, state, and federal laws provide for a variety of legal sanctions for the unlawful possession and distribution of illegal drugs and alcohol. (See legal sanctions of local, state, and federal law) Hence, sanctions include, but are not limited to, incarceration and monetary fines.

Violations of this policy shall result in University sanctions including, but not limited to:

- Any student accused of a violation of the Student Code of Conduct for which he or she could be expelled, or for which his or her degree could be revoked, shall be entitled to an opportunity upon appeal to choose (A) an Administrative Hearing or (B) a hearing with the Committee on Student Conduct.
- Warning: A formal warning will be a written notice documented in a disciplinary letter.
- Specified Restrictions/Requirements: The imposing of specified restrictions, including but not limited to: letter of apology, presentation of a workshop, preparation of a research paper project, social probation, community service, assessment or evaluation, counseling, restitution for damages, punitive fines, eviction from residence halls, loss of privileges (i.e., visiting privileges in housing or denial of access to computer services), or any combination of the above, and any other appropriate educational expectation.
- Personal Probation: Personal probation is an informal probation. A second violation means that disciplinary action will be based on both charges.
- Conduct Probation: Conduct probation is a formal probation. A second violation means that disciplinary action will be based on both charges. The record of conduct probation is kept in the student's disciplinary file and the disciplinary hold on his or her record is removed at the discretion of the DOS.
- Suspension Delayed: Suspension Delayed is an agreement between the student and DOS that a future violation of the student code of conduct or failure to comply with sanctions will result in immediate suspension. The Committee on Student Conduct may also issue this sanction.



- **Temporary Suspension:** A student may be suspended from the University without a hearing when there is an immediate and present danger of damage to life, property or disruption of university life. Such an administrative decision will be effective immediately.
- **Suspension/Indefinite Suspension:** A student may be suspended for reasons of conduct for a defined period of time not less than the remainder of the current semester in which he or she is enrolled. The student who has been suspended may apply for readmission at the close of the period for which he or she was suspended. A suspension hold will be placed on the transcript during the period of the suspension.
- **Expulsion:** When a student is expelled, a record of this action will be made a part of the student's permanent record in the Office of the Registrar. A student who is expelled will not be allowed to re-enter the University.
- **Degree Revocation:** When a degree is revoked or credit rescinded, a record of this action will be made a part of the official record of the graduate or student in the Office of the Registrar.
- **Disciplinary Hold:** A disciplinary hold may be placed on records of students who have been placed on conduct probation, suspension, or expulsion.
- **Student loans, grants, fellowships, teaching fellowships, or other means of financial assistance may be revoked or terminated for the unlawful manufacture, preparation, delivery, sale, offering for sale, barter, furnishing, give away, possession, control, use or administering of narcotic drugs, marijuana, barbiturates, or stimulants.**

Students are required to abide by The Policy on Drug-Free Schools as a condition of enrollment. This policy states the illegal manufacture, distribution, possession of or use of illegal drugs on university property is strictly prohibited. Violation of this policy is considered a major offense and may result in expulsion from the University. Criminal charges or a conviction is not required for sanctions to be imposed.

SWOSU Campus Police enforces all state and federal laws concerning illegal drugs. Anyone in possession of, using, or selling drugs, will be apprehended. Students may additionally be charged under any existing university student disciplinary code. SWOSU seeks to encourage and sustain an academic environment that respects individual freedoms and promotes the health, safety and welfare of its students, faculty staff and visitors. These participants are expected to know and follow the applicable laws and all SWOSU rules and regulations. Each person is responsible for his/her own behavior. The SWOSU enforces compliance with state law and alcoholic beverage laws on campus and at SWOSU-sponsored activities.

Each new employee (student, staff, administrative or faculty) will receive a printed copy of the Drug Free School/Workplace on or before the first day of employment. A signed acknowledgment of receipt will be imaged in personnel file. Refusal, failure or neglect by any SWOSU employee to sign and return the written acknowledgment statement shall be deemed an act of insubordination and will subject the employee to appropriate disciplinary action.

## **Legal Sanctions: Local**

Local, state, and federal laws provide for a variety of legal sanctions, both civil and criminal, for the unlawful possession and/or distribution of illegal drugs or alcohol. As an example of a civil penalty, 70 O.S. Section 624 provides that student loans, grants, fellowships, teaching fellowships, or other means of financial assistance may be revoked or terminated for the unlawful manufacture, preparation, delivery, sale, offering for sale, barter, furnishing, giving away, possession, control, use or administering of narcotic drugs, marijuana, barbiturates, or stimulants. The cities of Weatherford and Sayre follow state and federal guidelines.

## **Legal Sanctions: Oklahoma**

### Possession of CDS in Oklahoma

Possession of drug paraphernalia, illegal prescription drugs, and controlled dangerous substances (CDS) are crimes that are vigorously prosecuted, sending thousands of Oklahomans to jail or prison each year.

### Current Penalties for Possession of CDS

The unlawful (simple) possession of any CDS is a misdemeanor in the state of Oklahoma. The maximum jail time is one year, and the maximum fine is \$1,000. The maximum penalty does not change based on the number of times someone violates the statute.

### Schedule I and II Drugs

Schedule I drugs include MDMA (ecstasy), LSD, GHB, heroine, and psychedelic drugs such as mescaline, peyote, and psilocybin (mushrooms). Schedule II drugs include cocaine, oxycodone, hydrocodone, PCP, and amphetamines. Brand names of Schedule II drugs include OxyContin, Percocet, Percodan, Seconal, and drugs commonly used for the treatment of attention deficit disorder: Ritalin, Adderall, and Concerta.

The crime and punishment for charges involving a Schedule I or Schedule II drug is defined in 63 O.S. § 2-402 (B)(1):

*Any Schedule I or II substance, except marijuana or a substance included in subsection D of Section 2-206 of this title, is guilty of a felony punishable by imprisonment for not less than two (2) years nor more than ten (10) years and by a fine not exceeding Five Thousand Dollars (\$5,000.00). A second or subsequent violation of this section with respect to Schedule I or II substance, except marijuana or a substance included in subsection D of Section 2-206 of this title, is a felony punishable by imprisonment for not less than four (4) years nor more than twenty (20) years and by a fine not exceeding Ten Thousand Dollars (\$10,000.00)*

Though marijuana is a Schedule I drug, for the purposes of prosecution, it is treated as a lesser drug. On the first offense, use of marijuana or a Schedule III, IV, or V drug is treated as a misdemeanor, punishable by up to one year in jail and a fine of up to \$1,000. Second and subsequent offenses, however, are prosecuted as felonies.

The punishment for a second offense of marijuana possession depends upon the proximity of the offense to the first conviction, as described in 63 O.S. § 2-402 (B) (3-4):

#### Schedule III, IV or V Drugs

*Any Schedule III, IV or V substance, marijuana, a substance included in subsection D of Section 2-206 of this title, or any preparation excepted from the provisions of the Uniform Controlled Dangerous Substances Act and who, during the period of any court-imposed probationary term or within ten (10) years of the date following the completion of the execution of any sentence or deferred judgment for a violation of this section, commits a second or subsequent violation of this section shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for not less than two (2) years nor more than ten (10) years and by a fine not exceeding Five Thousand Dollars (\$5,000.00); or*

*Any Schedule III, IV or V substance, marijuana, a substance included in subsection D of Section 2-206 of this title, or any preparation excepted from the provisions of the Uniform Controlled Dangerous Substances Act and who, ten (10) or more years following the date of completion of the execution of any sentence or deferred judgment for a violation of this section, commits a second or subsequent violation of this section shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for not less than one (1) year nor more than five (5) years and by a fine not exceeding Five Thousand Dollars (\$5,000.00).*

Though many people consider possession of marijuana or drugs like anabolic steroids, Valium, and Vicodin to be a minor offense, the reality is that conviction for this crime could lead to a sentence of up to ten years in prison.

#### **Legal Sanctions: Federal**

Drugs of Abuse 2017 Edition: *a DEA Resource Guide* FEDERAL TRAFFICKING PENALTIES  
[https://www.dea.gov/sites/default/files/drug\\_of\\_abuse.pdf](https://www.dea.gov/sites/default/files/drug_of_abuse.pdf)

#### **Medical Marijuana**

In June 2018, State Question 788 was approved by the voters of Oklahoma and became law. The state question legalized medical marijuana in the state. Despite the passage of this initiative, it is important to know that the use, possession, sale or distribution of marijuana (including medical marijuana and products containing marijuana) on any SWOSU owned/controlled property or event is illegal and against SWOSU conduct guidelines. Additionally, it is prohibited to attend class or work impaired or under the influence of a prohibited substance. Violations of these laws and policies may result in disciplinary action. Even though medical marijuana is now legal under Oklahoma law, it remains illegal under federal law and the policies of SWOSU's governing board – Regional University System of Oklahoma (RUSO). As a recipient of federal funding, SWOSU must abide by the Controlled Substances Act, the Drug Free Schools and Communities Act, and the Drug Free Workplace Act. Any deviation from these federal statutes and rules will place SWOSU's federal funding, including student financial aid, in jeopardy.

## HEALTH RISKS

Alcohol and other drug use represent serious threats to health and the quality of life. Alcohol and other drug use increase the risk of accidents, birth defects, HIV/AIDS, and other disease. Health risks generally associated with alcohol and drug abuse can result in, but are not limited to, a lowered immune system, damage to critical nerve cells, lung damage, heart problems, liver disease, physical and mental depression, increased infection, irreversible memory loss, personality changes and thought disorders. With most illicit drugs, it is probable that users will develop psychological and physical dependence. More than 25,000 people die each year from drug-related accidents or health problems. With most drugs, it is probable that users will develop psychological and physical dependence. The general categories of drugs and their effects are as follows:

- Alcohol – short-term effects that include behavioral changes, impairment of judgment and coordination, impairment of judgment and coordination, greater likelihood of aggressive acts, respiratory depression, irreversible physical and mental abnormalities in newborns (fetal alcohol syndrome) and death. Long-term effects of alcohol abuse include damage to the liver, heart and brain; ulcers; gastritis; malnutrition; delirium tremens; and cancer. Alcohol combined with other barbiturates and other depressants can prove to be deadly mixture.
- Amphetamines/Stimulants – (speed, uppers, crank, caffeine, etc.) speed up the nervous system and can cause increased heart and breathing rates, higher blood pressure, decreased appetite, headaches, blurred vision, dizziness, sleepiness, anxiety, hallucinations, paranoia, depression, convulsions and death due to a stroke or heart failure.
- Anabolic Steroids – seriously affect the liver, cardiovascular and reproductive systems. Can cause sterility in males and females as well as impotency in males.
- Barbiturates/Depressants – (downers, Quaaludes, valium, etc.) slow down the central nervous system and can cause decreased heart and breathing rates, lowered blood pressure, slowed reactions, confusion, distortion of reality, convulsions, respiratory depression, coma and death. Depressants combined with alcohol can be lethal.
- Cocaine/Crack – stimulates the central nervous system and is extremely addictive, both psychologically and physically. Effects include dilated pupils, increased heart rate, and elevated blood pressure, and insomnia, loss of appetite, hallucinations, paranoia, seizures and death due to cardiac arrest or respiratory failure.
- Hallucinogens – (PCP, angel dust, LSD, etc.) interrupt the functions of the part of the brain that controls the intellect and instincts. May result in self-inflicted injuries, impaired coordination, dulled senses, incoherent speech, depression, anxiety, violent behavior, paranoia, hallucinations, increased heart rate and blood pressure, convulsions, coma, and heart and lung failure.
- Cannabis – (marijuana, hashish, hash, etc.) impairs short-term memory comprehension, comprehension, concentration, coordination and motivation. May also

cause paranoia and psychosis. Marijuana smoke contains more cancer-causing agents than tobacco smoke. The way in which marijuana is smoked – deeply inhaled and held in the lungs for a long period – enhances the risk of getting cancer. Combined with alcohol, marijuana can produce a dangerous multiplied effect.

- Narcotics – (heroin, morphine, Demerol, Percodan, etc.) initially produce feelings of euphoria often followed by drowsiness, nausea and vomiting. An overdose may result in convulsions, coma and death. Tolerance develops rapidly and dependence is likely. Using contaminated syringes to inject such drugs may result in AIDS.
- Tobacco/Nicotine – causes death among some 170,000 people in the United States each year due to smoking related coronary heart disease. Some 30 percent of the 130,000 cancer deaths each year are linked to smoking. Lung, larynx, esophagus, bladder, pancreas and kidney cancers strike smokers at increased rates. Emphysema

Further information concerning health risks may be found in the Student Health & Counseling Services. Individuals should also consult their personal physician about alcohol and drug-related health risks. Drug Enforcement Agency (DEA) provides Drug Fact Sheets, which can be found on this website: <http://www.dea.gov/druginfo/factsheets.shtml>

## **ALCOHOL AND DRUG ABUSE EDUCATION & PREVENTION PROGRAMS**

The University recognizes its responsibility as an educational and public service institution to promote a healthy and productive work environment. This responsibility demands implementation of programs and services, which facilitate that effort. The University is committed to a program to prevent the abuse of alcohol and the illegal use of drugs and alcohol by its students and employees. The program provides services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services, referrals and college disciplinary actions.

SWOSU provides access to SWOSU Employees' Assistance Program (EAP) that is free to all students, faculty and staff. EAP provides counseling and training programs that inform participants of the dangers of drug and alcohol abuse. Assistance in locating an in or outpatient rehabilitation site is available through EAP. Additionally, health insurance benefited employees may contact BCBS (toll free number on back of their card) for preauthorization benefits to access in or outpatient treatment. Volunteer participation in or referrals to these services is confidential.

Any questions regarding the rules, regulations, and policies concerning the Drug-Free Schools or the Drug-Free Workplace standards of SWOSU may be referred to the Human Resources Office.

Those needing help or advice may also use the following hotline numbers:

SWOSU Counseling Service (EAP)	(580) 774-3776
SWOSU Department of Public Safety	(580) 774-3111
National Institute on Drug Abuse	(800) 662-HELP
National Alcohol & Drug Abuse Hotline	(800) 234-0420

Reach-Out Hotline (800) 522-9054  
Other resources include:  
Celebrate Recovery, Weatherford First Baptist Church, Monday's at 6:30p.m. (580) 772-2771  
Alcoholics Anonymous Referral Service: (800) 711-6375  
Narcotics Anonymous Referral Service: (800) 711-6375

“Controlled dangerous substance,” means a drug, substance, or immediate precursor in Schedules I through V of the Uniform Controlled Dangerous Substances Act (63

Section 2-101 et seq.). Also referred to as “illegal drugs” or alcohol, which includes alcoholic beverages or low-point beer.

Legal Citation: H.R. 3614 – Drug-Free Schools and Communities Act Amendments of 1989 Revised and Effective: March 30, 2017

SWOSU Health Services provides an overall coordination of the Drug-Free School Program. However, many services are the responsibility of other areas of the institution. These include:

- **Alcohol and Drug Education:** SWOSU Health Services, Employee Assistance Program, University Health Class.
- **Counseling and Rehabilitation:** SWOSU provides access to SWOSU Employees' Assistance Program and Counseling Services for counseling and training programs that inform participants of the dangers of drug and alcohol abuse. Volunteer participation in or referrals to these services is confidential.
- **Referral Services:** Student Development Counselors, Campus Nurse, Employee Assistance Program.
- **University Disciplinary Actions:** Faculty/Student Judicial Review Committee. Director of Student Development.

The State of Oklahoma sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated, are available from the SWOSU Campus Police.

A violation of any law regarding alcohol is also a violation of the University's Student Code of Conduct and will be treated as a separate disciplinary matter by the University.

## **Alcohol Abuse and Drug Use Prevention Activities**

### **Academic Programs**

1. College of Pharmacy includes additional Drug-Free policies. They complement the University policies and adhere to requirements set forth by the Accreditation Council for Pharmacy Education.

2. College of Pharmacy faculty in the Rural Health Center present a program for educators, titled *Opioid Abuse: A National Problem*, to teachers, including the Oklahoma Home and Community Educators (OHCE).
3. College of Pharmacy faculty in the Rural Health Center present youth-oriented programs titled *The Dangers of Smoking* and *The Dangers of Opioid Abuse*, to middle school students.
4. College of Pharmacy faculty in the Rural Health Center have developed slide programs, on *Opioid Abuse and Smoking Cessation* that continuously run at the Food Resource in Weatherford.
5. The Pharmacy Leadership Society in the College of Pharmacy sponsors a Chemical Dependency Seminar featuring nationally recognized experts and speakers.
6. The College of Pharmacy provides chemical dependency education to all pharmacy students.
7. The College of Pharmacy offers an elective course, titled *Substances of Abuse and Addiction*, for pharmacy students and counseling students majoring in psychology.
8. The College of Pharmacy collaborates with the Oklahoma Bureau of Narcotics in order to sponsor a *Drug Take-back Day* so that community members may appropriately dispose of unused or expired drugs.
9. The Radiology program in the College of Associate and Applied Sciences includes additional Drug-Free policies. They complement the university policies and adhere to requirements set forth by the Joint Review Committee on Education in Radiologic Technology.
10. The Council on Law Enforcement Education and Training (CLEET) program includes additional Drug-Free policies. They complement the university policies and adhere to requirements set forth by the Oklahoma Council on Law Enforcement Education and Training.
11. The Health Information Management program requires drug screening prior to the start of professional rotation/observations and annual screenings until program completion.
12. Candidates in the programs of Physical Therapy Assistant and Occupational Therapy Assistant are subject to drug screening prior to, and during, their clinical rotations.
13. Department of Nursing students attending on-campus courses will undergo a urine drug screen and a background check at the beginning of the junior year as required by clinical facilities.

## **Athletics**

1. Bulldog Pride Night is attended by every SWOSU student-athlete and coach, as well as the student body and the SWOSU band. It serves as a kick-off to the school year, promoting school spirit and attendance at SWOSU sporting events.
2. Fan Jam is put on by the SWOSU Athletic Department to encourage school spirit and attendance at men and women's basketball games. All SWOSU student-athletes attend it and all SWOSU students are invited.
3. SWOSU Athletics sponsored 109 intercollegiate sporting events on our campus during the 2017-2018 academic year.
4. Early Bird Elementary School Reading Program – All 13 SWOSU athletic teams participate in this service project by reading to Kindergarten and 1<sup>st</sup> grade students at Burcham Elementary School.
5. Year-round random and selective drug testing administered by SWOSU and the NCAA on student-athletes. Students can be tested for illegal drugs as well as performance enhancing drugs.
6. Drug-Free Education is provided through guest speakers, pamphlets, and posters.

## **Campus Police**

1. Fall Freshman Orientation course drug-free educational program that includes alcohol poisoning, adverse effects of alcohol, criminal penalties, job and career penalties from drinking, and addiction resources.
2. Drug-free tailgating, SWOSU palooza, rodeo, ballgames, and additional events on campus.
3. Assist with mental health/emergency detentions.
4. Drug-Free pamphlets on substance abuse and treatment.

## **Dean of Students-Student Affairs**

1. Application for Approval of Student Organization Activity includes statement, "no one is permitted to bring alcoholic beverages on campus; this includes members of dance bands. Violations may result in disciplinary action for students and the sponsoring organization and/or breach of contract and termination of the band. ALL SWOSU events are alcohol and drug free." 789 drug-free activities were conducted during 2017-2018 academic year.
2. Campus Safety Month is campus-wide event that addresses the dangers of drugs and alcohol. The focus emphasizes healthy decisions, treatment, and strategies to avoid harmful behavior. The Dean of Students office placed seven large rolling storyboards,



displaying alcohol/drug awareness posters and flyers, across campus in various buildings.

3. Safe Spring Break Week promotion is a campus-wide event that highlights substance issues and strategies to avoid drugs and alcohol during spring break. Tables are placed in the lobbies of campus buildings with informational pamphlets on these issues.

### **Health and Counseling Services**

1. The Wellness Fair is an annual Health Fair, which is held in the Student Union, booths are staffed by campus, community resources related to physical/behavioral health and wellness, written materials are distributed to faculty, staff, and students with numerous booths targeting drug, and alcohol use and the risks involved.
2. Individual and group counseling is offered at no charge.
3. Campus-wide drug and alcohol education and intervention is provided for campus personnel and students.
4. Third Millennium online programming *Alcohol 101* and *Marijuana 101* are available for students to view.
5. Intake interview questions include drug and alcohol risk questions.
6. Referrals are made for intensive services for employees and students including alcohol and drug treatment through Health Services and the CERT (Campus Evaluation Response Team) team.

### **Human Resources**

1. Blue Cross and Blue Shield provides Drug-Free education as well as health risks related to abuse.
2. Employees are offered a health assessment annually.
3. Well on Target is an online health assessment for employees with nine modules that include alcohol, drug, and tobacco assessment.
4. Life Times newsletter emphasizes healthy living strategies and practices.
5. Wellness fair is provided annually that include blood screening for liver enzyme.
6. Employees are provided the Drug Free School and Workplace brochure.
7. Employees complete the University Policy Review, which requires Acknowledgement of Understanding and Compliance agreement by signature.
8. New employee training includes Drug-Free School, Workforce training, and brochure.

9. 10 Things You Need to Know about Sexual Assault for Men and Women is made available in campus restrooms and includes risks related to drugs, alcohol, and sexual assault.
10. Title IX Training is offered annually and includes drug-free curriculum.

### **New Student Orientation**

1. Required attendance at two Drug-Free Campus, University-sponsored events.
2. During Freshman Orientation course, Campus Police provide an interactive drug-free education focusing on alcohol poisoning, warning signs and responses to alcohol-induced medical emergencies, and the use of alcohol and drug impairment with simulation goggles.
3. The SWOSU Student Handbook is reviewed during Freshman Orientation course. Campus Drug-Free policies are reviewed and discussed.

### **Residence Life and Housing**

1. Back-to-School Block Party: This event promotes a social option that does not include alcohol and other drugs. The Block Party consists of free food, games, and a live band.
2. Back-to-School Dance: This dance immediately follows the Block Party, lasting until midnight, and provided a secure, drug and alcohol free environment.
3. Football Tailgate Parties. These events, hosted prior to every home football game for a minimum of five hours, provides students with free food, bands, cooking/grilling competitions, and inflatables.
4. Fall and Spring Movie Series: Two movie nights are held each semester at which movies are shown on the large screen in the Fine Arts Center. In addition to the movies, free popcorn is served. A costume contest was held at the showing of the newest *Star Wars* movie.
5. Drunk Goggles: Students experienced the effects of intoxication using “drunk goggles.”
6. Drunk Driving Simulator: An outside vendor was hired to provide drunk driving simulators. Students were able to get into a real car and, using virtual reality glasses, experience the effects of alcohol.
7. Residence Life at the State Fair: Residence Life takes up to 100 students to the Oklahoma State Fair. Residents receive free admission, unlimited rides, and free transportation. This is a chaperoned activity.
8. Residence Life at the OKC Thunder: Residence Life takes 50 residents to an OKC Thunder game, providing transportation as well as the admission ticket. This is a chaperoned activity.

9. **Residence Life Staff Training:** All resident assistants go through extensive training on all campus policies and procedures regarding drug and alcohol usage in the Halls. They are also trained on how to recognize and safely intervene when they believe a resident is struggling with substance abuse. J-Board is a seven-member board, plus one advisor, which maintains the standards of the University and community living. J-Board adjudicates the majority of all incidents occurring within the residential facilities, as well as make referrals to the Dean of Students or Campus Police.
10. **Health and Wellness Checks:** Once a semester, Residence Life staff will do a check of all residents' rooms to make sure there is nothing in their room that poses a health or safety hazard, as well as making sure there are no policy violations regarding alcohol, drugs, or paraphernalia.

### **Distribution of Annual Drug and Alcohol Abuse Prevention Program Notifications**

All current students (enrolled for any type of academic credit except continuing education units) and all current employees will receive an annual reminder of SWOSU's Drug Free Schools and Workplace Policy.

**Students:** The annual notice of Drug Free Schools and Workplace will be distributed by email to all students on the Weatherford and Sayre campuses. Documentation lists of students receiving email will be retained. SWOSU Public Relations & Marketing will distribute the email to all students. Public Relations & Marketing will send documentation list to the Vice President for Student Affairs and Associate Provost.

This annual notice will be distributed with the Cleary Act notification on or before October 1 of each year.

**Employees:** The annual notice of Drug Free Schools and Workplace will be distributed by email to all employees on the Weatherford and Sayre campuses who generally work with computers on a daily basis. Otherwise, employees who do not have access to a computer will receive a hard copy provided to each supervisor to distribute in respective departments (Physical Plant, Food Services, etc.). Documentation lists of employees receiving email and regular mail copies will be retained. SWOSU Human Resources will distribute the email to all employees. Human Resources will retain a distribution list.

This annual notice will be distributed with the Cleary Act notification on or before October 1 of each year.

All new employees are given a copy of the Drug Free Workplace Policy on or before their first day of employment. A signed receipt is imaged in their personnel file. In addition, this policy is addressed at each new employee and faculty orientation.

### **FIREARMS/WEAPONS/POLICY**

In accordance with state law, no one other than a commissioned law enforcement officer may carry firearms on campus. In addition to firearms, the possession of fireworks, explosives or weapons including, but not limited to, bows, knives (excluding small pocketknives), or paint-

ball guns is prohibited on university property.

## **DISCIPLINARY PROCEEDINGS**

Anyone can report any instances of sexual harassment and sexual violence, as well as other crimes or violations of the Student Code of Conduct, to the Dean of Students or at (580) 774-3767. A complaint should be filed as soon as possible, preferably within 180 calendar days of the incident.

If either the victim or the accused are students, the incident will be addressed through the Student Conduct Process once a complaint is filed.

SWOSU strongly encourages individuals to report any instance of sexual harassment and sexual violence to the police.

### **Student Conduct Process**

Violations of SWOSU's Student Code of Conduct are referred to the Dean of Students for investigation and adjudication. Students should refer to the Code, which is found in the Student Handbook.

### **Student Code of Conduct**

SWOSU's basic standard of behavior requires a student (a) not violate any municipal, state, or federal laws, or (b) not interfere with or disrupt the orderly educational process of SWOSU. Any student violating either of these basic principles is violating the rules and regulations of SWOSU. A student is not entitled to greater immunities or privileges before the law than those privileges enjoyed by the citizens of the state of Oklahoma.

The University's authority is vested in the Oklahoma State Regents for Higher Education, the Regional University System of Oklahoma, and the President of Southwestern Oklahoma State University. The President of Southwestern Oklahoma State University delegates to the Vice President for Student Affairs or the Vice President's designees the authority to investigate potential or alleged violations of University regulations or law and to determine and administer appropriate penalties using a preponderance or weight of the evidence standard. This includes authority to control and regulate various aspects of student behavior through disciplinary means. Disciplinary authority and judicial latitude necessary to accomplish it are delegated to the Dean of Students' (DOS) Office. The objective of SWOSU is to provide an opportunity for education to all students. In order to achieve this objective, it is important to define standards of conduct or limits of behavior that will enable students to work together with the faculty, staff, and administration in a positive manner.

The enrollment of a student into SWOSU means that the student voluntarily assumes obligations of performance and behavior reasonably expected by the University. University rules and regulations are designed to insure optimal conditions for learning for all students. Standards of conduct for students are seen as a base or foundation of behavior rather than arbitrary limits of behavior.

The University's policies concerning students' behavior are an educational and rehabilitative approach. The former approach emphasizes assisting students to understand and accept responsibilities for their behavior. Both the interests of the student and the University are taken into account in deciding the desirability of undertaking a program of rehabilitation within the University.

The Regional University System of Oklahoma (RUSO) adopted the following disciplinary regulations and administrative procedures. Additional changes become effective upon their adoption by RUSO.

### **Prohibited Activities Defined**

*Misconduct* is considered a matter of concern to the University. Reports of misconduct in violation of university regulations usually are made in the first instance to the Office of DOS for investigation. The DOS will then determine appropriate action, if any. The following actions, among others, are specifically prohibited by SWOSU:

- Classroom misconduct including disruption of classes by any means. (Faculty members are authorized to dismiss disorderly students from classes pending other action. It shall be a further offense for any student not to leave a classroom when told to do so by a faculty member.)
- Dating Violence defined as abusive and aggressive behavior in a romantic relationship. It can include verbal, emotional, physical, or sexual abuse, or a combination of them. Dating relationship is determined by the length of the relationship, type of relationship and frequency of interaction between partners.
- Defacement by writing, drawing, or marking of any kind upon any permanent interior or exterior wall, sign, or similar vertical surface, in any medium, including chalk, paint, felt marker, etc., or any writing, drawing or marking of any kind in any medium, upon any sidewalk, wall, patio, terrace, or street, except as authorized.
- Dishonesty, such as cheating, violating the integrity of examinations, plagiarism, or knowingly furnishing false information to the University or staff.
- Disorderly conduct, lewd, indecent, or obscene conduct, dress, or expression on university owned or controlled property, or at a university sponsored or supervised function.
- Domestic Violence defined as the willful intimidation, assault, battery, sexual assault or other abusive behavior perpetrated by one family member, household member, or intimate partner against another. It may include physical, sexual, emotional, economic or psychological abuse.
- Drinking, being in possession of, or under the influence of alcoholic beverages on the campus or at university-sponsored events off the campus. Confiscated liquor and beer will not be returned to those persons from whom it was seized. All beverages, which

are confiscated, will be destroyed pending resolution of any legal action taken against parties in possession of the alcohol.

- Failure or refusal to comply with directions of university officials, faculty, or staff acting in the performance of their duties, including directions to leave classroom or university premises.
- Failure to make satisfactory settlement of university indebtedness.
- Forgery, alteration, destruction, damage, or misuse of official University documents, records, identification cards, or devices.
- Gambling.
- General misconduct that adversely affects the student's suitability as a member of the university community such as commission of crimes, inciting disorders, peace disturbances, disorderly conduct, and all acts that recklessly endanger others.
- Hazing, or endangering or unlawfully harassing others.
- Intentional misuse, mutilation or defacement of institution-owned property including fire alarms, fire equipment, elevators, and library materials.
- Interference by any means, directly or indirectly, with functions or activities of the University or with its educational or service programs, either by breach of peace, force, violence, noise disturbance, disorderly conduct, physical obstruction, or unauthorized occupation of premises.
- Littering on university property.
- Malicious mischief, which is either the injury or destruction of property of another with malice. Malice, in this instance, shall be injury done wantonly and without justification.
- Physical or verbal abuse, threats, assault against any person on University owned or controlled premises, including the premises used at University sponsored or supervised functions or any acts of misconduct, which endanger the health, safety, or property of others.
- Plagiarism or the act or instance of using or closely imitating the language and thoughts of another author without authorization and the representation of that author's work as one's own, as by not crediting the original author.
- Possession of any form of illegal contraband or paraphernalia, which is usually associated with the use of narcotics and/or dangerous drugs.
- Posting on University property any advertisement, which promotes the use, purchase, or publishing such advertisement in any university-supported publications, flyers, or handbills.

- Refusal to exhibit ID cards to school officials, faculty, staff, or security personnel when required to do so on school premises.
- Rooms in the residence halls may not be decorated with alcoholic beverage containers.
- Sexual Harassment defined as unwelcomed sexual advances, requests for sexual favors and other verbal or physical contact or communication. Sexual harassment does not include verbal expressions or written materials that is relevant and appropriately related to course subject matter or curriculum.
- Sexual Misconduct defined as engaging in non-consensual contact of a sexual nature.
- Stalking defined as a pattern of repeated, unwelcome contact or harassment. It may include: following or lying in wait for a person; repeated unwelcome, intrusive, and/or frightening communications; damaging a person's property; threats to harm any person or that person's acquaintances, family, or pets; cyberstalking - harassment through the Internet, cell phones, telecommunications, GPS, etc.; and, securing confidential personal information about person without that person's express permission.
- Theft or defacement of, vandalism or damage to property of the University, its premises, or to property of other students or members of the University community.
- Unauthorized use, entry, or occupancy of university facilities or premises.
- Unlawful possession or use of weapons, objects readily capable of being used as dangerous weapons, fireworks, chemicals, and explosives. Law enforcement officers subject to emergency calls may possess weapons authorized by law on school premises.
- Unlawful use, sale, possession, distribution, or being under the influence of, or association with narcotics, drugs, marijuana, hallucinogens, or other dangerous drugs while on or off campus.
- Violation of university policies or campus regulations requiring the registration of student organizations, soliciting, or unauthorized use of university facilities without prior written approval.

## Sanctions

Sanctions for violation of University regulations or public law may include, but is not limited to, one or more of the following:

- *Warning*: A verbal and/or written notice to the student that s/he is violating or has violated University regulations.

- *Apology Letter:* A typed and signed apology letter by the accused student(s) acknowledging responsibility and providing a sincere expression of remorse to the victim(s) and/or stakeholders of the misconduct.
- *Specified Restrictions and/or Requirements:* The imposing of specified restrictions, including but not limited to: program participation, presentation of a workshop, preparation of a research paper project, social probation, community service, assessment or evaluation, counseling sessions, restitution for damages, punitive fines, residence hall transfer, eviction from residence halls, loss of privileges (i.e., visiting privileges in housing or denial of access to computer services), or any combination of the above, and any other appropriate educational expectation.
- *Personal Probation:* Personal probation is an informal probation. A second violation means that disciplinary action will be based on both charges.
- *Conduct Probation:* Conduct probation is a formal probation. A second violation means that disciplinary action will be based on both charges. The record of conduct probation is kept in the student's disciplinary file and the disciplinary hold on his or her record is removed at the discretion of the DOS.
- *Deferred Suspension:* Official suspensions may be deferred for a semester or an indefinite period of time. The suspension will be automatically enforced for any subsequent violation of the Student Code of Conduct or local, state, or federal laws. Either the Dean of Student or the Committee on Student Conduct may issue this sanction.
- *Temporary Suspension:* A student may be temporarily suspended from the university, or university housing, prior to, before, or during an investigation if one or more of the following is necessary: 1) to ensure the safety and well-being of members of the University community or the preservation of University property; 2) to ensure the student's own physical or emotional safety and well-being; and/or 3) if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University. *Such an administrative decision will be effective immediately.*
- *Suspension:* A student may be suspended for reasons of conduct for a defined period of time not less than the remainder of the current semester in which he or she is enrolled. The student who has been suspended may apply for readmission at the close of the period for which he or she was suspended. A suspension hold will be placed on the transcript during the period of the suspension.
- *Indefinite Suspension:* A student may be indefinitely suspended from the University, which includes a denial of admission or re-admission for an indefinite period of time. Readmission may be granted only under exceptional circumstances. A suspension hold will be placed on the transcript.
- *Expulsion:* When a student is expelled, a record of this action will be made a part of the student's permanent record in the Office of the Registrar. A student who is expelled will not be allowed to re-enter the university.



- *Rescission of Credit or Degree Revocation:* For those students found to have violated University policy, the University may elect to rescind credit for a specific course or program. Likewise, for those students who are found in violation of University policy and who have already graduated, the University may elect to revoke the degree(s) of a given student. When a degree is revoked or credit rescinded, a record of this action will be made a part of the official record of the student or graduate in the Office of the Registrar.
- *Disciplinary Hold:* A disciplinary hold may be placed on records of students who have been placed on conduct probation, suspension, or expulsion. A student given a conduct hold may be required to have all enrollment and release of academic records approved through the Dean of Students. A disciplinary hold may also be utilized to ensure compliance with other sanctions or requests to appear.

### **Explanation of Rights**

1. Prior to the commencement of any disciplinary action, the DOS shall explain to the accused student the student's rights under the terms of the Student Code of Conduct.
2. Prior to disciplinary action resulting in suspension, expulsion, or degree revocation, the DOS or a representative shall explain to the student the student's rights under the terms and conditions of these rules and regulations.
3. Each student involved in a proposed disciplinary action of suspension, expulsion, or degree revocation, will be asked to sign a statement explaining the disciplinary policies and procedures of the University. A copy of this statement is available in the Office of the DOS.
4. To initiate an appeal, a student must make the request. The request and reason for appeal should be made in writing, by hard copy, signed, and dated, to the Vice President for Student Affairs within twenty-four (24) hours after the disciplinary decision is rendered. If the student appeals a decision of temporary suspension, suspension, expulsion, degree revocation, or rescission of credit, the student may indicate in the appeal to choose an administrative hearing or a hearing before the Committee on Student Conduct. If the student appeals a decision of suspension, expulsion, degree revocation, or rescission of credit, the decision will not become effective until after the administrative hearing or after the Committee on Student Conduct hearing. A decision to suspend becomes effective immediately, but may be overturned after an appeal hearing. Hearings will be held as soon as practical after the student makes the request.
5. In cases of an appeal of an expulsion decision with a request for a hearing with the Committee on Student Conduct; shall follow expulsion-hearing procedures outlined according to the RUSO Policy Manual, Chapter 4 on Student Policies.

## **Committee on Student Conduct**

A committee will be created to consider the appeal of cases resulting in temporary suspension, suspension, indefinite suspension, expulsion, rescission of credits, or degree revocation. The president of the university who shall have the authority to determine the composition of the committee shall appoint the committee. The committee makeup **may** include any combination of the following: (1) administrative staff members, the president may appoint administrative staff members or seek nominations for committee membership from the Administrative Council; (2) faculty members, the president may appoint faculty members or seek nominations for committee membership from the Faculty Senate; and/or (3) student members, the president may appoint student members or seek nominations for committee membership from the Student Government Association. The student filing the appeal shall have the right to exclude the student members of the committee upon proper request. A quorum of the committee shall consist of a majority of the currently appointed members of the committee.

## **SEX OFFENSES, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING**

Southwestern Oklahoma State University does not discriminate against any individual on the basis of race, color, creed, religion, alienage or national origin, citizenship status, age, sex (gender), gender identity, disability, sexual orientation, genetic information, marital status, veteran status, or any other characteristic protected by applicable federal, state, or local law in any of its policies, practices or procedures. This includes, but is not limited to, admissions, employment, financial services, residential life, educational programs, and other activities the University operates.

This policy prohibits specific forms of behavior that violate Title IX of the Education Amendments of 1972 or Title VII of the Civil Rights Act of 1964. Such behavior also requires the University to fulfill certain obligations under the Violence Against Women Reauthorization Act of 2013 (VAWA) and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

The University prohibits forms of gender discrimination or sexual misconduct which includes, but is not limited to, sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation, stalking, domestic violence, dating violence, complicity in the commission of any act prohibited by this policy, and retaliation against a person for the good faith reporting of any of these forms of conduct or participation in any investigation or proceeding under this policy. Gender discrimination or sexual misconduct by any member of the university community may be a violation of federal or state law, as well as policy of the Regional University System of Oklahoma, and will not be tolerated.

The University adopts this policy with a commitment to: (1) eliminating, preventing, and addressing the effects of sexual misconduct; (2) fostering the University's values, vision, and mission; (3) cultivating a climate where all individuals are well-informed and supported in reporting gender discrimination or sexual misconduct; (4) providing a fair and impartial process for all parties; and (5) identifying the standards by which violations of this policy will be evaluated and disciplinary action may be imposed. Employees or students who violate this policy may face disciplinary action up to and including termination or expulsion. The

University will take prompt and equitable action to eliminate gender discrimination or sexual misconduct, prevent its recurrence, and remedy its effects. The University conducts ongoing prevention, awareness, and training programs for Employees and Students to facilitate the goals of this policy.

It is the responsibility of every member of the University community to foster an environment free of gender discrimination and sexual misconduct. All members of the University community are encouraged to take reasonable and prudent actions to prevent or stop an act of gender discrimination or sexual misconduct. The University will support and assist community members who take such actions. The University provides active bystander training through the

This policy applies to Students, University Employees, and Third Parties. This policy pertains to acts of Gender Discrimination or Sexual Misconduct committed by or against Students, Employees and Third Parties when:

- the conduct occurs on University grounds or other property owned or controlled by the University;
- the conduct occurs in the context of a University employment or education program or activity, including, but not limited to, University-sponsored study abroad, research, online, or internship programs; or
- the conduct occurs outside the context of a University employment or education program or activity, but has continuing adverse effects on or creates a hostile environment for Students, Employees or Third Parties while on University grounds or other property owned or controlled by the University or in any University employment or education program or activity.

This policy supersedes any conflicting provisions that may exist in policies addressing other forms of gender discrimination and harassment prior to the date of this document. Where gender discrimination or sexual misconduct violates this policy and violates other policies, the University's response will be governed by the procedures referenced in this policy. Questions about which policy applies in a specific instance should be directed to the University's Co-Title IX Coordinators:

David Misak  
Assistant Vice President  
Human Resources  
Co-Coordinator, Title IX  
Hays Administration Building 101  
(580) 774-3275  
david.misak@swosu.edu

Joshua Engle  
Dean of Students  
Co-Coordinator, Title IX  
Stafford Center 211  
(580) 774-3767 (office)  
joshua.engle@swosu.edu

## **Definitions**

### **Sex Discrimination**

Sex Discrimination involves treating a student, applicant, employee, or participant in SWOSU employment, educational programs, or activities adversely because of that person's sex, in hiring, firing, compensation, admissions, financial aid, or academic status. Discrimination against a person because of sex, gender, sexual orientation, pregnancy, or marital status is discrimination because of sex in violation of Title IX and, for employees, Title VII. Sex discrimination includes, but is not limited to, sexual harassment, sexual misconduct, domestic violence, dating violence, and stalking.

### **Sexual Harassment**

Sexual harassment shall be defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in the following context:

1. When submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, academic standing, or participation in any SWOSU programs or activities;
2. When submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or
3. When such conduct creates a hostile environment. A hostile environment exists when such conduct is sufficiently severe or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefitting from SWOSU's education or employment programs or activities.

A hostile environment may be created by a single or isolated incident, if sufficiently severe, or by persistent or pervasive conduct.

This policy shall not abridge academic freedom or the University's educational mission.

### **Examples of conduct prohibited by this policy:**

Conduct, whether in-person, in writing, by telephone, through social media, by electronic means, or otherwise, which is prohibited by this policy includes but is not limited to:

1. Unwelcomed sexual flirtation, advances or propositions for sexual activities.
2. Asking about someone else's personal, social or sexual life or about their sexual fantasies, preferences or history.
3. Discussing your own personal sexual fantasies, preferences or history.
4. Repeatedly asking for a date from a person who is not interested.

5. Whistles, cat calls or insulting sounds.
6. Continued or repeated sexually suggestive comments or sexually explicit jokes, innuendoes or turning discussions to sexual topics.
7. Sexually offensive or degrading language used to describe an individual.
8. Remarks of a sexual nature to describe a person's body or clothing.
9. Calling a person a "hunk," "doll," "babe," "sugar," "honey," or similar descriptive terms.
10. Displaying sexually demeaning or offensive objects and pictures.
11. Making sexual gestures with hands or body movements.
12. Offensive physical contact, such as unwelcome touching, inching, massaging, or brushing against another's body.
13. Rating a person's sexuality.
14. Coerced sexual intercourse.
15. Sexual assault.

Actions or words indicating that benefits will be gained or lost based on response to sexual advances.

### **Sexual Misconduct**

Sexual misconduct is a broad term encompassing any non-consensual contact of a sexual nature. Sexual misconduct may vary in severity and consists of a range of behavior or attempted behavior including, but not limited to, the following examples of prohibited conduct:

1. **Unwelcome sexual touching/ exposure** The touch of an unwilling or non-consensual person's intimate parts (such as genitalia, groin, breast, buttocks, mouth or clothing covering same); touching an unwilling person with one's own intimate parts; or forcing an unwilling person to touch another's intimate parts. This also includes indecent exposure and voyeurism.
2. **Non-consensual sexual assault** Unwilling or non-consensual penetration of any bodily opening with an object or body part. This includes, but is not limited to, penetration of a bodily opening without effective consent through the use of coercion.
3. **Forced sexual assault** Unwilling or non-consensual penetration of any bodily opening with any object or body part that is committed either by force, threat,

intimidation, or through exploitation of another's mental or physical condition (such as lack of consciousness, incapacitation due to drugs or alcohol, age, or disability) of which the assailant was aware or should have been aware.

4. Effective/Affirmative Consent is:

- informed;
- freely and actively given;
- mutually understandable words or actions; and
- the willingness to participate in mutually agreed upon sexual activity.

**Further:**

- Initiators of sexual activity are responsible for obtaining effective consent.
- Silence or passivity is not effective consent.
- The use of intimidation, coercion, threats, force or violence negates any consent obtained.

Consent is not considered effective if obtained from an individual who is incapable of giving consent due to the following:

- Mental, developmental, or physical disability; or
- S/he is under the legal age to give consent; or
- S/he is incapacitated by alcohol and/or other drugs.

Individuals who commit acts of sexual misconduct assume responsibility for their behavior and must understand that the use of alcohol or other drugs does not reduce accountability for their actions. Examples of sexual misconduct violations:

- Ignoring an individual's protest and engaging in sexual activity.
- Convincing somebody to have sex likely constitutes intimidation or coercion. If someone is coerced, the yes is not effective consent.
- Drinking and/or drug use may render an individual incapable of giving consent for sexual activity. For example, someone who is incapacitated may agree to have sex at the time, but have no memory of the consent. This person may have been functioning in a "blackout" and could not give effective consent.
- Holding a person down or preventing a person from leaving the room and forcing him or her to engage in sexual activity against his/her will.

**Stalking/Cyber Stalking**

Stalking is to engage in a course of conduct directed at a specific person, either online or in person, which would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

Stalking is defined to mean two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about a person, or interferes with a person's property. Substantial emotional distress would include significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Stalking is the willful, malicious, and repeated following or harassment of a person in a manner that would cause a reasonable person to feel frightened, intimidated, threatened, harassed or molested and actually causes the person being followed or harassed to feel terrorized, frightened, intimidated, threatened harassed or molested. Stalking also means a course of conduct composed of a series of two or more separate acts over a period of time, demonstrating a continuity of purpose or unwelcomed contact with a person that is initiated or continued without the consent of the individual or in disregard of the expressed desire of the individual that the contact be avoided or discontinued. This may include repeatedly contacting another person (through any means, such as in person, by phone, electronic means, text messaging, etc.), following another person, or having others contact another person.

Any actions that a stalker takes to contact, harass, track or frighten another that could include, but is not limited to, repeatedly:

1. following
2. unsolicited visits or communication
3. using online social media inappropriately
4. damaging property
5. showing up at places an intended complainant frequents
6. sending unsolicited mail, e-mail, texts and pictures
7. creating a website about a target of stalking
8. sending unsolicited gifts
9. stealing things that belong to intended complainant
10. calling.

Stalking can occur by someone that is known casually, a current boyfriend or girlfriend, someone dated in the past or a stranger.

Definition consistent with *Violence Against Women Act Volume 79 CFR* and Oklahoma state statute.

## **Dating Violence**

Dating violence is committed by a person who is or has been in a social relationship of a romantic or intimate nature with another person. The existence of such relationship shall be determined based on a consideration of the following factors:

1. Length of the relationship
2. Type of relationship
3. Frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts that meet the definition of domestic violence.

**Definition consistent with *Violence Against Women Act Volume 79 CFR.***

## **Domestic Violence**

Domestic violence is a crime of violence committed by a:

1. current or former spouse or intimate partner of the complainant,
2. person with whom the complainant shares a child in common,
3. person who is cohabitating with or has cohabited with the complainant as a spouse,
4. person similarly situated to a spouse of the complainant.

Domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic or psychological actions or threat of actions that influence another person.

**Definition consistent with *Violence Against Women Act Volume 79 CFR.***

## **Quid Pro Quo Sexual Harassment**

“This” for “that”; i.e., unwelcome sexual advances, requests for sexual favors or other verbal, physical, or non-physical conduct of a sexual nature, the submission to or rejection of which may result in an adverse educational or employment action.

**Oklahoma Criminal Law Definitions see Appendix A**

## **Complainant Information**

All forms of sexual harassment, including sexual violence, should be reported, no matter the severity. Southwestern Oklahoma State University’s primary concern is safety; therefore,



individuals should not be deterred from reporting even if the use of alcohol or other drugs was involved. The University encourages complainants of sexual violence to report the offense directly to a Title IX officer, or a SWOSU employee whom they trust, so they can receive support and so the University can respond appropriately.

## **Victim Information**

If you are a victim of sexual violence, you are not alone and you are in no way responsible for your assault.

If you are a victim of a sexual assault at this institution, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The SWOSU Campus Police strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to the SWOSU Campus Police and/or to a Housing official. Filing a police report will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:

- ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
- provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam);
- assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

When a sexual assault victim contacts the SWOSU Campus Police, the local police will also be notified. A representative from Residence Life and Dean of Students will also be notified. The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system and/or SWOSU. A representative from the SWOSU Campus Police or Residence Life/Dean of Students will guide the victim through the available options and support the victim in his or her decision. Explanation of a victim's rights will be provided in writing. Various counseling options are available in writing from SWOSU through the Student Health Services, the Women's Center, University Ministries, Employee Assistance, and the Psychological and Counseling Center. Literature on Oklahoma Crime Victim's Rights is available through the SWOSU Campus Police. Counseling and support services outside SWOSU can be obtained through the District Attorney's office.

SWOSU disciplinary proceedings, as well as special guidelines for cases involving sexual misconduct, are detailed in the *Student Handbook*. The *Handbook* provides, in part, that the accused and the victim will each be allowed to choose one person who has had no formal legal training to accompany them throughout the hearing. Both the victim and accused will be informed of the outcome of the hearing. If alleged victim is deceased because of such crime or offense, the next of kin of the victim shall be treated as the alleged victim for purposes of disclosure under this policy. A student found guilty of violating the SWOSU sexual misconduct policy could be criminally prosecuted in the state courts and may be suspended

or expelled from the University for the First Offense. Student victims have the option to change their academic and/or on-campus living situations after an alleged sexual assault, if such changes are reasonably available.

- The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding.
- Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding that is brought alleging a sex offense. Compliance with this paragraph does not constitute a violation of the *Family Educational Rights and Privacy Act (FERPA)*. For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.
- Sanctions the institution may impose following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape or other forcible or no forcible sex offenses; expulsion- temporarily or indefinite.

SWOSU prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as defined in the Definitions section on Page 18 SWOSU further prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as defined under Oklahoma law.

### **What to do if you are a Victim of Sexual Violence**

- If you are not safe and need immediate help, call the police at 911.
- Go to a safe location as soon as you are able.
- If the incident happened on the Weatherford campus, call the SWOSU Campus Police at (580) 774-3111. If the incident occurred elsewhere in Weatherford, call the Weatherford Police Department at (580) 772-7791.
- If the incident happened on the Sayre campus, call the SWOSU Campus Police at (580) 928-5527. If the incident occurred elsewhere in Sayre, call the Sayre Police Department at (580) 928-2122.
- If the incident happened anywhere else, call the law enforcement agency that has jurisdiction in the location where it occurred.
- Seek immediate medical attention if you are injured or believe you may have been exposed to an STI/STD or potential pregnancy.
- It is important to preserve physical evidence. Do not shower, bathe, douche, change or destroy clothes, eat, drink, smoke, chew gum, take any medications or straighten the room or place of the incident. Preserving evidence is critical for criminal prosecution. Although you may not want to prosecute immediately after the incident, that choice will

not be available without credible evidence. The evidence collected can also be useful in the campus conduct process.

Anyone who feels victimized should contact the Dean of Students/Title IX Co-Coordinator or the Assistant Vice President for Human Resources/Title IX Co-Coordinator. (Employees may also choose to notify law enforcement, the proper supervisory personnel, chairperson, and/or academic dean, who **must** notify the Office of Human Resources.)

## **Reporting**

All forms of sexual violence should be reported, no matter the severity. SWOSU primary concern is safety; therefore, individuals should not be deterred in reporting even if the use of alcohol or other drugs was involved.

SWOSU encourages victims of sexual violence to talk to someone about what happened so they can receive support and so that the institution can respond appropriately. SWOSU offers both confidential reporting and non- confidential reporting options. It is important to be aware that different individuals who victims can contact for assistance following an incident may have different responsibilities regarding confidentiality, depending on their position. Under state law, some individuals can assure a victim of confidentiality, including counselors and certified victims' advocates. In general, however, any other institution employee cannot guarantee complete confidentiality, unless specifically provided by law. As is the case with all colleges and universities, the institution must balance the needs of the individual victim with an obligation to protect the safety and well-being of the community at large.

Different employees on campus have different abilities to maintain a victim's request for confidentiality.

- Some are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication."
- Other employees may talk to a victim in confidence, and generally report only that an incident occurred without revealing any personally identifying information. Disclosures to these employees will not trigger an institution investigation into an incident against the victim's wishes. This report is done through a Clery Report and does not include the victim's name or other identifying information.
- Thirdly, some employees are required to report all the details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator.

## **Confidential Reporting Options**

Confidential reporting options provide students with the ability to confidentially report and discuss an instance of sexual violence without their information being shared with others. Please note confidential reporting limits the institution's ability to respond to incidents. [www.swosu.edu/administration/police/security-report/witness.aspx](http://www.swosu.edu/administration/police/security-report/witness.aspx)

- **Professional Counselors:** Professional and licensed counselors who provide mental health counseling (including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a victim's permission. These individuals are also not required by the Clery Act to report.
- **Victim Advocate:** SWOSU treats the Victim Advocate as a confidential reporting option. Victims can visit with the Victim Advocate to learn about resources available on campus. The Victim Advocate is not required to report any information about an incident to the Title IX Coordinator without a victim's permission. However, the Victim Advocate will report incidents to SWOSU Campus Police Department for the purpose of the Clery Act. Additionally, the Victim Advocate will report quarterly to the Board of Regents on trends of incidents.
- **University Health Providers:** University Health Services providers are confidential reporting options. They are not required to report any information about an incident to the Title IX Coordinator without a victim's permission. However, they will report incidents without any identifiable information to SWOSU Campus Police for the purpose of the Clery Act.
- While these professional counselors, non-professional counselors (those who act under the supervision of a licensed counselor), advocate, and health providers may maintain a victim's confidentiality, they may have reporting or other obligations under state law, such as mandatory reporting to law enforcement in the case of minors, imminent harm to self or others, or requirement to testify if subpoenaed in a criminal case.
- If SWOSU determines that the alleged individual(s) pose a serious and immediate threat to the campus, SWOSU may issue a timely warning to the community. Any such warning will not include any information that identifies the victim.

### **Non-Confidential Reporting Options**

The Board of Regents for the Oklahoma Agricultural and Mechanical Colleges and the Clery Act require all other employees (excluding counselor, health care providers, pastorals and complainant advocate) who become aware of an instance of sexual violence to report the instance to SWOSU Campus Police. The victim's name should not be reported to the police without the victim's permission. The report should include the nature, date, time, and general location of an incident. This is a limited report, which includes no information that would directly or indirectly identify the victim. This allows the institution to track patterns, evaluate the program, and develop appropriate campus- wide responses.

When an instance of sexual violence is reported to a "responsible employee", the reporter can expect the incident will be reported to the Title IX Coordinator or Student Conduct Office. A responsible employee must report to the Title IX Coordinator or Student Conduct Office all relevant details about the alleged sexual harassment or sexual violence shared by the victim including names, date, time and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the institution's response to the report. A responsible employee should not share information about the victim to law enforcement.

A "responsible employee" is an employee who has the authority to redress sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty. Examples include but are not limited to faculty members, advisors, employees in student services offices and anyone in a supervisory role.

When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect the institution will investigate the alleged sexual violence, end any sexual violence, prevent the sexual violence from reoccurring, and educate on sexual violence.

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee is reporting obligations and if the victim wants to maintain confidentiality, then the student should be directed to a confidential resource.

### **Non-Confidential Reporting Options**

SWOSU Campus Police (580) 774-3111

Weatherford Police Department (580) 772-7791

Sayre Campus Security (580) 928-5527

Sayre Police Department (580) 928-2122

SWOSU Dean of Students/Title IX Co-Coordinator (580)774-3767

SWOSU Assistant VP for Human Resources/Title IX Co-Coordinator (580)774-3275

### **Requests for Confidentiality from a Non-Confidential Reporter**

If a victim discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or conduct action taken, SWOSU must weigh that request against the obligation to provide a safe environment for all students, including the victim.

If the institution honors the request for confidentiality, a victim must understand that the institution's ability to meaningfully investigate and respond to the incident may be limited.

Although rare, there are times when SWOSU may not be able to honor a victim's request in order to provide a safe environment for all students.

When weighing a victim's request for confidentiality or that no investigation or conduct process be pursued, the following will be considered:

- The increased risk that the alleged respondent will commit additional acts of sexual or other violence;

- whether there have been other sexual violence complaints about the same alleged respondent;
- whether the alleged respondent has a history of arrests or records from a prior school indicating a history of violence;
- whether the alleged respondent threatened further sexual violence or other violence against the victim or others;
- whether the sexual violence was committed by multiple respondents;
- whether the sexual violence was perpetrated with a weapon;
- whether the victim is a minor;
- whether the institution possesses other means to obtain relevant information of the sexual violence (e.g., security cameras or personnel, physical evidence);
- whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the institution to investigate and, if appropriate, pursue conduct action. If none of these factors is present, the institution will likely respect the victim's request for confidentiality.

If it is determined that the institution cannot maintain a victim's confidentiality, the institution will inform the victim prior to starting an investigation. SWOSU will remain ever mindful of the victim's well-being and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. The institution may not require a victim to participate in any investigation or conduct process.

Retaliation against the victim, whether by students or institution employees, will not be tolerated.

### **Reporting to the Police**

SWOSU strongly encourages individuals to report sexual violence and any other criminal offenses to the police. This does not commit you to prosecute but will allow the gathering of information and evidence. The information and evidence preserve future options regarding criminal prosecution, institution conduct actions and/or civil actions against the perpetrator.

If the incident happened on campus, it can be reported to the SWOSU Campus Police Department SE corner of State and College or at (580) 774- 3111. If the incident occurred elsewhere in Weatherford, it can be reported to the Weatherford Police Department at 201 W Main Street, or at (580) 772-7791. If the incident happened anywhere else, it can be reported to the local law enforcement with jurisdiction in the location where it occurred.

Please know that the information you report can be helpful in supporting other reports and preventing further incidents.

## **Complaint Procedures**

Anyone who feel victimized should contact the Dean of Students/Title IX Co-Coordinator or the Assistant Vice President for Human Resources/Title IX Co-Coordinator. (Employees may also choose to notify law enforcement, the proper supervisory personnel, chairperson, and/or academic dean, who must notify the Office of Human Resources.) A complaint should be filed as soon as possible, preferably within 180 calendar days of the incident.

If either the victim or the accused is a student, the incident will be addressed through the Student Conduct process once a complaint is filed.

Additionally, as stated above, SWOSU strongly encourages individuals to report any instance of sexual violence to the police.

## **Interim Measures**

Interim measures are those services, accommodations, or other assistance that the University puts in place for victims after receiving notice of alleged sexual misconduct but before any final outcomes (investigatory, disciplinary, or remedial) have been determined. SWOSU wants students and employees to be safe, to receive appropriate medical attention, and to get the help they need to heal and to continue to access their educational opportunities. Common interim measures include, but are not limited to:

**Assistance in Reporting:** Student Conduct can assist you in filing a complaint with the institution conduct process and the appropriate law enforcement agencies against the student(s) who caused harm.

**No Contact Order:** Student Conduct can put in place a No Contact Order between the complainant and the respondent, which would prohibit contact between both parties through any means of communication, as well as not having others make contact on their behalf.

**Emergency Protective Order:** Student Conduct can assist you in filing for an Emergency Protective Order in court. This is a court- ordered petition that prohibits contact between the complainant and respondent.

**Safety Measures:** Student Conduct is obligated to coordinate any reasonable arrangements that are necessary for your ongoing safety. This includes transportation arrangements or providing an escort.

**Living Arrangements:** Student Conduct can assist in changing your on-campus living arrangements or that of the accused to ensure safety and a comfortable living situation.

**Academic Arrangements:** Student Conduct can assist in adjusting your academic schedule or that of the accused as well as assist in providing access to academic support services.

**Other Interim Measures:** Student Conduct can coordinate any reasonable arrangements to address the effects of the sexual violence on you, including connecting you with counseling, health care or academic support resources.

When Student Conduct becomes aware of a student who potentially could have been a victim of sexual violence, they will contact the victim in writing through SWOSU email to share these interim measures, reporting options and other resources available. This will be done no matter the location of the incident.

### **Investigative Process**

- A University official will meet with the complainant to discuss the complaint submitted and review the investigative process.
- Interim Measures implemented, if needed.
- An investigation will be conducted by a designated Title IX investigator.
- The Title IX investigator will compile a report, including sanctioning recommendations.
- At any time during the investigation process, either party may request an update.
- The standard of proof used in Title IX investigations is preponderance of the evidence, which means the determination to be made, is whether it is more likely than not a violation occurred.
- The parties will be informed in writing of the outcome of the resolution, without significant delay between the notifications to each party. The notice of the outcome to the complainant will include:
  - Whether or not the school found that the conduct occurred;
  - Any individual remedies offered to the complainant or sanctions imposed on the perpetrator that directly relate to the complainant; and
  - Other steps the school has taken to eliminate the hostile environment and prevent recurrence.
- The notice of the outcome will include the procedures for appealing the decision.

### **Appeals Procedure**

All parties involved in sexual misconduct proceedings may appeal decisions in accordance with their appropriate University vice president. Students should appeal to the Vice President for Student Affairs. Faculty members should appeal to the Vice President for Academic Affairs/Provost. Staff members should appeal to the Vice President for Administration and Finance. Grounds for an appeal are as follows:



- A procedural or substantive error occurred in either the investigative or adjudicatory process that significantly impacted the outcome of the hearing (e.g. substantial bias, material deviation from established procedures, the findings and decision are contrary to the great weight of the evidence, etc.)
- To consider new evidence it must be newly discovered evidence (unavailable during the original hearing or investigation) that could substantially impact the original findings, decision or sanction. A summary of this new evidence and its probable impact must be included in the notice of appeal. Evidence that was known or reasonably should have been known and available at the time of the investigation or original hearing but is only now disclosed (newly disclosed evidence as opposed to newly discovered evidence) shall not be deemed to be sufficient.
- The sanctions imposed are substantially disproportionate to the severity of the violation found.

Disagreement with the finding or sanctions is not, by itself, grounds for appeals. The request for an appeal, including the grounds upon which the request is based, should be submitted in writing to the appropriate SWOSU vice president within ten (10) business days following the date on the outcome letter. The other party will be notified if an appeal request is submitted and be provided the opportunity to respond in writing.

### **Appeals Panel**

Typically, the Appeals Panel will be comprised of the appropriate Vice President and two additional employees who have appropriate training. The President will intervene if there is a conflict of interest with the designated Vice President.

The appeals decision is final. Appeals will not be reviewed or considered beyond the Appeals Panel. Both parties will be notified in writing of appeals outcome.

### **Retaliation**

Any attempt to penalize or retaliate against a person for filing a complaint or participating in the investigation of a complaint of prohibited sexual conduct with a student or employee, sexual violence, or other sexual harassment will be treated as a separate and distinct violation of University and the Regional University System of Oklahoma Board policy.

### **Educational Programming**

SWOSU prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as defined in the “Definitions” section on Page 16.

Educational materials related to sexual misconduct will be disseminated to each incoming student during Orientation, as well as those students currently enrolled on the campus. Orientation of all new students will include a component related to sexual assault and its prevention. SWOSU contracts with EVERFI® in order to provide annual Title IX training to students and employees. Programming to promote the awareness and prevention of sexual

misconduct will continue to be offered in the residence halls as well as other locations accessible to the greater student body and to personnel. Additional information is available in the offices of the SWOSU Campus Police, Dean of Students and Human Resources.

## **Health Services**

Medical treatment is available through local physicians or at the Weatherford Regional Hospital, where evidence may be collected in order to preserve the option of prosecution, if the victim so chooses. Students are encouraged to see the University Nurse, who will make an appropriate referral to area physicians, Red Rock West Behavioral Health Services, or Custer County Health Department.

Note: Victims may request an examination by a Sexual Assault Nurse Examiner (SANE), if one is available, at the hospital or other medical treatment facility. A SANE is a registered nurse who has received special training so that s/he can provide comprehensive care to sexual assault victims. In addition, s/he is able to conduct a forensic exam and may provide expert testimony if a case goes to trial. Receiving a SANE exam does not commit the victim to a full prosecution, but will preserve any potential evidence if it is decided to prosecute at a later date.

## **Counseling Services**

The Student Counseling Services office will provide initial counseling and referral to those students requesting assistance. SWOSU also offers a campus-based Employee Assistance Program through Counseling Services. The services are available for SWOSU employees and their dependents.

## **On and Off Campus Resources**

Sexual violence can be very emotionally disruptive, and it takes time to come to terms with such a major stress. In addition to support that may be found in family and friends, the following agencies and departments can serve as resources for you.

It is important to be aware that different individuals who you may contact for assistance following an incident may have different responsibilities regarding confidentiality, depending on their position. Under state law, some individuals can assure the victim of confidentiality, including counselors and certified victims' advocates. In general, however, any other institution employee cannot guarantee complete confidentiality, unless specifically provided by law. As is the case with all colleges and universities, Southwestern Oklahoma State University must balance the needs of the individual victim with an obligation to protect the safety and well-being of the community at large.

It is important to have a thorough medical examination after a sexual assault even if you do not have any apparent physical injuries. Medical providers can treat any injuries and provide tests for sexually transmitted diseases.

Victim Advocate -Confidential Reporting Option, the Victim Advocate can confidentially provide students with information about on and off campus resources available to victims.

## **Counseling Resources**

SWOSU Health Services-Counseling- Location: Wellness Center (580) 774-3776  
Hours: 8:00 am -12:00 pm and 1:00 pm - 5:00 pm Monday thru Friday while class is in session  
Red Rock Behavioral Health Services (580) 323-5635

### **Immigration**

Citizenship & Immigration Services for Visa and immigration assistance  
(800) 375-5283, [www.uscis.gov/](http://www.uscis.gov/)  
SWOSU International Program (580) 774-6172

### **Legal Aid Services of Oklahoma**

Civil assistance (888) 534-5243  
Criminal assistance [www.ok.gov/OIDS](http://www.ok.gov/OIDS)  
Oklahoma Bar Association [www.okbar.org](http://www.okbar.org)

## **Medical Services**

SWOSU Health Services (on-campus)  
Hours: 8:00 am -12:00 pm and 1:00 pm - 5:00 pm Monday thru Friday while class is in session  
Location: Wellness Center (580) 774-3776  
Weatherford Regional Hospital-3701 East Main-(580) 772-5551

## **MISSING STUDENT NOTIFICATION**

In accordance with Section 485 of the Higher Education Act, 20 U.S.C. § 1092(j), SWOSU has developed this investigation and notification policy regarding students who reside in campus housing and have been reported as missing.

- SWOSU encourages all SWOSU students to use the option to register a confidential contact person they want to be notified in the case the student is reported missing for 24 hours.
- This information will be kept confidential and reported only to law enforcement and offices mentioned above.
- Students may register their contacts with the Director of Housing office or the Dean of Students office. In the event that a SWOSU student is not registered, and has been reported missing for 24 hours, the SWOSU Campus Police will still be notified.
- IF A SWOSU STUDENT IS UNDER 18 YEARS OLD, IS NOT EMANCIPATED, AND IS MISSING FOR 24 HOURS, THE PARENT OR LEGAL GUARDIAN MUST BE NOTIFIED. ANY REPORTED MISSING SWOSU STUDENT FOR 24 HOURS WOULD ALSO BE REPORTED TO THE SWOSU CAMPUS POLICE.
- SWOSU will follow specific procedures when there is a reported SWOSU student missing for 24 hours, including but not limited to, contacting the confidential person or

persons registered, housing director or his designate to check dorm room if applicable, dean of students and the VP of Student Affairs to check with faculty to determine if student has been attending classes. SWOSU Campus Police will also notify local police departments and any other police agency deemed necessary after the student is missing for 24 hours.

- If the missing student is under the age of 18 and is not an emancipated individual, SWOSU Campus Police will notify the student's parent or legal guardian immediately after the investigation has determined that the student has been missing for 24 hours.
- SWOSU encourages anyone who knows or believes a student may be missing to report this to the SWOSU Campus Police, or other persons listed above, immediately.
- If another office receives, the first report of a presumed missing student the SWOSU Campus Police shall be notified.

This requirement does not preclude implementing these procedures in less than 24 hours if circumstances warrant a faster implementation.

### **CONTACT INFORMATION**

Any SWOSU student presumed missing for 24 hours, shall be reported to the SWOSU Campus Police Chief and presumed missing. The Chief will contact other parties as listed below.

SWOSU Campus Police	(580) 774-3111
SWOSU Title IX Coordinator	(580) 774-3767
SWOSU Director of Housing	(580) 774-3024
SWOSU Dean of Students	(580) 774-3767

### **VICTIM SERVICES**

Sane Nurse, Laura Smith, SWOSU	(580) 774-3776
Custer County	(580) 323-3232
ACTION Associates	(580) 323-2604
Adult Protective Services	(580) 331-1900
SAFELINE/Crisis Hotline	(800) 522-7233

## ANNUAL FIRE SAFETY REPORT

FIRE STATISTICS REPORTING TABLE FOR THE ANNUAL FIRE SAFETY REPORT							
STATISTICS AND RELATED INFORMATION REGARDING FIRES IN RESIDENTIAL FACILITIES							
Residential Facilities	Residential Hall Address	Total Fires in each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
BLACK KETTLE HALL	1120 N BROADWAY	0	0	0	0	0	0
HENNRietta MANN HALL SOUTH	111 E DAVIS	0	0	0	0	0	0
HENNRietta MANN HALL NORTH	113 E DAVIS	0	0	0	0	0	0
NEFF HALL	221 W COLLEGE	0	0	0	0	0	0
OKLAHOMA HALL	104 E DAVIS	0	0	0	0	0	0
STEWART HALL	215 E COLLEGE	0	0	0	0	0	0
MARY MABRY SAVAGE APARTMENTS	223 W COLLEGE	0	0	0	0	0	0

DESCRIPTION OF ON-CAMPUS STUDENT HOUSING FACILITY FIRE SAFETY SYSTEMS								
FIRE SAFETY SYSTEMS IN SWOSU RESIDENTIAL FACILITIES								
Residential Facilities	Residential Hall Address	Fire Alarm Monitoring	Partial Sprinkler System *1	Full Sprinkler System *2	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Evacuation (fire) drills each calendar year
BLACK KETTLE HALL	1120 N BROADWAY	SIMPLE X		YES	FULL	YES	YES	2
HENRIETTA MANN HALL SOUTH	111 E DAVIS	SIMPLE X		YES	FULL	YES	YES	2
HENRIETTA MANN HALL NORTH	113 E DAVIS	SIMPLE X	YES		FULL	YES	YES	3
NEFF HALL	221 W COLLEGE	SIMPLE X	YES		FULL	YES	YES	2
OKLAHOMA HALL	104 E DAVIS	DPS	YES		FULL	YES & STANDPIPE	YES	2
STEWART HALL	215 E COLLEGE	SIMPLE X	YES		FULL	YES	YES	2
MARY MABRY SAVAGE APARTMENTS	223 W COLLEGE	HOUSING ASST.			IN APARTMENT	YES	N.A.	0
*1 Partial Sprinkler System is defined as having sprinklers in the common areas only.								
*2 Full Sprinkler System is defined as having sprinklers in both the common areas and individual rooms.								

## Fire Statistics

### 2017, 2018, 2019

- Black Kettle Hall - 0
- Henrietta Mann Hall South - 0
- Henrietta Mann Hall North - 0
- Mary Mabry Savage Apartments - 0
- Oklahoma Hall - 0
- Neff Hall - 0
- Stewart Hall - 0

## Fire Log

- Housing Directors Office.

## Fire Safety System

- All housing facilities equipped with fire detection system

## **Fire Drills**

Fire drills are held periodically, residents must follow the emergency procedures, and evacuation plans as posted. According to State and Federal law, residents must participate and evacuate in the event of a fire drill. Failure to evacuate residential facilities during a fire drill or once a fire alarm has sounded may result in disciplinary action and a fine. Residents are required to clear all facilities within three minutes, while practicing safe exit procedures.

- All housing facilities complete a fire drill each fall and spring semesters.

No open flames, no exposed heating elements allowed in rooms, all housing dormitories are Smoke/Tobacco Free. Refer to Residence Life Handbook.

## **Procedures for Dorm Evacuation**

In the event of a fire, the university expects that all residents evacuate by the nearest exit, closing doors along the exit path as they go to contain the spread of flames and smoke, and to activate the alarm (if one is present) as they exit from the building. Once safely outside a building, it is appropriate to contact 911 and SWOSU Campus Police at (580) 774-3111.

## **Fire Fighting and Detection Equipment**

Students are prohibited from activating a false fire alarm. Additionally, residents shall not disconnect, remove batteries or intentionally damage any smoke detector, water sprinkler, or any other firefighting equipment in the residential facilities. Anyone found in violation of this policy will be subject to having his/her housing contract terminated and, in addition, may be subject to University disciplinary action and possible arrest, imprisonment, or fine according to State and Federal laws.

## **Electrical Appliances/Cooking Use**

Microwaves and refrigerators should be plugged directly into the wall outlet. Small refrigerators up to 4.5 cubic feet are allowed in the rooms. Electrical appliances that have exposed heating elements are not allowed. Exceptions are coffeepots, irons, small microwaves, and curling irons. Furthermore, cooking is not permitted in resident rooms for health, safety, and sanitary reasons, as well as being in violation of fire codes. Cooking is permitted only in the provided common area kitchenettes properly equipped by the University.

## **Policies for Fire Safety Education and Training Programs for Students/Faculty/Staff**

Fire safety education programs for all students living in on-campus student housing and all faculty and staff that have any association with on-campus student housing are held at the beginning of each semester. These programs are designed to familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire and distribute information on the college's fire safety policies. Everyone is also provided with maps of each on-campus student housing facility that illustrate evacuation routes and fire alarm equipment locations. During these programs, trainers emphasize that

participating in fire drills is mandatory. Students with disabilities are given the option to have a "buddy" assigned to them.

Local fire authorities as well as the director of Student Housing who is experienced in fire safety matters teach fire safety education and training programs. The information provided during the fire safety programs is also available online at any time.

A list of Titles/Persons to which individuals should report when a fire has occurred, or if you find evidence of such a fire or if you hear about such a fire, please contact one of the following:

President	(580) 774-3766
Vice President for Administration & Finance	(580) 774-3000
Vice President for Academic Affairs	(580) 774-3264
Vice President for Student Affairs	(580) 774-7172
SWOSU Public Safety	(580) 772-3111
Dean/Chairs of Departments	(580) 774-6611
Human Resource Department	(580) 774-3275
Counseling/Nursing Services	(580) 774-3776
Athletic Director/Coaches	(580) 774-3701
Director of Housing	(580) 774-3024
Dean of Students	(580) 774-3767

There are no plans for future improvements in Fire Safety at this time.



## APPENDIX A

Definitions under Oklahoma law:

**Dating violence** is not defined in Oklahoma; however, violence against a person with whom the perpetrator is in a dating relationship is considered domestic violence, defined below. A **dating relationship** is defined as a courtship or engagement relationship. For purposes of this act, a casual acquaintance or ordinary fraternization between persons in a business or social context shall not constitute a dating relationship.

22 Okla. Stat. § 60.1.

**Domestic violence** is not defined in Oklahoma law. However, the criminal definition of **domestic abuse** is defined as: Any person who commits any assault and battery against a current or former spouse, a present spouse of a former spouse, a former spouse of a present spouse, parents, a foster parent, a child, a person otherwise related by blood or marriage, a person with whom the defendant is or was in a dating relationship as defined by Section 60.1 of Title 22 of the Oklahoma Statutes, an individual with whom the defendant has had a child, a person who formerly lived in the same household as the defendant, or a person living in the same household as the defendant shall be guilty of domestic abuse.

21 Okla. Stat. § 644.

*Sexual assault:*

- a. rape, or rape by instrumentation, as defined in Sections 1111, 1111.1 and 1114 of this title, or
- b. forcible sodomy, as defined in Section 888 of this title. 21 Okla. Stat. § 142.20.

*Rape (as used in the definition for “sexual assault”):*

- A. Rape is an act of sexual intercourse involving vaginal or anal penetration accomplished with a male or female who is not the spouse of the perpetrator and who may be of the same or the opposite sex as the perpetrator under any of the following circumstances:
  1. Where the victim is under sixteen (16) years of age;
  2. Where the victim is incapable through mental illness or any other unsoundness of mind, whether temporary or permanent, of giving legal consent;
  3. Where force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person;

4. Where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privacy of the accused as a means of forcing the victim to submit;
  5. Where the victim is at the time unconscious of the nature of the act and this fact is known to the accused;
  6. Where the victim submits to sexual intercourse under the belief that the person committing the act is a spouse, and this belief is induced by artifice, pretense, or concealment practiced by the accused or by the accused in collusion with the spouse with intent to induce that belief. In all cases of collusion between the accused and the spouse to accomplish such act, both the spouse and the accused, upon conviction, shall be deemed guilty of rape;
  7. Where the victim is under the legal custody or supervision of a state agency, a federal agency, a county, a municipality or a political subdivision and engages in sexual intercourse with a state, federal, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim; or
  8. Where the victim is at least sixteen (16) years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in sexual intercourse with a person who is eighteen
  9. (18) Years of age or older and is an employee of the same school system.
- B. Rape is an act of sexual intercourse accomplished with a male or female who is the spouse of the perpetrator if force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person.

21 Okla. Stat. § 1111

*Rape by instrumentation (as used in the definition of “sexual assault”):*

Rape by instrumentation is an act within or without the bonds of matrimony in which any inanimate object or any part of the human body, not amounting to sexual intercourse is used in the carnal knowledge of another person without his or her consent and penetration of the anus or vagina occurs to that person. Provided, further, that at least one of the circumstances specified in Section 1111 of this title has been met; further, where the victim is at least sixteen

years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or

high school, or public vocational school, and engages in conduct prohibited by this section of law with a person who is eighteen (18) years of age or older and is an employee of the same school system, or where the victim is under the legal custody or supervision of a state or federal agency, county, municipal or a political subdivision and engages in conduct prohibited by this section of law with a federal, state, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim, consent shall not be an element of the crime. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post- imprisonment supervision shall be in addition to the actual imprisonment.

21 Okla. Stat. § 1111.1.

*Forcible sodomy (as used in the definition of “sexual assault”):*

- A. Any person who forces another person to engage in the detestable and abominable crime against nature, pursuant to Section 886 of this title, upon conviction, is guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a period of not more than twenty (20) years. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this subsection shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment. Any person convicted of a second violation of this section, where the victim of the second offense is a person under sixteen (16) years of age, shall not be eligible for probation, suspended or deferred sentence. Any person convicted of a third or subsequent violation of this section, where the victim of the third or subsequent offense is a person under sixteen (16) Years of age shall be punished by imprisonment in the custody of the Department of Corrections for a term of life or life without parole, in the discretion of the jury, or in case the jury fails or refuses to fix punishment then the same shall be pronounced by the court. Any person convicted of a violation of this subsection after having been twice convicted of a violation of subsection A of Section 1114 of this title, a violation of Section 1123 of this title or sexual abuse of a child pursuant to Section 843.5 of this title, or of any attempt to commit any of these offenses or any combination of said offenses, shall be punished by imprisonment in the custody of the Department of Corrections for a term of life or life without parole.
- B. The crime of forcible sodomy shall include:
  - 1. Sodomy committed by a person over eighteen (18) years of age upon a person under sixteen (16) years of age; or

2. Sodomy committed upon a person incapable through mental illness or any unsoundness of mind of giving legal consent regardless of the age of the person committing the crime; or Sodomy accomplished with any person by means of force, violence, or threats of force or violence accompanied by apparent power of execution regardless of the age of the victim or the person committing the crime; or
3. Sodomy committed by a state, county, municipal or political subdivision employee or a contractor or an employee of a contractor of the state, a county, a municipality or political subdivision of this state upon a person who is under the legal custody, supervision or authority of a state agency, a county, a municipality or a political subdivision of this state; or Sodomy committed upon a person who is at least sixteen (16) years of age but less than twenty (20) years of age and is a student of any public or private secondary school, junior high or high school, or public vocational school, with a person who is eighteen (18) years of age or older and is employed by the same school system.
4. 21 Okla. Stat. § 888.

*Stalking:*

Any person who willfully, maliciously, and repeatedly follows or harasses another person in a manner that:

1. Would cause a reasonable person or a member of the immediate family of that person as defined in subsection F of this section to feel frightened, intimidated, threatened, harassed, or molested; and
2. Actually causes the person being followed or harassed to feel terrorized, frightened, intimidated, threatened, harassed, or molested, Upon conviction, shall be guilty of the crime of stalking, which is a misdemeanor punishable by imprisonment in a county jail for not more than one (1) year or by a fine of not more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment

For purposes of this section:

1. "Harasses," means a pattern or course of conduct directed toward another individual that includes, but is not limited to, repeated or continuing unconsented contact, that would cause a reasonable person to suffer emotional distress, and that actually causes emotional distress to the victim. Harassment shall include harassing or obscene phone calls as prohibited by Section 1172 of this title and conduct prohibited by Section 850 of this title. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose;
2. "Course of conduct" means a pattern of conduct composed of a series of two (2) or more separate acts over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct";

3. "Emotional distress" means significant mental suffering or distress that may, but does not necessarily require, medical or other professional treatment or counseling;
4. "Unconsented contact" means any contact with another individual that is initiated or continued without the consent of the individual, or in disregard of that individual's expressed desire that the contact be avoided or discontinued. Constitutionally protected activity is not included within the meaning of unconsented contact. Unconsented contact includes but is not limited to any of the following:
  - a. following or appearing within the sight of that individual,
  - b. approaching or confronting that individual in a public place or on private property,
  - c. appearing at the workplace or residence of that individual,
  - d. entering onto or remaining on property owned, leased, or occupied by that individual,
  - e. contacting that individual by telephone,
  - f. sending mail or electronic communications to that individual, and
  - g. placing an object on, or delivering an object to, property owned, leased, or occupied by that individual; and
5. "Member of the immediate family", for the purposes of this section, means any spouse, parent, child, person related within the third degree of consanguinity or affinity or any other person who regularly resides in the household or who regularly resided in the household within the prior six (6) months.

21 Okla. Stat. § 1173.