

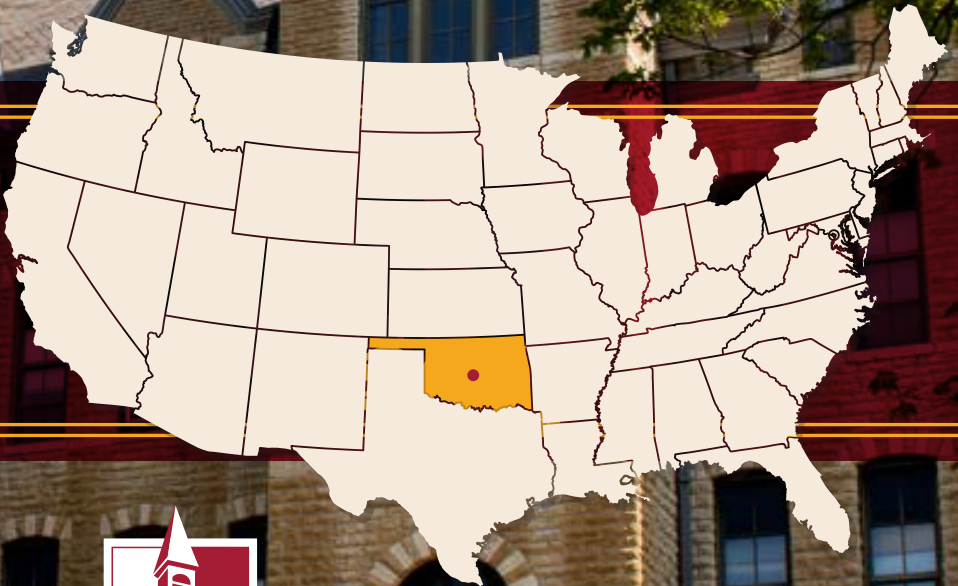
PARK UNIVERSITY

CLERY ANNUAL SECURITY REPORT

2017

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SPECIAL MESSAGE FROM PARK UNIVERSITY DIRECTOR OF CAMPUS SAFETY

Each year, in compliance with the Jeanne Clery Disclosure of Campus Safety Policy and Campus Crime Statistics Act, Park University publishes the Park University Security and Fire Safety Report. This document, posted online at park.edu and distributed via hard copy upon request, provides local crime statistics, details the University's regulations and procedures for emergency response, and lists on- and off-campus resources for safety assistance. Although all colleges and universities participating in federal financial aid programs are required to share this data with the public, we provide it with intention beyond simply obeying the rules and hope that doing so demonstrates Park's commitment to the well-being of students, faculty and staff members, business tenants and visitors.

The annual production of the Report is just one element of our larger, sustained strategy around security and safety. In 2017, we have taken measures to promote a safe and desirable college experience for all students, faculty and staff by implementing contingency plans for incidents such as active shooter and bomb threat through cooperative training with local police, fire and ambulance services.

The Park University Department of Campus Safety is proud to help foster a safe University environment that is conducive to collaboration, development and growth for all who live, learn and work on Park's campuses. Thank you for your interest in our processes and outcomes.

Sincerely,

Will London

Director of Campus Safety, Park University will.london@park.edu

== PARK UNIVERSITY CLERY ANNUAL SECURITY REPORT ==

Founded in 1875 in Parkville, Mo., a suburb of Kansas City, Park University has developed into a comprehensive, independent institution that is a national leader in higher education. In 2000, Park achieved university status and now serves 16,500 students annually at 42 campus centers in 22 states and online, including campus centers in Independence and Kansas City, Mo.; Lenexa, Kan., Austin and El Paso, Texas; Barstow and Victorville, Calif.; Gilbert, Ariz.; and at 33 military installations across the country.

Serving an ethnically diverse student population and non-traditional adult learners has, for many years, been central to Park's educational mission. Even in its first year, Park University enrolled women students as well as men, something that was unusual at the time; and two of the original 17 students were Native Americans. Park was also an early integrator when it welcomed African-American students to live in Park's residence halls in the 1950s.

Park continues to increase access to higher education by offering the quality undergraduate and graduate degrees students desire at locations, times and delivery formats that best serve their needs. The University has been ranked among the top private colleges/universities in the country for adult learners (*Washington Monthly*) as well as for annual return on investment (PayScale College ROI Report), and it is consistently ranked among the top least expensive private schools in the country.

Providing such access has developed considerable diversity among the student population, with more than 260 international students from 58 countries, and a 47 percent student representation from racial, ethnic and cultural groups typically underrepresented in colleges and universities. In addition, extracurricular activities and championship-caliber athletic programs (NAIA) complement Park's outstanding scholastic programs.

Park University offers numerous degree programs online, and it maintains a long-standing relationship with the U.S. military for which it has been recognized as one of the largest providers of online undergraduate education to military learners worldwide. Since 2009, Park has received international recognition each year by various military-related publications as a top military friendly college/university. In addition, Park is among the top-ranked "Best for Vets" private college/university in the country as determined by *Military Times* magazine.

Mission Statement

Park University transforms lives through accessible, student-centered, quality higher education.

Vision Statement

Park University will meet learners' needs for a lifetime.

Core Values

We expect accountability for our actions at all levels, to each other and to Park University.

We treat all with civility and respect while being open and honest in our communication.

We seek excellence in all we do, with passionate learning as our highest priority.

We celebrate global citizenship through our connected learning and working environment, liberal arts education and community stewardship.

We embrace inclusivity that fosters diversity, teamwork and collaboration.

We act with integrity through honesty, efficiency and reliability.

www.park.edu

Park University

Introduction

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

Policy for Preparing the Annual Report

This report is prepared by the Compliance Coordinator and the Director of Campus Safety in cooperation with local law enforcement authorities and includes information provided by them as well as by the University’s campus security authorities and various other elements of the University. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report’s availability. Hard copies of the report may also be obtained at no cost by contacting the Campus Safety Department at (816) 584-6444 or campussafety@park.edu.

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

General Safety and Security Policies

Policies Concerning the Law Enforcement Authority of Campus Security Personnel

The Campus Safety Department (“department”) is responsible for campus safety at the Parkville, Missouri campus. The department provides the security, crime prevention, and premise access functions on the University’s main campus 24 hours a day, seven days a week. The department’s jurisdiction covers all of the University’s property and the neighborhoods surrounding the main campus, including several acres of wooded area. They have the authority to ask persons for identification and determine whether individuals have lawful business on the institution’s property. They also have the authority to issue parking citations. Criminal arrests are made by the local police department because Campus Safety Officers do not themselves have arrest authority as they are not commissioned law enforcement officers. The Campus Safety Officers will, however, assist law enforcement as needed.

The University has agreements persons and companies to provide security at other campus centers not on military installations. Please contact your Campus Center Director (information available in the Undergraduate Catalog pp. 48-50) for more information. Campus Centers on military installations are secured by the application branch of the military responsible for the base.

The department’s jurisdiction covers all of the institution’s property and the neighborhoods surrounding the main campus. This includes several acres of wooded areas.

While the University does not have any written agreements with local law enforcement agencies, it does maintain a close working relationship with local law enforcement.

Other Officials to Whom Crimes May Be Reported (Campus Security Authorities)

The University also has designated other officials to serve as campus security authorities. Reports of criminal activity can be made to these officials. They in turn will ensure that the crimes are reported for collection as

part of the University's annual report of crime statistics. The additional campus security authorities to whom the University would prefer that crimes be reported are as follows:

1. William L. London, Director of Campus Safety at 816-584-6226 or william.london@park.edu
2. Laure Christensen, Chief of Staff at 816-584-6810 or laure.christensen@park.edu
3. Jayme Uden, Associate Vice President and Dean of Students at 816-584-6595 or jayme.uden@park.edu

Policies on Reporting a Crime or Emergency

The University encourages accurate and prompt reporting of all criminal actions, accidents, injuries, or other emergencies occurring on campus, on other property owned by the University, or on nearby public property to the appropriate administrator and appropriate police agencies. Campus Safety has a working relationship with Parkville, Missouri Police Department and other departments where Park campus centers are located. They are aware they need to contact Campus Safety in the event a crime is reported directly to them.

A report is encouraged even when the victim of a crime elects not to make a report or is unable to do so. Such reports should be made as follows:

1. At the main campus, a Campus Safety dispatcher is available anytime classes are in session. The number to contact is (816) 665-1463. When no one is in the office, the phone calls automatically roll to a cell phone carried by an on-duty officer on campus. If no contact can be made with the on-duty officer, people may call the Lead Campus Safety Officer at (816) 914-2806.
2. Situations that pose imminent danger or while a crime is in progress should be reported to local law enforcement by calling 911 from any campus phone or cell phone. Keep in mind that the individual making the call from a cell phone will need to provide the address where the emergency has occurred.
3. Students, staff, and visitors should report criminal actions, accidents, injuries, or other emergency incidents to one of the campus security authorities identified above. Once reported, the individual making the report will be encouraged to also report it to appropriate police agencies. If requested, a member of University staff will assist a student in making the report to the police.
4. Anonymous incident reports can also be made by completing the University's online concern form located <https://my.park.edu/ICS/Student/ConcernComplaint/>.

Confidential Reporting

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

Pursuant to the University's Sexual Harassment and Sexual Misconduct (Title IX) Policy an alleged victim of conduct that falls under that policy (e.g., sexual assault) can confidentially speak with a campus counselor, who will not report the information to the University without the victim's permission. However, if a "responsible employee" of the institution (e.g., directors, deans, vice presidents, or other administrators with supervisory responsibilities, campus security, and human resources) is informed of such conduct, they must provide the information, including the names of the parties if known, to the Title IX Coordinator for review. A victim of other types of crimes who does not want to pursue action within the University disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. With the victim's permission, a report of the details of the incident can be filed without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the University take appropriate steps to ensure the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where a pattern of crime may be developing and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the University.

The University encourages its professional counselors, if and when they deem it appropriate, to inform the persons they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics. The University does not have pastoral counselors.

Timely Warning

In the event of criminal activity occurring either on campus, at a campus center, or off campus, the Campus Safety Department, the President's Office, and/or Campus Center Operations and the Campus Center Directors decide what constitutes a serious or continuing threat to members of the campus community, a campus-wide "timely warning" will be issued.

Examples include a sudden increase of motor vehicle thefts or sexual assaults in the area that merit a warning to the community.

This warning will be communicated to students and employees via the University's mass notification software, E2 Campus. Students and employees may opt in to receive messages sent by the University to provide timely warnings and traffic flow or weather-related issues. Instructions to sign-up for this notification system may be found at www.Park.edu/mypark.

Warning updates will be provided as appropriate. Anyone with information warranting a timely warning should immediately report the circumstances to:

1. Campus Safety, 816-584-6444
2. The Campus Center Director (found in the undergraduate catalog) responsible for your campus.
3. Roger Dusing, Chief Human Resources Officer, 816-584-6386

The University has communicated with local law enforcement in Parkville, Missouri asking them to notify the University if it receives reports or information warranting a timely warning.

Security of and Access to Campus Facilities

For all campus centers, all academic buildings are secured during the evenings and weekends. Access to the buildings is only allowed for faculty/staff members and students who are accompanied by faculty/staff members.

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

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

Keys to the offices and classrooms on campus will be issued to employees only as needed and after receiving the proper authorization from a Director or higher. Each department supervisor is responsible for assuring their area is secured and locked.

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

At some campus centers, including the Parkville campus, employee identification cards may be used to verify the identity of persons suspected to be in campus facilities without permission.

Security Considerations in the Maintenance of Facilities

Security also is a consideration in maintaining campus facilities.

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

The EHS Manager also annually checks emergency equipment such as AED's and fire extinguishers. For all campus centers, the building-owners are responsible for the maintenance and inspection(s) of emergency equipment.

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

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

1. Crime prevention programs are presented each semester by the Campus Activities Board and Student Services. In addition, pamphlets and videos on crime prevention are available at the Student Center and for employees at the Human Resources Office, and periodically e-mail blasts are sent out to students and employees with crime prevention and other safety tips.
2. The University also provides information at the beginning of each academic term for students and employees regarding the University's security procedures and practices. This information is in the form of posters and other displays, articles in the University newspaper, and e-mail blasts. Among other things, it advises students and employees of the importance of reporting criminal activity, to whom crimes should be reported, being responsible for their own safety and the safety of others and practices regarding timely warnings and emergency notifications.

Monitoring Off Campus Locations of Recognized Student Organizations

The University does not have any recognized student organizations with off campus locations, therefore criminal conduct occurring at such locations is not monitored or recorded.

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

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

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

Drug and Alcohol Policies

Park University recognizes that misuse of alcohol and other drugs and the unlawful possession, use or distribution of drugs and alcohol pose major health problems, are potential safety and security problems, can adversely affect academic and job performance, and can generally inhibit the educational development of students.

Park University is a member institution of The Network of Colleges and Universities (“Network”) committed to the elimination of drug and alcohol abuse. Park University is committed to the standards outlined by The Network and to compliance with the Federal Drug-Free Workplace Act of 1988, the Drug-Free Schools and Communities Act Amendments of 1989, and other federal, state, and local laws.

As a result of this commitment, Park University has established regulations forbidding the unlawful manufacture, dispensing, distribution, possession, display, use, or consumption of illegal or illicit drugs and alcohol on University owned or controlled property or as part of any University programs or activities.

This policy applies to University employees, faculty, students and student organizations. Faculty and staff are collectively referred to as “Employees” throughout this policy.

To report manufacture, dispensing, distribution, possession, display, use, or consumption of drugs or alcohol on campus, dial Campus Safety at extension 6444 (816-584-6444 from any outside phone). Or report anonymously here: <https://my.park.edu/ICS/Student/ConcernComplaint/>.

Alternatively, as part of Campus Safety’s “See Something Say Something” campaign, individuals may also report such incidents anonymously by texting SAFETY and a brief description of what is happening to 50911.

Drug Free University

Park prohibits the unlawful manufacture, dispersal, distribution, possession, display, use, or consumption of controlled substances on Park owned or controlled property, as any part of its programs or activities, and while doing work on behalf of Park.

1. This policy does not prohibit use of legally obtained drugs, including prescription drugs and over-the-counter drugs, provided those drugs are used in accordance with the prescription by the prescription-holder or with over-the-counter directions. Such use by a Park employee must not impair the employee’s ability to perform the essential functions of his or her job effectively and safely.
2. Students and employees must report to Park any conviction or guilty plea under a criminal drug statute for violations occurring on or off University premises. Students and employees must submit a conviction report to the Dean/Associate Dean of Students, and employees to Human Resources within five (5) days after the conviction or guilty plea.
3. Federal regulations require students convicted for a drug offense that occurred during a period of enrollment while they were receiving Title IV Federal Student (Financial) Aid to lose financial aid eligibility. Federal Student Aid includes grants, loans, and work assistance otherwise provided to eligible college students under Title IV of the Higher Education Act. The period of non-eligibility begins on the date of the conviction and remains in effect until the student has met certain rehabilitation requirements.
 - a. The prohibition on federal aid applies to any student who has been convicted of any offense under any federal or state law involving the possession or sale of a controlled substance as defined by Section 102(6) of the Controlled Substances Act (21 U.S.C. § 802(6)). Laws regulating distilled spirits, wine, and malt beverages are not included within the definition of “controlled substance.”

- b. Other financial aid programs, including certain state programs, may also limit eligibility for students convicted of a drug offense.

Alcohol Use

1. Except as provided and permitted under this Policy at University-Sponsored Events, the manufacture, dispensing, distribution, possession, display, use, or consumption of alcoholic beverages is forbidden on Park-owned or controlled property, as any part of any University-sponsored programs or activities, and while doing work on behalf of the University.
2. To the extent permitted under this Policy at University-Sponsored Events, any possession, use, consumption, or distribution of alcoholic beverages must not negatively affect either the individual or the community and must be in compliance with the law.

Drugs, Alcohol, and Violations of University Policy and Law

1. Drug/alcohol use does not excuse misconduct

The use of illegal drugs, abuse of other drugs, or consumption of alcoholic beverages (even if consumption is permissible under this Policy at University-Sponsored Events) is not an excuse for misconduct of any kind—including violations Park's policies and civil or criminal law. For example, alcohol and drug use do not excuse violence, property damage, or disruptions caused by excessive noise related to drug or alcohol use.

2. Interplay between policy and law

If and to the extent the Drug-Free Workplace, Campus and Community regulations conflict with or contradict this policy, the Drug-Free Workplace, Campus and Community regulations control.

Disciplinary Actions

1. Amnesty

Park's primary concern is with student health and safety. For that reason, Park encourages students to seek treatment or assistance for themselves or others, regardless of their drug or alcohol use. If medical assistance is sought, the Office of Student Life/Office of Residence Life will not pursue punitive sanctions based on drug or alcohol use against the intoxicated student who reported or who was assisted. Students may be required to complete other steps, such as substance abuse assessment, rehabilitation, and other corrective actions.

Student voluntary self-disclosure is also recommended. If a student has been using alcohol or drugs and chooses to come forward for assistance on their own – they will not be subject to the sanctions for the use of drugs or alcohol that would have been imposed if found out by other means. This protection will only be in place if the student complies with other required steps, such as assessment, rehabilitation, and further corrective actions.

This policy does not preclude punitive sanctions due to any violations of other University policies, such as causing or threatening physical harm, sexual misconduct, damage to property, hazing, and possession with intent to distribute drugs.

2. Internal Sanctions

Students who violate Park's AOD policy are subject to the following disciplinary sanctions as more fully set forth in the Park University Student Conduct Code: warning, fines and restitution, task compliance/community service, disciplinary probation, suspension from residence halls, temporary or permanent suspension, or dismissal from Park.

- a. Sanctions for student clubs could include warning, community service, fines/restitution, or suspension/removal of Club Certification. Full information is available in the Student Organizations Manual, available at:
<http://www.park.edu/clubs-and-organizations/index.html>.
- b. Employees who violate this policy are subject to sanctions up to and including termination.

- c. Required counseling/rehabilitation. In conjunction with or in lieu of any of the disciplinary sanctions listed above, students or employees may be required to complete an appropriate counseling or rehabilitation program.
- d. Referral for criminal prosecution. In conjunction with or in lieu of the imposition of any of the disciplinary sanctions set forth above, students or employees may also be referred to appropriate local, state, or federal law enforcement agencies for prosecution.
- e. Discretion of the University in administering disciplinary action. Park's response to AOD policy violations may depend on the circumstances of the individual case and the judgment of appropriate officials. In ANY case where disciplinary sanction is deemed necessary, including cases where the disciplined individual is receiving a sanction for the first time, Park reserves the right to impose the most severe sanction available (including suspension, dismissal and/or referral for prosecution).

3. Legal Sanctions

In addition to Park's disciplinary action policies, individuals who engage in the unlawful manufacture, dispensing, distribution, possession, display, use, or consumption of controlled substances or alcohol are subject to legal sanctions.

- a. Federal law. Federal law provides strict penalties for violation of federal drug laws. For a first conviction of illegal possession of a controlled substance, a person may be imprisoned for up to one year and/or fined at least \$1,000 but not more than \$100,000; after two or more prior convictions the penalty increases to at least 90 days in jail but not more than three years and/or a fine of at least \$5,000 but not more than \$250,000. Federal trafficking penalties for controlled substances (such as marijuana, heroin, cocaine, PCP and LSD) range from less than five years in prison and/or a fine of less than \$250,000 to life imprisonment and/or a fine of up to \$8 million (for an individual). Other penalties may apply, such as forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance, denial of certain federal benefits, and revocation of certain federal licenses. Certain federal laws may apply to unlawful manufacture, possession, and trafficking of alcohol as well. Penalties range from fines to prison terms.
- b. State and local law. State and local law also provide penalties relating to the unlawful manufacture, sale, use or possession of controlled (and/or imitation of) controlled substances and alcohol. In addition, states and municipalities have laws relating to underage drinking, driving while intoxicated or under the influence of alcohol and/or illicit drugs. Sanctions for violations may range from local citation to state law felonies. Penalties may range from small fines to prison terms, depending on the violation and the individual's past criminal history.

4. Procedures

- a. Student Conduct Code procedures. All disciplinary hearings or proceedings due students charged with violations of this regulation shall be conducted in accordance with or as provided by the Student Conduct Code.
- b. Further procedures for student organizations are outlined in the Ethical Standards for Conduct and Responsibility section of the Student Organizations Manual available online at: <http://www.park.edu/clubs-and-organizations/index.html>.

- c. Procedures for employees are outlined in the Employee Handbook available within Park's internal webpage, MyPark.

Health Risks

Risk of alcohol use and abuse include, among others, drinking/driving accidents, increased incidents of rape and assault, academic problems, police involvement, medical problems including alcohol dependence, fetal alcohol syndrome, organ damage, and fatalities.

Drug abuse may result in a wide variety of serious short- and long-term health and behavioral problems. These problems may include toxicity, HIV infection with intravenous drug use, heart attack, stroke, sudden death, pregnancy complications, birth complications and defects, physical and psychological dependence, withdrawal, disruption of normal heart rhythm, high blood pressure, stroke, bleeding and destruction of brain cells, memory loss, depression, infertility, impotency, immune system impairment, kidney failure, cirrhosis of the liver, and neurological and pulmonary damage.

Please review further information about the health and safety risks, by reviewing the Campus Safety website at: <http://www.park.edu/campus-safety/drug-health-risks.html>.

Prevention, Counseling, Treatment and Rehabilitation Information and Resources

Students and employees with alcohol- or other drug-related concerns or problems are encouraged and, in some cases, may be required to utilize drug or alcohol abuse resources and counseling services.

Students can get referrals and assistance through the Counseling Center by checking online at www.Park.edu/Counseling-Center, calling the counselors at 816-584-6237 or 816-584-6798, or sending an email to CounselingAppointments@Park.edu to make an appointment.

Employees can check referral options by reviewing the Employee Assistance Program options through MyPark – Human Resource Services.

Students with alcohol or other drug related problems are encouraged and, in some cases, may be required to utilize the services of private and community agencies including those specified below.

General information:

Abuse and Mental Health Services Administration (SAMSHA)
877-SAMHSA-7 (877-726-4727)
800-487-4889 (TTY)
<http://www.samhsa.gov/>

National Institute of Health (NIH)--National Institute on Drug Abuse (NIDA)
301-443-1124
<http://www.drugabuse.gov/>

National Institute of Health (NIH)--National Institute on Alcohol Abuse and Alcoholism
301-443-1124
<http://www.niaaa.nih.gov/>

Tinker area services:

Emergency 911

Park – Tinker Campus Center
72 FSS/FSDEV, 7751 1st, Suite 105
Tinker AFB, OK 73145-9148
(405) 732-6149
tink@park.edu

Tinker AFB Mental Health
3001 S Douglas Blvd, Oklahoma City, OK 73130
(405) 582-6603
<http://www.tinker.af.mil/Units/72nd-Medical-Group/Mental-Health/>

Midwest City Police Department
100 N Midwest Blvd, Midwest City, OK 73110
(405) 739-1306
<https://midwestcityok.org/375/Police-Department>

Alcohol Training & Education
1104 S Air Depot Blvd #2, Midwest City, OK 73110
(405) 943-7483
<https://okduischool.com/>

Catalyst Behavioral Services
3033 N. Walnut Oklahoma City, Oklahoma
405-232-9804
<http://www.catalystok.org/contact/>

Oklahoma Crisis Intervention
2625 General Pershing Blvd, Oklahoma City, OK 73107
(405) 522-8100
https://ok.gov/odmhsas/Mental_Health/Adult_Crisis_Centers.html

The Campus Safety Department and the Lead Campus Safety Officer are located on Park's main campus in Parkville, Missouri. However, staff members can assist callers remotely and/or make appropriate referrals to local resources.

Policy Review

The Dean of Students takes necessary steps to provide for Park's biennial review of its AOD Policy to determine its effectiveness, implement needed changes, and ensure that disciplinary sanctions are consistently enforced.

Enforcement

The primary sources enforcing the alcohol and drug policies for students are the Campus Safety Staff, and Dean of Students Staff. The Coordinator of Student Advocacy serves as Park's Chief Judicial Officer. The CJO primarily utilizes administrative hearings to assess infractions and determine sanctions. A campus judicial board may be utilized if the hearing officer believes the case has had a great impact on the larger community and a judicial board process will be perceived more positively, and with less bias, than an administrative hearing. The Dean of Students serves as the judicial officer for any infraction occurring inside the residence halls unless the temporary suspension or expulsion is a possible sanction due to repeat offenses or due to the seriousness of the first offense. In that instance, the Coordinator of Student Advocacy is the judicial officer. The Dean of Students is the appeal officer for all conduct cases unless they are academic in nature. For academic violations, the Provost is the appeal officer.

Drug and Alcohol Student Incident Report: Academic Years 2014-2015 and 2015-2016, including Fall Semester 2016

Academic Year	Alcohol Violations	Drug Violations	Repeat Offenses	Expulsions from Drug or Alcohol violations	Fatalities Related to Drug or Alcohol
2014-2015	15	2	0	0	0
2015-2016	6	2	0	0	0
Fall 2016	5	0	0	0	0

Drug and Alcohol Employee Incident Report: Academic Years 2014-2015 and 2015-2016, including Fall Semester 2016

Academic Year	Alcohol Violations	Drug Violations	Repeat Offenses	Expulsions from Drug or Alcohol violations	Fatalities Related to Drug or Alcohol
2014-2015	0	0	0	0	0
2015-2016	0	0	0	0	0
Fall 2016	0	0	0	0	0

Sanctions

1. Student Alcohol Policy Sanctions

A variety of educational sanctions are assigned AOD policy violations. The most common sanction for a first offense is a general warning and an essay. The essay is focused on the AOD policy to make sure the student understands it and the consequences of violating the policy a second time. If other concerning behaviors are involved in the alcohol violation, counseling is often required on a short-term basis with an on-campus counselor. For repeat offenders or very serious behaviors, long-term counseling is usually a requirement. An off-campus alcohol assessment and the costs of such assessment is also required. The results are provided to the counselor to help guide counseling sessions. These sanctions are the same for incidents occurring within and outside of the residence halls.

2. Student Drug Policy Sanctions

One egregious offense would result in the student's removal from the residence halls and long term counseling at the least. Distribution and manufacturing of drugs would, in most cases, result in expulsion. Possession

and/or use of most drugs on campus not in the residence halls may result in a mandated drug assessment. The offending student may also be referred to an off-campus therapy program if the results show engaging in more than moderate drug use. The only exception to this is the use of marijuana. Possession, without evidence of use, of marijuana may be sanctioned to the lesser extent of an educational essay and/or community service sanction.

3. Employee Alcohol/Drug Policy Sanctions

There are a variety of sanctions that may be applied to employees' AOD policy violations. Possible sanctions include: referral to an Employee Assistance Program who could then refer the employee directly to a drug/alcohol treatment program or a direct referral to a drug/alcohol treatment center for an assessment in the case of alcohol violations. In all cases, employee-violations of Park's AOD policy will result in disciplinary action, up to and including termination.

DEPARTMENT OF ATHLETICS DRUG AND ALCOHOL USE AND DRUG TESTING POLICY

Park's Department of Athletics has developed a drug education and testing program aimed at drug abuse prevention. The program includes the education, testing, and, if necessary, rehabilitation of those student-athletes who test positive for illicit drugs. The following is an outline of the program.

Purpose

1. To deter substance abuse among the Park's student-athlete population.
2. To identify and assist student-athletes with substance abuse problems.
3. To ensure the health and safety of all Park's student-athletes as well as the health and safety of all Park competitors.
4. To maintain appropriate standards of behavior and ensure the integrity of the student-athlete and Park.
5. To ensure fair and equitable competition for all student-athletes competing in intercollegiate athletics.

Participation

As a condition to participate in Park's intercollegiate athletics, every student-athlete is required to participate in the Drug Education and Testing Program. Annually, all student-athletes will be required to sign Park's consent form.

Refusal to sign Park's consent form will result in dismissal from further athletic participation. A student-athlete who is dismissed from athletic participation for refusing to sign a drug testing consent form will have his/her athletic related aid cancelled as soon as possible pursuant to Park's policies and NAIA and conference regulations.

Drug Education

The Department of Athletics will conduct a mandatory drug education program at the beginning of each academic semester.

Banned Substances and Information

Park Athletics will use the same list of banned substances as the NCAA for the purposes of the Drug Education and Testing program. An updated list can be found on the NCAA website, available at www.ncaa.org.

Further information on banned substances and dietary supplements can be located on the Dietary Supplement Resource Exchange website, available at www.drugfreesport.com/rec.

Methods of Selection

1. Random Selection

All athletes will be selected randomly to undergo drug testing.

2. Individualized Reasonable Suspicion

Student-athlete may be chosen to undergo drug testing due to reasonable suspicion if identified by one or more of the following athletic staff members: Sports Medicine staff, Coaching Staff, and/or a Team Physician. The identification of an athlete should be based on objective signs of physical and behavioral changes that could be the result of using a banned substance. These objective signs may include, but should not be limited to, a dramatic drop in grades, decreased class attendance, fluctuation in bodyweight, acts of violence, an incident involving law enforcement or campus security, a positive previous drug test, or emotional disturbances. A reasonable suspicion allegation must be made in writing to the Drug Program Administrator, who will present the case to a committee made up of the Drug Program Administrator, and Director of Athletics. They will review the allegation and decide whether the student-athlete will be required to undergo drug testing.

3. NAIA/Conference Qualifier

Park has the right to test any individual athlete or team that has qualified for post-season competition.

4. Team Testing

Circumstances may arise that make it necessary for an entire athletic team to be drug tested. These circumstances may include, but are not limited to:

- a. Pre-participation Athletic Physicals, and
- b. Suspected widespread use of banned substances (refer to process for identifying an individual for reasonable suspicion).

Notification of Selection for Testing

The Drug Program Administrator will notify all student-athletes selected for drug testing. The Drug Program Administrator will contact the student-athlete by phone i.e., dorm/house phone or cell phone and/or text message. A message will be left for the student-athlete during each call. If the student athlete does not return the call promptly, the coach will be contacted to help locate the student athlete. Upon this notification, the student-athlete must immediately appear in-person and sign a notification form. The head coach of each student-athletes' respective sport will be notified of their selection.

Any student-athlete who is found to have attempted to manipulate, substitute, adulterate, or intentionally dilute his or her urine will be in violation of the Park University Drug Education and Testing Program and will be appropriately sanctioned.

The student-athlete will be given no more than 24 hours-notice regarding selection for drug testing. There is no minimum period of time that student athlete must be provided between notification and testing.

If a student athlete does not contact the Drug Program Administrator prior to the drug testing session, THE DRUG TEST WILL BE CONSIDERED A POSITIVE TEST AND WILL COUNT AS A STRIKE AGAINST THE STUDENT-ATHLETE. If the student-athlete has an emergency and cannot be present for the drug testing collection, arrangements will be made for them to provide a specimen as soon as possible following proper notification or an alternate subject may be chosen. If proper arrangements cannot be made, the athlete may be subject to testing at a later date.

Refusal to sign the Drug Testing Consent Form or failure to appear for institutional drug testing will be treated as a positive test and a violation of the Park University Drug Education and Testing Program and the student-athlete will be sanctioned accordingly.

Reporting of Results

The Counseling Center will notify the Director of Athletics directly of any positive test results by number code. Only at this time will the number code be broken and the student-athlete identified. The Drug Program Administrator, Director of Athletics, and the head coach will meet to discuss the results.

Sanctions

Park has chosen to enforce a strict “two-strikes” policy in relation to positive drug test results. Violations accrue over the student-athlete’s entire career and remain a matter of record until the end of their career as a student athlete at Park. Positive test results on any NAIA drug test will also be considered a violation of the Park University Drug Education and Testing Program.

1. First Violation

Upon a positive drug test confirmation for any substance banned by the NCAA the student-athlete will immediately be subject to a minimum 20 percent suspension from all team activities including practice and regular/post-season competition. In the event the student athlete is an outgoing senior and there is less than 20 percent of the competitive season remaining, they will be required to complete 40 hours of community service as directed by the Athletic Director. The student-athlete must also satisfactorily complete the criteria for successful Substance Abuse Intervention. An athlete that does not satisfactorily meet the criteria for Substance Abuse Intervention will face an indefinite suspension. A student-athlete who has a confirmed violation of the Park University Drug Education and Testing Program may also be subject to follow-up testing, at their own expense, at any time during the remainder of their athletic career at the university.

2. Second Violation

Upon a second positive drug test confirmation for any substance banned by the NCAA will result in the immediate cancellation of the student-athlete’s privilege to compete in athletics at Park University. A student athlete who is dismissed from athletic participation for a second violation of the Park University Drug Education and Testing Program will have his/her athletic grant cancelled at the earliest possible moment consistent with Park University, Conference, and NAIA regulations. The student-athlete will be encouraged to continue further counseling and to utilize available institutional resources.

3. Immediate Termination from Team Membership

Any student-athlete who is convicted of trafficking and/or possession of illegal substances with the intent to distribute will immediately lose the privilege of participating in athletics at Park University upon that conviction. Upon conviction, the student-athlete will also lose any athletic grants/scholarships issued by Park University.

Substance Abuse Intervention

The student-athlete will be required to attend a consultation session at the Park University Counseling Center or other approved counseling facility. The professional counseling staff will make a recommendation, on a case-by-case basis, to the athletic department regarding adequate intervention on behalf of the student athlete. The student-athlete will be required by the athletic department to follow the intervention recommendations of the counselor, including possible referrals and the duration of intervention.

In the event that the dependency issues are beyond the realm of practice for the Park University Counseling Center staff or other approved counseling facilities, referrals will be made to a chemical dependency treatment center to determine the scope of substance use. The professional counseling staff will act as liaison between the athletic department and the chosen chemical dependency treatment center.

If at any point during the substance abuse intervention the student athlete is found to be delinquent in their obligations the privilege to participate in Park’s athletics programs will be revoked. A student-athlete who is dismissed from athletic participation will have his/her athletic related aid cancelled at the earliest possible moment consistent with Park’s guidelines.

Appeal and Reinstatement

Students have a right to an appeal. The athletic director serves as the appeal officer. An appeal must be based on the existence of new information, to determine if the process was handled fairly, or to determine if the sanction imposed was appropriate for the violation. The appeal must be made in writing within five business days of notification of the original decision.

Alcohol and Tobacco Policy

Park athletics supports and enforces the NAIA ban on tobacco use by student-athletes, coaches, and athletic personnel as per the NAIA Substance Abuse Program. See Appendix T.

Safe Harbor Program

Park's Safe Harbor Program policies are being created and will be implemented by Fall 2018. Athletics – Drug and Alcohol Use and Drug Testing Policy is available at: http://www.park.edu/pirate-archives/piratepost/park_university_drug_testing_procedures.pdf.

Description of the Alcohol and Drug Program Elements

Park University strives to create programming that complements, educates, and provides awareness to the implications of AOD policy violations on the individual, community, and University level. Below is the description of the AOD specific program conducted between January 2015 through March 2017:

1. Facilitated Resident Assistant Training regarding AOD elements specific to residential students
2. Facilitated First-Year Experience Mentor regarding AOD elements specific to first-year students
3. Conducted Student Organization Officer Training focused on AOD elements specific to student organizations
4. Conducted mandatory athlete orientation regarding AOD elements and NAIA standards of conduct
5. Conducted International Student Services and Admissions extended orientation regarding AOD elements focused on culture, use, and policies
6. Coordinated Counseling Center availability for student support and information regarding AOD elements
7. Facilitated distribution and implementation of Park University's online magazine (Student Health 101) which provided information regarding AOD education and support resources
8. Facilitated on-campus events focused on AOD education and prevention
 - a. Sex and Drugs Show (Title IX Engagement Programming)
 - b. Sexual Assault Awareness Week Programming

Drug and Alcohol Policies

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

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

Drug and Alcohol Abuse Prevention Program

PARK UNIVERSITY CLERY ANNUAL SECURITY REPORT

In compliance with the Drug Free Schools and Communities Act (DFSCA), the University has a drug and alcohol abuse and prevention program (DAAPP), which includes an annual notification to students and employees regarding certain drug/alcohol-related information (such legal sanctions for violations of applicable laws, health risks, etc.) and a biennial review of this program to evaluate its effectiveness and assess whether sanctions are being consistently enforced. For more information on the University's DAAPP, see below.

- https://my.park.edu/ICS/Offices/Policy/University_Policies.jnz?portlet=University_Policies
- Athletics – Drug and Alcohol Use and Drug Testing Policy:
https://my.park.edu/ICS/Offices/Policy/University_Policies.jnz?portlet=University_Policies
- Alcohol/drug webpage: <https://www.park.edu/about-park/campus-safety/drug-alcohol-use-policy/>
- The Dean of Students is responsible for conducting a biennial review of the University's DAAPP. For more information, please see: <https://www.park.edu/about-park/campus-safety/drug-alcohol-use-policy/>.

Date	Activity	Audience	Responsibility
8/21/2015 1/22/2016 8/19/20161/20/2017	Park University Activities Fair	All Kansas City Area Students	Office of Student Leadership and Engagement
3/29/2016	All University Health Fair	All Kansas City Area Students	Department of Nursing
8/16/2015 8/14/2016	Athletics Mandatory Orientation	Student Athletes at Park University	Department of Athletics
University Business Hours	Counseling Center	All Kansas City Area Students	Counseling Center
8/8/2015 - 8/12/2015 8/9/2016 - 8/13/2016	FYE Training	First Year Experience Mentors	Office of Student Leadership and Engagement
8/14/2015 1/15/2016 8/12/20168/26/2016	International Student Services and Admissions Extended Orientation	All Kansas City Area Students	Department of International Student Admissions and Services.
8/15/2015 1/4/2016 - 1/15/2016 8/13/20161/9/2017 - 1/13/2017	New Student Orientation	All New Parkville and Transfer Students	Department of Student Life
Monthly Releases Starting 1/18/2015 - 05/12/2017	Park University Online magazine, Student Health 101, provides healthy and safe alternatives regarding AOD consumption and provides	All Kansas City Area Students	Department of Student Life

	valuable resources regarding addiction help.		
1/5/2015 - 1/9/2015; 8/10/2015 - 8/15/2015 ; 1/4/2016-1/8/2016; 8/03/2016 - 8/15/2016	Resident Assistant Training	Resident Assistants	Office of Residence Life
8/13/2015 - 8 /21/2015; 8/12/2016 - 8/22/2016	Residence Life and Education First Floor Meeting	All Residential Students	Office of Residence Life
8/18/2016 (2 Shows)	Sex and Drugs Show (Alcohol Awareness and Consent Awareness Program)	All Kansas City Area Students	Office of Student Leadership and Engagement
8/14/2015 8/12/2016	Parent and Family Orientation	Parents of All Park Students	Dean of Students
8/19/2015 1/14/2015 8/17/2016 1/18/2017	Student Organization Leadership Retreat	All Kansas City Area Students	Office of Student Leadership and Engagement
3/15/2015 - 5/12/2017	Online Orientation	All Kansas City Area Students	Department of Student Life
8/13/2015 8/12/2016	All Residence Halls Meeting	All Parkville Students	Office of Residence Life
1/4/2016 8/8/2016	Park Student Activities Board Retreat	All Parkville Students	Office of Student Leadership and Engagement
10/26/2016	Sexual Assault Awareness Week - Audrie & Daisy Screening	All Parkville Students	Office of Student Leadership and Engagement
10/27/2016	Sexual Assault Awareness Week - Synergy Presentation	All Parkville Students	Office of Student Leadership and Engagement

Consistent with the requirements of Title IX of the Education Amendments of 1972, the Clery Act, and the Violence Against Women Act (“VAWA”), the University prohibits discrimination based on sex in its educational programs and activities, including sexual harassment, and acts of domestic violence, dating violence, sexual violence (including sexual assault) and stalking. The University also prohibits any retaliation, intimidation, threats, coercion or any other discrimination against any individuals exercising their rights or responsibilities pursuant to these laws and university policy.

The University's Sexual Harassment and Sexual Misconduct (Title IX) is used to address complaints of this nature. This policy and the procedures for filing, investigating, and resolving complaints for violations of this policy may be found at <http://www.park.edu/title-ix/index.html>.

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

Primary Prevention and Awareness Program

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

Crime Type (Oklahoma Statutory Code)	Definitions
§ 113. Consent defined [General Provisions Definitions]	<p>The term "consent" means the affirmative, unambiguous and voluntary agreement to engage in a specific sexual activity during a sexual encounter which can be revoked at any time. Consent cannot be:</p> <ul style="list-style-type: none"> A. Given by an individual who: a. is asleep or is mentally or physically incapacitated either through the effect of drugs or alcohol or for any other reason, or b. is under duress, threat, coercion or force; or B. Inferred under circumstances in which consent is not clear including, but not limited to: a. the absence of an individual saying "no" or "stop", or b. the existence of a prior or current relationship or sexual activity.
§ 112. Sexual assault defined	<p>The term "sexual assault" is any type of sexual contact or behavior that occurs without explicit consent of the recipient including, but not limited to, forced sexual intercourse, forcible sodomy, child molestation, child sexual abuse, incest, fondling and all attempts to complete any of the aforementioned acts.</p> <p>In any criminal jury trial of a crime involving any type of sexual contact or behavior where "consent" is an element of the crime or a defense raised by the accused, the court shall instruct the jury on the definition of consent as such term is defined in Section 113 of this title.</p>

<p>§ 1113. Slight Penetration is Sufficient to Complete Crime</p>	<p>The essential guilt of rape or rape by instrumentation, except with the consent of a male or female over fourteen (14) years of age, consists in the outrage to the person and feelings of the victim. Any sexual penetration, however slight, is sufficient to complete the crime.</p>
<p>§ 1111. Rape Defined</p>	<p>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 privity 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 the subcontractor or employee of a subcontractor of the contractor of the state or federal government, a county, a municipality or a political subdivision that exercises authority over the victim; 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 (18) years of age or older and is an employee of the same school system; or 9. Where the victim is nineteen (19) years of age or younger and is in the legal custody of a state agency, federal agency or tribal court and engages in sexual intercourse with a foster parent or foster parent applicant.</p> <p>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.</p>
<p>§ 1111.1. Rape by Instrumentation - Consent - Sentencing</p>	<p>A. 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.</p> <p>B. 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 (16) years of age and is less than twenty (20) years of age and is a student, or under the legal</p>

	<p>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.</p> <p>C. Provided, further, that at least one of the circumstances specified in Section 1111 of this title has been met; further, where the victim is nineteen (19) years of age or younger and in the legal custody of a state agency, federal agency or tribal court and engages in conduct prohibited by this section of law with a foster parent or foster parent applicant.</p> <p>B. 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.</p>
§ 1114. Rape in First Degree--Second Degree	<p>A. Rape in the first degree shall include: 1. rape committed by a person over eighteen (18) years of age upon a person under fourteen (14) years of age; or 2. rape 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 3. rape accomplished where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privity of the accused as a means of forcing the victim to submit; or 4. rape accomplished where the victim is at the time unconscious of the nature of the act and this fact is known to the accused; or 5. rape 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 person committing the crime; or 6. rape by instrumentation resulting in bodily harm is rape by instrumentation in the first degree regardless of the age of the person committing the crime; or 7. rape by instrumentation committed upon a person under fourteen (14) years of age.</p> <p>D. In all other cases, rape or rape by instrumentation is rape in the second degree.</p>
§ 1114. Rape in First Degree--Second Degree	<p>A. Rape or rape by instrumentation in the first degree shall include: 1. Rape committed by a person over eighteen (18) years of age upon a person under fourteen (14) years of age; 2. Rape 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; 3. Rape accomplished where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privity of the accused as a means of forcing the victim to submit; 4. Rape accomplished where the victim is at the time unconscious of the nature of the act and this fact is known to the accused; 5. Rape accomplished with any person by</p>

	<p>means of force, violence, or threats of force or violence accompanied by apparent power of execution regardless of the age of the person committing the crime; or 6. Rape by instrumentation regardless of the age of the victim or the age of the person committing the crime.</p> <p>B. In all other cases, rape is rape in the second degree.</p>
§ 1115. Punishment for rape in first degree	<p>B. Rape in the first degree is a felony punishable by death or imprisonment in the custody of the Department of Corrections, for a term of not less than five (5) years, life or life without parole. 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. Any person convicted of a second or subsequent violation of subsection A of Section 1114 of this title shall not be eligible for any form of probation. Any person convicted of a third or subsequent violation of subsection A of Section 1114 of this title or of an offense under Section 888 of this title or an offense under Section 1123 of this title or sexual abuse of a child pursuant to Section 843.5 of this title, or any attempt to commit any of these offenses or any combination of these offenses shall be punished by imprisonment in the custody of the Department of Corrections for life or life without parole.</p>
§ 1116. Second Degree Rape--Penalty	<p>Rape in the second degree is a felony punishable by imprisonment in the State Penitentiary not less than one (1) year nor more than fifteen (15) years.</p>
§ 1112. Age Limitations on Conviction for Rape	<p>No person can be convicted of rape or rape by instrumentation on account of an act of sexual intercourse with anyone over the age of fourteen (14) years, with his or her consent, unless such person was over the age of eighteen (18) years at the time of such act.</p>
§ 885. Incest -- Penalty	<p>Persons who, being within the degrees of consanguinity within which marriages are by the laws of the state declared incestuous and void, intermarry with each other, or commit adultery or fornication with each other, shall be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections not exceeding ten (10) 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.</p>
§ 887. Slight Penetration Completes Crime	<p>Any sexual penetration, however slight, is sufficient to complete the crime against nature.</p>
§ 888. Forcible sodomy	<p>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</p>

	<p>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 the offenses, shall be punished by imprisonment in the custody of the Department of Corrections for a term of life or life without parole.</p> <p>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; 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; 3. 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; 4. 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 the subcontractor or employee of a subcontractor of the contractor of the state or federal government, a county, a municipality or a political subdivision of this state; 5. 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; 6. Sodomy committed upon a person who is at the time unconscious of the nature of the act, and this fact should be known to the accused; or 7. Sodomy committed upon a person where the person is intoxicated by a narcotic or anesthetic agent administered by or with the privity of the accused as a means of forcing the person to submit.</p>
<p>§ 60.1. Definitions [Domestic Abuse]</p>	<p>As used in the Protection from Domestic Abuse Act and in the Domestic Abuse Reporting Act, Sections 40.5 through 40.7 of this title and Section 150.12B of Title 74 of the Oklahoma Statutes:</p> <p>A. "Domestic abuse" means any act of physical harm, or the threat of imminent physical harm which is committed by an adult, emancipated minor, or minor child</p>

	<p>thirteen (13) years of age or older against another adult, emancipated minor or minor child who are family or household members or who are or were in a dating relationship;</p> <p>B. "Stalking" means the willful, malicious, and repeated following or harassment of a person by an adult, emancipated minor, or minor thirteen (13) years of age or older, 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, however short, evidencing a continuity of purpose or unconsented 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. Unconsented contact or course of conduct includes, but is not limited to: 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, or g. placing an object on, or delivering an object to, property owned, leased or occupied by that individual;</p> <p>C. "Harassment" means a knowing and willful course or pattern of conduct by a family or household member or an individual who is or has been involved in a dating relationship with the person, directed at a specific person which seriously alarms or annoys the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial distress to the person. "Harassment" shall include, but not be limited to, harassing or obscene telephone calls in violation of Section 1172 of Title 21 of the Oklahoma Statutes and fear of death or bodily injury;</p> <p>D. "Family or household members" means: a. spouses, b. ex-spouses, c. present spouses of ex-spouses, d. parents, including grandparents, stepparents, adoptive parents and foster parents, e. children, including grandchildren, stepchildren, adopted children and foster children, f. persons otherwise related by blood or marriage, g. persons living in the same household or who formerly lived in the same household, and h. persons who are the biological parents of the same child, regardless of their marital status, or whether they have lived together at any time. This shall include the elderly and handicapped;</p> <p>E. "Dating relationship" means 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;</p> <p>F. "Foreign protective order" means any valid order of protection issued by a court of another state or a tribal court;</p> <p>G. "Rape" means rape and rape by instrumentation in violation of Sections 1111 and 1111.1 of Title 21 of the Oklahoma Statutes;</p>
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	<p>H. "Victim support person" means a person affiliated with a certified domestic violence or sexual assault program, certified by the Attorney General or certified by a recognized Native American Tribe if operating mainly within tribal lands, who provides support and assistance for a person who files a petition under the Protection from Domestic Violence Act; and</p> <p>B. "Mutual protective order" means a final protective order or orders issued to both a plaintiff who has filed a petition for a protective order and a defendant included as the defendant in the plaintiff's petition restraining the parties from committing domestic violence, stalking, harassment or rape against each other. If both parties allege domestic abuse, violence, stalking, harassment or rape against each other, the parties shall do so by separate petition pursuant to Section 60.4 of this title.</p>
<p>§ 644. Punishment for Assault and Battery [Domestic Abuse addressed in C. below]</p>	<p>A. Assault shall be punishable by imprisonment in a county jail not exceeding thirty (30) days, or by a fine of not more than Five Hundred Dollars (\$ 500.00), or by both such fine and imprisonment.</p> <p>B. Assault and battery shall be punishable by imprisonment in a county jail not exceeding ninety (90) days, or by a fine of not more than One Thousand Dollars (\$ 1,000.00), or by both such fine and imprisonment.</p> <p>C. 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. Upon conviction, the defendant shall be punished by imprisonment in the county jail for not more than one (1) year, or by a fine not exceeding Five Thousand Dollars (\$ 5,000.00), or by both such fine and imprisonment. Upon conviction for a second or subsequent offense, the person shall be punished by imprisonment in the custody of the Department of Corrections for not more than four (4) years, or by a fine not exceeding Five Thousand Dollars (\$ 5,000.00), or by both such fine and imprisonment. The provisions of Section 51.1 of this title shall apply to any second or subsequent offense.</p> <p>D. 1. Any person who, with intent to do bodily harm and without justifiable or excusable cause, commits any assault, battery, or assault and battery upon a current or former spouse, a present spouse of a former spouse, a parent, a foster parent, a child, a person otherwise related by blood or marriage, a person with whom the defendant is in a dating relationship as defined by Section 60.1 of Title 22 of the Oklahoma Statutes, an individual with whom the defendant has 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 with any sharp or dangerous weapon, upon conviction, is guilty of domestic assault or domestic assault and battery with a dangerous weapon which shall be a felony and punishable by imprisonment in the custody of the Department of Corrections not exceeding ten (10) years, or by imprisonment in a county jail not exceeding one (1) year. The</p>

	<p>provisions of Section 51.1 of this title shall apply to any second or subsequent conviction for a violation of this paragraph. 2. Any person who, without such cause, shoots a current or former spouse, a present spouse of a former spouse, a parent, a foster parent, a child, a person otherwise related by blood or marriage, a person with whom the defendant is in a dating relationship as defined by Section 60.1 of Title 22 of the Oklahoma Statutes, an individual with whom the defendant has 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, by means of any deadly weapon that is likely to produce death shall, upon conviction, be guilty of domestic assault and battery with a deadly weapon which shall be a felony punishable by imprisonment in the custody of the Department of Corrections not exceeding life. The provisions of Section 51.1 of this title shall apply to any second or subsequent conviction for a violation of this paragraph.</p> <p>E. Any person convicted of domestic abuse committed against a pregnant woman with knowledge of the pregnancy shall be guilty of a misdemeanor, punishable by imprisonment in the county jail for not more than one (1) year. Any person convicted of a second or subsequent offense of domestic abuse against a pregnant woman with knowledge of the pregnancy shall be guilty of a felony, punishable by imprisonment in the custody of the Department of Corrections for not less than ten (10) years. Any person convicted of domestic abuse committed against a pregnant woman with knowledge of the pregnancy and a miscarriage occurs or injury to the unborn child occurs shall be guilty of a felony, punishable by imprisonment in the custody of the Department of Corrections for not less than twenty (20) years.</p> <p>F. Any person convicted of domestic abuse as defined in subsection C of this section that results in great bodily injury to the victim shall be guilty of a felony and punished by imprisonment in the custody of the Department of Corrections for not more than ten (10) years, or by imprisonment in the county jail for not more than one (1) year. The provisions of Section 51.1 of this title shall apply to any second or subsequent conviction of a violation of this subsection.</p> <p>G. Any person convicted of domestic abuse as defined in subsection C of this section that was committed in the presence of a child shall be punished by imprisonment in the county jail for not less than six (6) months nor more than one (1) year, or by a fine not exceeding Five Thousand Dollars (\$ 5,000.00), or by both such fine and imprisonment. Any person convicted of a second or subsequent domestic abuse as defined in subsection C of this section that was committed in the presence of a child shall be punished by imprisonment in the custody of the Department of Corrections for not less than one (1) year nor more than five (5) years, or by a fine not exceeding Seven Thousand Dollars (\$ 7,000.00), or by both such fine and imprisonment. The provisions of Section 51.1 of this title shall apply to any second or subsequent offense. For every conviction of domestic abuse, domestic assault or domestic assault and battery with a dangerous weapon, or domestic assault and battery with a deadly weapon, the court shall: 1. Specifically order as a condition of a suspended sentence or probation that a defendant participate in counseling or undergo treatment to bring about the cessation of domestic abuse as specified in paragraph 2 of this subsection; 2. a. The court shall require the defendant to participate in counseling or undergo treatment for domestic abuse by an individual licensed practitioner or a domestic abuse</p>
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	<p> treatment program certified by the Attorney General. If the defendant is ordered to participate in a domestic abuse counseling or treatment program, the order shall require the defendant to attend the program for a minimum of fifty-two (52) weeks, complete the program, and be evaluated before and after attendance of the program by a program counselor or a private counselor. Three unexcused absences in succession or seven unexcused absences in a period of fifty-two (52) weeks from any court-ordered domestic abuse counseling or treatment program shall be prima facie evidence of the violation of the conditions of probation for the district attorney to seek acceleration or revocation of any probation entered by the court. b. A program for anger management, couples counseling, or family and marital counseling shall not solely qualify for the counseling or treatment requirement for domestic abuse pursuant to this subsection. The counseling may be ordered in addition to counseling specifically for the treatment of domestic abuse or per evaluation as set forth below. If, after sufficient evaluation and attendance at required counseling sessions, the domestic violence treatment program or licensed professional determines that the defendant does not evaluate as a perpetrator of domestic violence or does evaluate as a perpetrator of domestic violence and should complete other programs of treatment simultaneously or prior to domestic violence treatment, including but not limited to programs related to the mental health, apparent substance or alcohol abuse or inability or refusal to manage anger, the defendant shall be ordered to complete the counseling as per the recommendations of the domestic violence treatment program or licensed professional; 3. a. The court shall set a review hearing no more than one hundred twenty (120) days after the defendant is ordered to participate in a domestic abuse counseling program or undergo treatment for domestic abuse to assure the attendance and compliance of the defendant with the provisions of this subsection and the domestic abuse counseling or treatment requirements. The court may suspend sentencing of the defendant until the defendant has presented proof to the court of enrollment in a program of treatment for domestic abuse by an individual licensed practitioner or a domestic abuse treatment program certified by the Attorney General and attendance at weekly sessions of such program. Such proof shall be presented to the court by the defendant no later than one hundred twenty (120) days after the defendant is ordered to such counseling or treatment. At such time, the court may complete sentencing, beginning the period of the sentence from the date that proof of enrollment is presented to the court, and schedule reviews as required by subparagraphs a and b of this paragraph and paragraphs 4 and 5 of this subsection. Three unexcused absences in succession or seven unexcused absences in a period of fifty-two (52) weeks from any court-ordered domestic abuse counseling or treatment program shall be prima facie evidence of the violation of the conditions of probation for the district attorney to seek acceleration or revocation of any probation entered by the court. b. The court shall set a second review hearing after the completion of the counseling or treatment to assure the attendance and compliance of the defendant with the provisions of this subsection and the domestic abuse counseling or treatment requirements. The court shall retain continuing jurisdiction over the defendant during the course of ordered counseling through the final review hearing; 4. The court may set subsequent or other review hearings as the court determines necessary to assure the defendant attends and fully complies with the provisions of this subsection and the domestic abuse counseling or treatment requirements; 5. At any review hearing, if the defendant is not satisfactorily attending individual counseling or a domestic abuse </p>
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	<p>counseling or treatment program or is not in compliance with any domestic abuse counseling or treatment requirements, the court may order the defendant to further or continue counseling, treatment, or other necessary services. The court may revoke all or any part of a suspended sentence, deferred sentence, or probation pursuant to Section 991b of Title 22 of the Oklahoma Statutes and subject the defendant to any or all remaining portions of the original sentence; 6. At the first review hearing, the court shall require the defendant to appear in court. Thereafter, for any subsequent review hearings, the court may accept a report on the progress of the defendant from individual counseling, domestic abuse counseling, or the treatment program. There shall be no requirement for the victim to attend review hearings; and 7. If funding is available, a referee may be appointed and assigned by the presiding judge of the district court to hear designated cases set for review under this subsection. Reasonable compensation for the referees shall be fixed by the presiding judge. The referee shall meet the requirements and perform all duties in the same manner and procedure as set forth in Sections 1-8-103 and 2-2-702 of Title 10A of the Oklahoma Statutes pertaining to referees appointed in juvenile proceedings. The defendant may be required to pay all or part of the cost of the counseling or treatment, in the discretion of the court.</p> <p>H. As used in subsection G of this section, "in the presence of a child" means in the physical presence of a child; or having knowledge that a child is present and may see or hear an act of domestic violence. For the purposes of subsections C and G of this section, "child" may be any child whether or not related to the victim or the defendant.</p> <p>I. For the purposes of subsections C and G of this section, any conviction for 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 any person living in the same household as the defendant, shall constitute a sufficient basis for a felony charge: 1. If that conviction is rendered in any state, county or parish court of record of this or any other state; or 2. If that conviction is rendered in any municipal court of record of this or any other state for which any jail time was served; provided, no conviction in a municipal court of record entered prior to November 1, 1997, shall constitute a prior conviction for purposes of a felony charge.</p> <p>J. Any person who commits any assault and battery with intent to cause great bodily harm by strangulation or attempted strangulation 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, upon conviction, be guilty of domestic abuse by strangulation and shall be punished by imprisonment in the custody of the Department of Corrections for</p>
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	<p>a period of not less than one (1) year nor more than three (3) years, or by a fine of not more than Three Thousand Dollars (\$ 3,000.00), or by both such fine and imprisonment. Upon a second or subsequent conviction for a violation of this section, the defendant shall be punished by imprisonment in the custody of the Department of Corrections for a period of not less than three (3) years nor more than ten (10) years, or by a fine of not more than Twenty Thousand Dollars (\$ 20,000.00), or by both such fine and imprisonment. The provisions of Section 51.1 of this title shall apply to any second or subsequent conviction of a violation of this subsection. As used in this subsection, "strangulation" means any form of asphyxia; including, but not limited to, asphyxia characterized by closure of the blood vessels or air passages of the neck as a result of external pressure on the neck or the closure of the nostrils or mouth as a result of external pressure on the head.</p> <p>K. Any district court of this state and any judge thereof shall be immune from any liability or prosecution for issuing an order that requires a defendant to: 1. Attend a treatment program for domestic abusers certified by the Attorney General; 2. Attend counseling or treatment services ordered as part of any suspended or deferred sentence or probation; and 3. Attend, complete, and be evaluated before and after attendance by a treatment program for domestic abusers, certified by the Attorney General.</p> <p>L. There shall be no charge of fees or costs to any victim of domestic violence, stalking, or sexual assault in connection with the prosecution of a domestic violence, stalking, or sexual assault offense in this state.</p> <p>M. In the course of prosecuting any charge of domestic abuse, stalking, harassment, rape, or violation of a protective order, the prosecutor shall provide the court, prior to sentencing or any plea agreement, a local history and any other available history of past convictions of the defendant within the last ten (10) years relating to domestic abuse, stalking, harassment, rape, violation of a protective order, or any other violent misdemeanor or felony convictions.</p> <p>N. Any plea of guilty or finding of guilt for a violation of subsection C, F, G, I or J of this section shall constitute a conviction of the offense for the purpose of this act or any other criminal statute under which the existence of a prior conviction is relevant for a period of ten (10) years following the completion of any court imposed probationary term; provided, the person has not, in the meantime, been convicted of a misdemeanor involving moral turpitude or a felony.</p> <p>O. For purposes of subsection F of this section, "great bodily injury" means bone fracture, protracted and obvious disfigurement, protracted loss or impairment of the function of a body part, organ or mental faculty, or substantial risk of death.</p> <p>I. Any pleas of guilty or nolo contendere or finding of guilt to a violation of any provision of this section shall constitute a conviction of the offense for the purpose of any subsection of this section under which the existence of a prior conviction is relevant for a period of ten (10) years following the completion of any sentence or court imposed probationary term.</p>
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<p>§ 644.1. Domestic Abuse with Prior Pattern of Physical Abuse -- Penalty</p>	<p>A. Any person who commits domestic abuse, as defined by subsection C of Section 644 of this title, and has a prior pattern of physical abuse shall be guilty of a felony, upon conviction, punishable by imprisonment in the custody of the Department of Corrections for a term of not more than ten (10) years or by a fine not exceeding Five Thousand Dollars (\$ 5,000.00) or by both such fine and imprisonment.</p> <p>P. For purposes of this section, "prior pattern of physical abuse" means two or more separate incidences, including the current incident, occurring on different days and each incident relates to an act constituting assault and battery or domestic abuse committed by the defendant against a current or former spouse, a present spouse of a former spouse, parents, a foster parent, a child, a person otherwise related by blood or marriage, a person with whom the defendant is in a dating relationship, an individual with whom the defendant has had a child, a person who formerly lived in the same household as the defendant, a person living in the same household as the defendant, a current intimate partner or former intimate partner, or any combination of such persons, where proof of each incident prior to the present incident is established by the sworn testimony of a third party who was a witness to the alleged physical abuse or by other admissible direct evidence that is independent of the testimony of the victim.</p>
<p>§ 1173. Penalties for Stalking--Definitions</p>	<p>A. 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, shall, upon conviction, 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.</p> <p>B. Any person who violates the provisions of subsection A of this section when: 1. There is a permanent or temporary restraining order, a protective order, an emergency ex parte protective order, or an injunction in effect prohibiting the behavior described in subsection A of this section against the same party, when the person violating the provisions of subsection A of this section has actual notice of the issuance of such order or injunction; 2. Said person is on probation or parole, a condition of which prohibits the behavior described in subsection A of this section against the same party or under the conditions of a community or alternative punishment; or 3. Said person, within ten (10) years preceding the violation of subsection A of this section, completed the execution of sentence for a conviction of a crime involving the use or threat of violence against the same party, or against any member of the immediate family of such party, shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding five (5) years, or by a fine of not more than Two Thousand Five Hundred Dollars (\$ 2,500.00), or by both such fine and imprisonment.</p> <p>C. Any person who : 1. Commits a second act of stalking within ten (10) years of the completion of sentence for a prior conviction of stalking; or 2. Has a prior</p>

	<p>conviction of stalking and, after being served with a protective order that prohibits contact with an individual, knowingly makes unconsented contact with the same individual, shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding five (5) years, or by a fine of not less than Two Thousand Five Hundred Dollars (\$ 2,500.00), or by both such fine and imprisonment.</p> <p>D. Any person who commits an act of stalking within ten (10) years of the completion of execution of sentence for a prior conviction under subsection B or C of this section shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding ten (10) years, or by a fine of not less than Five Thousand Dollars (\$ 5,000.00), or by both such fine and imprisonment.</p> <p>E. Evidence that the defendant continued to engage in a course of conduct involving repeated unconsented contact, as defined in subsection F of this section, with the victim after having been requested by the victim to discontinue the same or any other form of unconsented contact, and to refrain from any further unconsented contact with the victim, shall give rise to a rebuttable presumption that the continuation of the course of conduct caused the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.</p> <p>B. 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 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.</p>
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In addition to the definition of consent under state law, the University uses the following definition of consent in its sexual misconduct policies for the purpose of determining whether sexual violence (including sexual assault) has occurred.

For individuals to engage in sexual activity of any type with each other, there must be clear, knowing and voluntary consent prior to and during sexual activity. Consent is sexual permission. Consent can be given by word or action, but non-verbal consent is not as clear as talking about what you want sexually and what you do not. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence-- without actions demonstrating permission--cannot be assumed to show consent.

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. Under this policy, "No" always means "No," and "Yes" may not always mean "Yes." Anything but a clear, knowing and voluntary consent to any sexual activity is equivalent to a "No."

Clery Act Definitions

The definitions of the offenses of sexual assault, dating violence, domestic violence, and stalking used in reporting Clery Act crimes in the annual statistics are different than what is found in state law. These definitions of dating violence, domestic violence, and stalking comes from the Violence Against Women Act (VAWA), and the definition of sexual assault comes from the FBI's UCR program and which can be found in Appendix A of 34 C.F.R. 668. The University's definitions for purposes of reporting Clery Act crimes are listed in Appendix A.

Reducing Risk

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

If you find yourself in an uncomfortable sexual situation, the following suggestions may help you reduce your risk.

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

7. Be aware of someone trying to slip you an incapacitating “rape drug” like Rohypnol or GHB.

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

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

It is also important to be aware of the warning signs of an abusive person.

1. Past abuse
2. Threats of violence or abuse
3. Breaking objects
4. Using force during an argument
5. Jealousy
6. Controlling behavior
7. Quick involvement
8. Unrealistic expectations
9. Isolation
10. Blames others for problems
11. Hypersensitivity
12. Cruelty to animals or children
13. “Playful” use of force during sex
14. Jekyll-and-Hyde personality

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

1. Look out for those around you.
2. Realize that it is important to intervene to help others.
3. Treat everyone respectfully. Do not be hostile or an antagonist.

4. Be confident when intervening.
5. Recruit help from others if necessary.
6. Be honest and direct.
7. Keep yourself safe.
8. If things get out of hand, don't hesitate to contact the police.

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

Ongoing Prevention and Awareness Program

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

PPAP and OPAC Programming Methods

Park University's OPAC has in place online, mandatory Title IX training for all students, staff, and faculty. For the students, this training is provided every semester for newly arriving students. The list is purged for students that may have already received the training. New staff and faculty members are trained when on-boarded to the university.

Freshman and transfer students receive information on a wide variety of topics during their orientation phase, including sexual harassment and sexual assault information. Students also receive a Parkville campus map indicating where to find the campus emergency phone.

Additionally, the University has formed the Culture of Respect Campus Leadership Team which develops and implements education and safety programs for the University's Sexual Assault Awareness Week during the spring semester and Sexual Assault Awareness Month during the fall semester.

The Campus Safety Department provides its staff and Campus Security Officers ("CSOs") quarterly safety training on a variety of campus safety related topics. The CSOs are required to complete annual Campus Community Emergency Response Team ("CERT") training providing education on disaster preparedness and medical operations, CERT organization, disaster psychology, terrorism and CERT, fire safety and utility controls, and light search and rescue operations. The CSOs are also required to complete annual active, live shooter training. All Park staff members are invited and encouraged to participate in CERT training as well.

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

If you are a victim of a sexual assault, domestic violence, dating violence, or stalking, go to a safe place and call 911, the University's Dean of Students at (816) 584-6595 or (816) 505-5456, or reference the resources listed throughout this policy.

At the earliest opportunity, you should also contact the University's Title IX Coordinator, Roger Dusing, at (816) 584-6386. Victims will be notified in writing of the applicable procedures, including the following.

1. To whom and how the alleged offense should be reported.
 - a. Contact the Title IX Coordinator or refer to the other resources listed in this report.

2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order. To that end, keep in mind the following.
 - a. You should not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence.
 - b. Don't bathe, wash, or otherwise clean the environment in which the assault occurred.
 - c. You can obtain a forensic examination at Integris Baptist Medical Center, 3300 Northwest Expy, Oklahoma City, OK 73112, (405) 949-3011, <https://baptist.integrisok.com/>; or other area hospitals: Alliance Health Midwest and Integris Southwest Medical Center, please see here for more: <http://www.ywcaokc.org/sexual-assault>.
 - d. Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.
 - e. Evidence in electronic formats should also be retained e.g., text messages, emails, photos, social media posts, screenshots, etc.
 - f. Victims of stalking should also preserve evidence of the crime to the extent possible.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the university is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
 - a. Emergency 911
 - b. The Campus Safety Department can be reached at (816) 584-6444
 - c. Tinker AFB Base Law Enforcement Desk at (405) 734-5191
 - d. Midwest City Police Department at (405) 739-1306
 - e. To make a police report, a victim should contact the local police agency listed throughout this policy either by phone or in-person. The victim should provide as much information as possible, including the name, address, and when and what occurred, to the best of the victim's ability.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.
 - a. In Oklahoma, victims may obtain an Adult Order of Protection, which provides protective relief for victims of domestic violence, stalking, or sexual assault. Information about Adult Orders of Protection may be found at: <https://oklaw.org/resource/protective-order>
 - i. A Protective Order is a document issued by a civil court that orders the person who is abusing, harassing, or stalking you to stop doing so or be punished by the court. You can apply for a protection order at any time, even if:
 1. criminal charges haven't been filed against the person harassing you; and
 2. you have already obtained a Temporary Protective Order as part of a criminal proceeding.
 - ii. Protective Orders can last for any period of time, up to three years. Protective orders are only pieces of paper and you still must take other steps to protect yourself. When a protection order is granted, it is enforceable statewide. If you have obtained a

protection order and need it to be enforced in your area, you should contact the local police department.

- iii. You can seek legal protection from acts of domestic abuse committed by a "family or household member" against you or your minor child. This means you can seek protection from:
 - 1. A spouse
 - 2. An ex-spouse
 - 3. A present spouse of an ex-spouse
 - 4. Parents, grandparents, stepparents, adoptive parents and foster parents
 - 5. Children, grandchildren, stepchildren, adopted children and foster children
 - 6. Anyone related to you by blood or marriage
 - 7. Anyone you live with
 - 8. Anyone you used to live with
 - 9. Anyone with whom you have had a child, even if you never married that person
 - 10. Someone you're dating
 - 11. Someone you used to date
- iv. If your abuser is not a "family or household member" under this definition, you may be eligible for a Stalking Protective Order. See What is a Stalking Protective Order for more information:
<https://www.lawhelp.org/?pagename=Fill%20Out%20Protective%20Order%20Forms>.
- v. A judge will assume that if you are asking for an emergency ex parte order or an emergency temporary order, you will also want a final order. Things to remember about an emergency ex parte order:
 - 1. You must file an emergency ex parte petition yourself at a district court during court business hours. (See the Courthouse Locations and Information page for more details on your District court.)
 - 2. A police officer cannot file the order for you.
 - 3. You may file for the emergency ex parte order without the abuser's knowledge or presence in the courthouse.
 - 4. An emergency ex parte order protects you until your hearing for your final protection order, which usually takes place within 20 days.
- vi. Things to remember about a permanent protective order:
 - 1. A permanent protective order can be issued only after a court hearing in which you and the abuser both have a chance to tell your sides of the story.
 - 2. A final order lasts up to three years. You may also be able to have it extended. See How to change or extend the protective order at <https://www.lawhelp.org/?pagename=Fill%20Out%20Protective%20Order%20Forms>.

- vii. Generally, there are no fees for filing for a protective order. However, if the judge finds that the order was filed for frivolous reasons, the judge may decide to order the petitioner, or person filing, to pay certain court costs or attorney fees. You do not need a lawyer to file for a protective order. However, you may wish to have a lawyer, especially if your abuser has a lawyer. If you can, contact a lawyer to make sure that your legal rights are protected. If you cannot afford a lawyer but want one to help you with your case, you can find information on legal assistance on the Links and Resources page. Domestic violence organizations in your area may also be able to help you through the legal process and may have lawyer referrals.
- viii. Steps to follow to obtain a protection order:

1. Go to the nearest district court in your area and request a petition. You can find a court near you by going to our Courthouse Locations and Information page. Find the civil court clerk and request a petition for a final protection order. In some counties, the court clerk will help you fill out the court papers. Be sure to tell the clerk if you need immediate protection and want an emergency ex parte order.

In many areas, local Domestic Violence organizations will assist you with completing protective order paperwork and are familiar with the usual practices of the courts in their areas. To find a Domestic Violence organization, go to our Links and Resources page.

You can find links to petitions online by going to the Filling Out a Protective Order Form page. If you live in Tulsa County, there is a free, interactive computer system that can help you fill out your protective order forms. Visit www.icandocs.org/ok to access this computer application.

2. Bring identification for you and identifying information about your abuser. When you go to the courthouse, remember to bring some form of identification. It is also very important to bring identifying information about your abuser, such as: a photo; addresses of residence and employment phone numbers; a description and plate number of your abuser's car; and any history of drugs or gun ownership
3. Carefully fill out the forms. On the complaint, you will be the "petitioner" and your abuser will be the "defendant." Write briefly about the most recent incident of violence, using descriptive language (slapping, hitting, grabbing, choking, threatening, etc.) that fits your situation. Be specific. Include details and dates, if possible. But remember to be honest.

Be sure to write your name, a safe mailing address, and a phone number. If you are staying at a shelter, contact your shelter for the correct mailing address.

If you need assistance filling out the form, ask the court clerk for help. Some courts may have an advocate that can assist you. A domestic violence organization may also be able to provide you with help filling out the form. See our Links and Resources page for the location of an organization near you. Do not sign the petition until you have shown it to a clerk, as the form may need to be notarized or signed in the presence of court personnel.

4. After you finish filling out your petition, bring it to the court clerk. The clerk will forward it to a judge. The judge may do this in a courtroom or he may even review it by himself. The judge may wish to ask you questions as he reviews your petition. The judge will decide whether or not to issue the

emergency order, and if you seek a permanent order the judge will set a date for a hearing. You will be given papers that state the time and date of your hearing.

5. For your protective order to be valid, your abuser must be served, or given papers that tell him about the hearing date and your emergency ex parte order (if the judge gave you one). The abuser must be given the papers in person. But remember, do not try and serve the abuser in person with the papers yourself.

After you file for your order, the court will send copies of any protection orders and notices of hearing to the police or sheriff for service to your abuser. If the judge is ordering the abuser to leave your house, contact a sheriff or local police to ask how you should proceed with doing so.

6. The Hearing: you must go to the hearing. If you do not go to the hearing, your emergency ex parte order will expire and you will have to start the process over. If you do not show up at the hearing it may be harder for you to be granted an order in the future.

7. If the abuser does not show up for the hearing the judge may still grant you a permanent protection order, or the judge may order a new hearing date.

- b. The university will also enforce any temporary restraining order or other no-contact order against the alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protection order or no contact order should notify the Title IX Coordinator and provide a copy of the restraining order so that it may be kept on file with the university and can be enforced on campus, if necessary. Upon learning of any orders, the university will take all reasonable and legal action to implement the order.

The university does not issue legal orders of protection. However, as a matter of institutional policy, the university may impose a no-contact order between individuals in appropriate circumstances. The university may also issue a “no trespass warning” if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

Available Victim Services

Whenever an individual reports a sexual assault, incident of dating violence, domestic violence, or stalking, the written explanation of the reporting party’s rights and options provided by the university will include information on the following resources in the reporting student's area.

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

Counseling, Mental Health & Victim Advocacy Services:

1. Park University Counseling
8700 NW River Park Dr., Parkville, MO 64152
(816) 584-6237 or (816) 584-6798
<http://www.park.edu/counseling-center/index.html>
2. Chickasha – Women’s Service And Resource
1628 S 17th St, Chickasha, OK 73018

(405) 222-1818

<http://www.womensservicecenter.org/>

3. Cope Inc.
2701 N. Oklahoma Ave., OKC, OK 73105
(405) 528-8686
<http://www.okcopeinc.org/>
4. Cornerstone Counseling And Consulting, Inc.
4232 N. Sante Fe, OKC, OK 73118
(405) 231-3150
5. Oklahoma County District Attorney - Victim Services
320 Robert S. Kerr, Room 505, Oklahoma City, OK 73102
(405) 713-1639

Health Services:

1. Park University Student Health Services
8700 NW River Park Dr., Parkville, MO 64152
<http://www.park.edu/student-health-services/index.html>
2. Red Rock Behavioral Health Services
4400 N Lincoln Blvd, Oklahoma City, OK 73105
(405) 424-7711
3. Interim HealthCare of Oklahoma City OK
3613 NW 56th St Suite 385, Oklahoma City, OK 73112
(405) 848-3555
http://www.interimhealthcare.com/oklahomacity/home/?utm_source=GMB&utm_medium=Yext&utm_content=DirectoryLink&utm_campaign=OklahomaCityOK
4. Integris Health
3500 NW 56th St # 201, Oklahoma City, OK 73112
(405) 951-4800
<https://integrisok.com/>

Legal Assistance:

1. Legal Aid Services Of Oklahoma, Inc.
2901 N. Classen Blvd., OKC, OK 73106
(405) 521-1302 / 1 (888) 534-5243
En Español 1 (855) 488-9710
www.oklaw.org
2. Oklahoma Indian Legal Services, Inc.
4200 Perimeter Center Dr., Oklahoma City, OK 73112
(405) 943-6457
http://oilsonline.org/www.oilsonline.org/Welcome_to_OILS.html
3. Oklahoma Legal Services P.L.L.C.
12313 Hidden Forest Blvd, Oklahoma City, OK 73142
(405) 943-8300

4. Liberty Legal Services PC
2624 N Classen Blvd # G, Oklahoma City, OK 73106
(405) 525-6262

Visa & Immigration Assistance:

1. Park Office of International Students
8700 NW River Park Dr., Herr House Room 207 / PMB 3
Parkville, Missouri, 64152-3795, U.S.A.
00 + 1 + 816 + 584 + 6820
E-mail: international@park.edu
<http://www.park.edu/office-of-international-students/index.html>
2. Immigration Advocates Network
<http://www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=MO>
3. U.S. Citizenship and Immigration
Services: https://egov.uscis.gov/crisgwi/go?action=offices.summary&OfficeLocator.office_type=A SC&OfficeLocator.statecode=MO

Student Financial Aid:

1. Park Financial Aid Office
8700 NW River Park Dr., Parkville, MO 64152
(816) 741-2000
<http://www.park.edu/student-financial-aid/index.html>
2. The Department of Education's Federal Student Aid office
1-800-433-3243
<https://fafsa.ed.gov/>

Accommodation and Protective Measures

The university will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures.

If victims request these accommodations or protective measures and they are reasonably available the university is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement. Requests of this nature should be made to the Dean of Students at (816) 584-6495 or (816) 505-5456. The Dean of Students is responsible for deciding what, if any, accommodations or protective measures will be implemented. When determining the reasonableness of such a request, the Dean of Students may consider, among other factors, the following:

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

The University will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the University's ability to provide them. However,

there may be times when certain information must be disclosed to a third party to implement the accommodation or protective measure. Such decisions will be made by the Dean of Students in light of the surrounding circumstances. Disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim to provide an accommodation or protective order, the University will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared, and why.

Procedures for Disciplinary Action

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

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

Title IX Coordinator

Roger Dusing
Chief Human Resources Officer
816-584-6386
MacKay Building, Parkville, MO
Roger.dusing@park.edu

Deputy Title IX Coordinator - students

Dr. Jayme Uden
Dean of Students
816-584-6495
Thompson Commons, Parkville, MO
jayme.uden@park.edu

Deputy Title IX Coordinator - Staff

James Nelson
Associate Vice President of Information Technology Services
816-584-6548
Thompson Commons, Parkville, MO
james.nelson@park.edu

Deputy Title IX Coordinator - Faculty

Dr. Emily Sallee
Associate Provost, Academic Affairs
816-584-6779
MacKay Building, 2nd Floor
Emily.sallee@park.edu

An electronic form may also be used and is available at <http://www.park.edu/current-students/sexual-harassment-form.html>.

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

During the investigation, the complainant and respondent will each have an equal opportunity to describe the situation and present witnesses and other supporting evidence. The investigator(s) will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information

relevant to the complaint. Upon completion of the investigation, the investigator(s) make a determination as to whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence. The investigator(s) will then prepare an investigation report outlining the findings and include, if necessary, sanctions or other remedial measures to impose. The parties will be notified of this determination in writing within three (3) days of it being made. The university strives to complete investigations of this nature within sixty (60) calendar days.

Both parties have an equal opportunity to appeal the determination by filing a written appeal with the Title IX Coordinator within ten (10) days of being notified of the outcome of the investigation. The appeal will then be assigned to a collective panel of Title IX Deputies and the Coordinator for evaluation. The Appeal Panel will resolve the appeal within fifteen (15) days of receiving it and may take any and all actions that the Panel determines to be in the interest of a fair and just decision. The Appeal Panel will issue a statement of the appeal, including any changes made to the Deputy Coordinators' previous written determination. The written statement will be provided to the complainant, respondent, and the Title IX Coordinator within three (3) days of the resolution.

Rights of the Parties in an Institutional Proceeding

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

1. A prompt, fair and impartial process from the initial investigation to the final result.
 - a. A prompt, fair and impartial process is one that is:
 - i. completed within reasonably prompt timeframes designated by the university's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay;
 - ii. conducted in a manner that:
 1. is consistent with the institution's policies and transparent to the accuser and the accused;
 2. includes timely notice of meetings at which the accuser or accused, or both, may be present;
 3. provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings; and
 - iii. conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

It is Park's goal that all Title IX coordinators and Campus Security Authorities complete quarterly training, updates, and education on a variety of sexual assault and harassment topics, including education on how training and education should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest. They are also required to complete annual Title IX training online.
3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The university may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.

4. Have the outcome determined using a preponderance-of-the-evidence standard based on the totality of the evidence presented.
5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, “result” means “any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters” and must include the rationale for reaching the result and any sanctions imposed.

Possible Sanctions or Protective Measures that University May Impose for Domestic Violence, Dating Violence, Sexual Assault, or Stalking Offenses

Following a final determination in the university’s disciplinary proceeding that domestic violence, dating violence, sexual assault, or stalking has been committed, the university may impose a sanction depending on the mitigating and aggravating circumstances involved.

Student sanctions include verbal warnings, reflection and educational assignments, activity or location restrictions, restitution; fine; loss of privileges; housing probation; temporary or permanent suspension; expulsion; and/or restriction on eligibility to represent the university at any official function or in any intercollegiate competition. If a suspension is imposed on a student, it may be for part of a semester, a full semester, or an entire academic year. Following a suspension, a student will be required to meet with the Dean of Students to discuss re-entry and expectations going forward.

Employees sanctions include verbal warnings, written warning, final written warning, termination, reassignment of duties, and suspension with or without pay. An employee may be suspended for any length of time determined appropriate by the Director of Human Resources. Following a suspension, an employee will be required to meet with the Director of Human Resources to discuss re-entry and expectations going forward.

Other remedial steps may include counseling, academic, transportation, work, or living accommodations for the complainant or separation of the parties, and training for the respondent and other persons. The University will consider the concerns and rights of both the complainant and the respondent.

The university may take any further protective action that he or she deems appropriate concerning the interaction of the parties pending the investigation including directing appropriate university officials to alter academic, housing, and/or university employment arrangements, together with such other protections as the Title IX Coordinator/Deputy Coordinator deems appropriate.

Consistent with Title IX regulations, when taking steps to separate the complainant and the respondent, the university will minimize the burden on the complainant and will not, as a matter of course, remove the complainant from his or her classes, housing, or employment while allowing the respondent to remain. Violations of the Title IX Coordinator/Deputy Coordinator’s directive and/or protective actions will constitute separate violations of the university’s Sexual Misconduct Policy that may lead to additional disciplinary action. The University will consider the concerns and rights of both the complainant and the respondent.

Publicly Available Recordkeeping

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

Victims to Receive Written Notification of Rights

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

Sex Offender Registration Program

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the university of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the Title IX Coordinator at (816) 584-6386. State registry of sex offender information may be accessed at the following link: <https://sors.doc.state.ok.us/svor/f?p=119:1:>.

Emergency Response and Evacuation Procedures

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

Students, staff and visitors are encouraged to notify the Director, Campus Safety at 816-584-6226 of any situation that poses such a threat.

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

Once the emergency is confirmed and based on its nature, the Director of Campus Safety will consult with other appropriate University officials to determine the appropriate segment or segments of the University community to be notified.

The Chief Financial Officer in collaboration with other appropriate personnel (including all executive staff), will determine who should be notified, and will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

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

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

This warning will be communicated to students and employees via the University's mass notification software, E2 Campus. Students and employees may opt in to receive messages sent by the University to provide timely warnings and traffic flow or weather-related issues. Instructions to sign-up for this notification system may be found at www.Park.edu/mypark.

At the direction the University's Chief Financial Officer will notify local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency. This will also be coordinated between Campus Safety and the Director of Public Relations and Communication.

The University tests its emergency response and evacuation procedures at least once a year. The tests may be announced or unannounced. Also, at various times the Emergency Management Team will meet to train and test and evaluate the University's emergency response plan. In addition, annual active shooter scenarios will be conducted with Parkville Police Department to include lockdown procedures.

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

Missing Student Policy

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, that information should be reported immediately to the Campus Safety Lead Officer at 816-914-2806 and the Campus Safety Director at 816-584-6444. Anyone receiving a missing student report will immediately notify campus security (or local law enforcement, if necessary) so that an investigation can be initiated.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the University only in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the University will notify that individual no later than 24 hours after the student is determined to be missing. The option to identify a contact person in the event the person is determined missing is in addition to identifying a general emergency contact person, but they can be the same individual for both purposes. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of the investigation.

A student who wishes to designate a confidential contact may do so by completing Park's online Housing Application. A student may also do so by contacting the Dean of Students.

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

APPENDIX A

Clery Act Definitions

The Clery Act requires institutions of higher education to disclose crime statistics covering the previous three years on four general categories of crimes: (1) primary criminal offenses (murder and non-negligent manslaughter, manslaughter by negligence, sex offenses (rape, fondling, statutory rape and incest), robbery, aggravated assault, burglary, motor vehicle theft, and arson); (2) hate crimes (any of the primary crimes except manslaughter by negligence and any incidents of larceny-theft, simple assault, intimidation or destruction/damage/vandalism of property that were motivated by certain biases); (3) arrests or referrals for disciplinary action for weapons, drug and liquor law violations; and (4) VAWA offenses (dating violence, domestic violence, and stalking).

The definitions of these offenses follow FBI guidelines and are found below.

PRIMARY CRIMINAL OFFENSES

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

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

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. This offense includes the rape of both males and females.

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.

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

Aggravated assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury, usually accompanied by the use of a weapon or by a means likely to produce death or great bodily harm.

Burglary: The unlawful entry of a structure to commit a felony or a theft.

Motor vehicle theft: The theft or attempted theft of a motor vehicle.

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

HATE CRIMES

Hate crimes involve those crimes motivated by the following biases: race, gender, religion, sexual orientation, ethnicity, disability, national origin, and gender identity. As noted, hate crimes include those defined above (except manslaughter by negligence) that were motivated by one or more of these biases. They also include the following crimes:

Larceny-theft: The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

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

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

Destruction/damage/vandalism of property: Willfully or maliciously destroying, damaging, defacing, or otherwise injuring real or personal property without the consent of the owner or the person having custody or control of it.

ARRESTS & REFERRALS FOR DISCIPLINARY ACTION

The third category of crime statistics disclosed related to arrests and referrals for disciplinary action for violations of law relating to weapons, drugs or liquor. For this purpose, the following definitions apply:

Arrest: A person processed by arrest, citation or summons.

Referral for disciplinary action: The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

Weapons Violation (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.

Drug Abuse Violations: The violation of law prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Liquor Law Violations: The violation of state or local laws or ordinance prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

VAWA OFFENSES

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

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, or has, cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking: A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his or others' safety, or to suffer substantial emotional distress.

Crime Statistics

The Statistical summary of the above crimes for this campus over the past three calendar years are as follows.

Tinker AFB

Offense	Year	On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Negligent Manslaughter	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Rape	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Fondling	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Incest	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Statutory Rape	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Robbery	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0

Offense	Year	On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Aggravated Assault	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Burglary	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Motor Vehicle Theft	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Arson	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Arrest: Liquor Law Violation	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Arrest: Drug Abuse Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Arrest: Weapons: Carrying, Possessing, ETC.	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Disciplinary Referral - Liquor Law Violation	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0

Offense	Year	On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Disciplinary Referral - Drug Abuse Violation	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Disciplinary Referral - Weapons: Carrying, Possessing, ETC.	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Domestic Violence	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Dating Violence	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Stalking	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Hate Crimes	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0

Unfounded Crimes

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

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

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