

# Labette Community College

## Main Campus, Cherokee Center, Online Learning

### 2021 Annual Security Report

#### Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC 1092(f)) is the landmark federal law, originally known as the Clery Act, that requires colleges and universities across the United States to disclose information about crime on and around their campuses.

#### Annual Disclosure of Crime Statistics

The Vice President of Student Affairs is responsible for the annual disclosure of crime statistics. Students and employees may voluntarily report Clery Act Crimes to the Vice President of Student Affairs, the Human Resources Director, the Facilities Director, or the Cherokee Center Director for the purpose of making timely warning reports and the annual statistical disclosure. Individuals should always be encouraged to report crimes to campus personnel or law enforcement. Local law enforcement are also contacted to contribute information for the annual report.

Cherokee Center	On Campus 2018	On Campus 2019	On Campus 2020	Public Property 2018	Public Property 2019	Public Property 2020
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	1	3
Arson	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0
Liquor Law Disciplinary Action	0	0	0	0	0	0
Drug Abuse Arrests	0	0	0	0	0	0
Drug Abuse Disciplinary Action	0	0	0	0	0	0
Illegal Weapons Arrests	0	0	0	0	0	0
Illegal Weapons Disciplinary Action	0	0	0	0	0	0

Main Campus	On Campus 2018	On Campus 2019	On Campus 2020	Housing 2018	Housing 2019	Housing 2020
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0
Dating Violence	1	0	0	1	0	0
Stalking	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0
Liquor Law Disciplinary Action	0	0	0	0	0	0
Drug Abuse Arrests	0	0	0	0	0	0
Drug Abuse Disciplinary Action	1	0	0	1	0	0
Illegal Weapons Arrests	0	0	0	0	0	0
Illegal Weapons Disciplinary Action	0	0	0	0	0	0

Main Campus	Non Campus 2018	Non Campus 2019	Non Campus 2020	Public Property 2018	Public Property 2019	Public Property 2020
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	1
Aggravated Assault	0	0	0	0	1	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0
Liquor Law Disciplinary Action	0	0	0	0	0	0

Drug Abuse Arrests	0	0	0	0	3	3
Drug Abuse Disciplinary Action	0	0	0	0	0	0
Illegal Weapons Arrests	0	0	0	0	0	0
Illegal Weapons Disciplinary Action	0	0	0	0	0	0

Fire Safety Summary	Fires			Injuries			Deaths		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Cardinal Villas	0	0	1	0	0	0	0	0	0

## Security of Campus Facilities

Campus facilities are accessible while classes are in session or facilities such as the library, student success center, and gym are open. On both the Main Campus and Cherokee Center, security cameras are used internally and externally in campus buildings. The Safety Coordinator in cooperation with the Human Resources Department conducts monthly checks to ensure the safety of facilities.

## Security Personnel

Labette Community College does not have security staff, but works closely with local law enforcement to provide necessary security personnel.

## Safety and Security Training

The majority of Labette Community College students complete online Bystander Intervention Training online. Additional training is provided in person during College Success Skills classes and through workshops on dating/domestic violence, A.L.I.C.E., substance abuse, mental health, and other related topics.

Training is provided to faculty and staff during employee inservice programs at the beginning of the fall and spring semesters as well as through online trainings. Training topics include Campus SAVE and Title IX, bystander intervention, A.L.I.C.E. training, Red Flag, and other related topics.

# Alcohol Policy

To ensure that the College is in compliance with local, state, and federal laws, and judiciously expends public funds, this policy is established. Furthermore, Labette Community College (LCC) is in compliance with the Federal Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989.

## A. Definition of Terms:

1. "College property" means any property owned, leased or rented by Labette Community College including hotel rooms, rental cars, and meeting rooms or facilities rented by the College on a short or long term basis.
2. "Alcoholic beverages" as used in this policy, mean beverages which are alcoholic liquor or cereal malt beverages as defined in Kansas Statutes.
3. "College funds" mean any funds managed and controlled within the College's financial accounting system. Funds of the LCC Foundation are not included in this because they are not directly controlled by the College.

## B. General Regulations

1. Alcoholic beverages may not be consumed on College owned or leased property or in a College-owned or leased vehicle.
2. As a general operational policy, alcohol may not be purchased with College funds.
3. College employees or students may not operate a College owned or leased vehicle while under the influence of alcoholic beverages or illegal drugs or while impaired by the use of prescription medications.
4. College employees or students may not transport fellow employees or students or drive in a personally owned or leased vehicle while under the influence of alcoholic beverages or illegal drugs or while impaired by the use of prescription medications while on College business or on a College sponsored trip.
5. College employees or students may not be on College owned or leased property while under the influence of alcoholic beverages or illegal drugs.

## C. Exceptions

1. Alcohol may be served at select events in the Cardinal Event Center with written permission from the College President.
2. Request to serve alcohol at an event in the Cardinal Event Center must be made in writing to the College President at least two weeks in advance of the event.

## D. Violations

Employees or students who violate this policy are subject to applicable disciplinary actions. Violation of section B-3 & 4 above will be considered a serious offense and may be punishable by termination or expulsion for a first offense. Please refer to [Policy 2.16 Performance Improvement](#).

The College may file complaints with local law enforcement agencies or ban members of the general public who violate this policy.

Procedures in support of this policy must be approved by the President

## Controlled Substance/Drug Policy

The College supports and endorses the Federal Drug-Free Workplace Act of 1988 (Public Law 100-690, Sec. 5151 et. seq.) and the Drug-Free Schools and Communities Act amendments of 1989 (Public Law 101-226). Pursuant to these Acts, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or abuse of alcohol (as defined in these Acts) by an employee on College property or as part of any College activities is prohibited.

Under Public Law 100-690, Sec. 5151 et. seq., an employee must notify the College of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. Such notice shall be provided in writing by the employee to the Director of Human Resources.

Under Public Law 100-226, the College will maintain a procedure to annually distribute to all employees a statement of compliance in accordance with the applicable provisions of the law. The College will conduct a biennial review of this procedure as required by the Drug-Free Schools and Communities Act of 1989.

An employee who violates this policy shall be subject to appropriate disciplinary action including suspension, demotion, non-renewal and/or termination.

## Missing Person Procedure (LCC Procedure 4.19)

Labette Community College is committed to maintaining a positive and safe learning and working environment. The purpose of this procedure is to establish procedures for the college's response to reports of missing students, as required by the Higher Education Opportunity Act of 2008 and the Annual Campus Security Report. This procedure applies to students who reside in the Cardinal Villas.

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

## Designation of Emergency Contact information

- Students age 18 and above and emancipated minors will be given the opportunity each semester to designate an individual or individuals to be contacted by the college no more than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. A designation will remain in effect until changed or revoked by the student.
- If a student under the age of 18 is determined to be missing pursuant to the procedures set forth below, the college is required to notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing in accordance with the procedures set forth below.

- Student emergency contacts will be kept confidential by the institution. It will only be disclosed to law enforcement to further a missing person investigation. 34 CFR 668(h)(1)(iv) Official Notification for Missing Persons

Any individual on campus who has information that a Cardinal Villas student may be a missing person must notify the Cardinal Villas Manager and the Vice President of Student Affairs (Student Union 220, 620-820-1268, tammyf@labette.edu) as soon as possible. The Cardinal Villas Manager and Vice President of Student Affairs will contact local law enforcement.

**Note:** In order to avoid jurisdictional conflicts when an off-campus and/or commuter student is believed to be missing, the reporting person should immediately notify local law enforcement authorities. The Vice President of Student Affairs will assist external authorities with these investigations as requested.

The Cardinal Villas Manager and/or the Vice President of Student Affairs will gather all essential information about the residential student from the reporting person and from the student's acquaintances (description, clothes last worn, where student might be, who student might be with, vehicle description, information about the physical and mental well-being of the student, an up-to-date photograph, class schedule, etc.). Appropriate campus staff will be notified to aid in the search for the student.

## Initial Search

- Verify student is not in the assigned Cardinal Villas room, in an academic class, and/or with an athletic or activity group
- If the student has a registered vehicle at the Cardinal Villas, check all parking lots to determine if the vehicle is on campus
- Attempt to contact the student by both phone call and text
- If the student is an athletic or activity student, contact the coach or activity sponsor to identify last contact with the student
- Contact roommates to determine last contact with the student
- Contact instructors to determine last contact with the student
- Check any known social media accounts to look for the last update or use
- Conduct a quick but thorough campus search
- If the above actions are unsuccessful in locating the student or it is apparent immediately that the student is a missing person (e.g., witnessed abduction), the Cardinal Villas Manager and/or the Vice President of Student Affairs will contact the appropriate local law enforcement agency to report the student as a missing person, and the local law enforcement agency will take charge of the investigation
- No later than 24 hours after determining that a Cardinal Villas student is missing, the Cardinal Villas Manager and/or the Vice President of Student Affairs will notify the emergency contact (for students 18 and over) or the parent/guardian (for students under the age of 18) that the student is believed to be missing.

## Communications

In cases involving missing persons, law enforcement personnel are best situated to provide information to the media that is designed to elicit public assistance in the search for a missing person. Therefore, all communications regarding missing students will be handled by outside law enforcement authorities, who may consult with the college's Administration. All inquiries to the college regarding missing students, or information provided to any individual at the college about a missing student, shall be referred to the Vice President of Student Affairs, who shall refer such inquiries and information to law enforcement authorities. Prior to providing the Labette community with any information about a missing student, the Vice President of Student Affairs shall consult with the local law enforcement authorities to ensure that communications do not hinder the investigation.

## Reporting Emergencies on Campus

The Main Campus of Labette Community College is within the jurisdiction of the Parsons Police Department. The Cherokee Center is within the jurisdiction of the Cherokee County Sheriff's Department. These law enforcement agencies patrol the college premises, enforce city, county, and state ordinances, and respond to calls for assistance.

In the event of an emergency, students, faculty, and staff should always call 911. In addition, activate the emergency intercom system if an emergency intercom system is readily available.

Law enforcement officials may be summoned in order to conduct an investigation of alleged criminal conduct on college property or during college-sponsored activities. They may also be summoned for the purpose of maintaining or restoring order when necessary to prevent injury to persons or property.

## Emergency Response Team

The following officials will have the authority to activate the emergency notification procedure for Labette Community College:

- Facilities Director (Kevin Doherty, 620-232-4713)
- Vice President of Finance and Operations (Leanna Doherty, 620-238-9226)
- Vice President of Academic Affairs (Jason Sharp, 620-423-2584)
- Vice President of Student Affairs (Tammy Fuentes, 620-423-1058)
- College President (Mark Watkins, 620-212-8504)
- Facilities Supervisor (Robert Harris, 620-778-2761)
- Cherokee Center Custodian (Barry Seal, 620-249-1604)

## Emergency Notification Procedure

Labette Community College will make every effort to implement emergency notifications as soon as reasonably possible from the time the appropriate personnel are aware of a campus emergency situation or incident. As soon as the college has confirmed that a significant emergency or dangerous situation exists, the college will

- Take into account the safety of the campus community;
- Determine what information to release about the situation; and
- Begin the notification process.

The only reason the college would not immediately issue a notification for a confirmed emergency or dangerous situation would be if doing so would compromise efforts to assist a victim; contain the emergency; respond to the emergency; and otherwise mitigate the emergency.

## Definitions of Campus Emergencies

Emergency Notifications may be used for, but are not limited to the following events:

- Bomb threats or other imminent violent threats
- Fire alarms
- Natural gas leaks, hazardous spills, and explosions
- Natural disasters
- Power outages and utility failures
- Campus closure
- Violent civil disturbances and demonstrations
- Violent criminal behavior; active shooter
- Terrorism incidents
- Severe weather incidents
- Disease outbreak or serious illness

## Notification Methods

In the event of an emergency, the following procedures will be followed to contact students, faculty, and staff:

- Mass email to all students, faculty, and staff via [labette.edu](http://labette.edu) and [student.labette.edu](http://student.labette.edu) addresses.
- Text message and phone call to all students, faculty, and staff via Emergency Notification System.

Students, faculty, and staff are responsible for providing all necessary contact information, including updates to that information. Labette Community College cannot provide communication with those who fail to provide current phone numbers and/or contact information.

Labette Community College is not responsible for problems which may arise due to cellular phone providers, internet interruptions, cell phone malfunctions, and inability to access email.



All Labette Community College students, faculty, and staff will be automatically enrolled in the College's emergency notification system. Students, faculty, and staff wishing to opt out of emergency notifications can do so by contacting the Admissions Office.

High school concurrent students must abide by the emergency notification procedure at their high school and will only be notified of Labette Community College emergencies if they are taking courses on the Main Campus, at the Cherokee Center, or online.

#### Testing Emergency Response and Evacuation Procedures

The college will annually conduct at least one scheduled drill or exercise of emergency response and evacuation procedures. The emergency notification procedures and notification system will be tested at least annually. Emergency Response Team members and notification system users will receive training annually.

## Sexual Harassment and Misconduct Procedures

Please see LCC Procedure 2.010 for the full Sexual Harassment and Misconduct Procedure

### Sexual Harassment

Both the Equal Employment Opportunity Commission and the State of Kansas regard sexual harassment as a form of sex/gender discrimination and, therefore, as an unlawful discriminatory practice. Labette Community College has adopted the following definition of sexual harassment, in order to address the special environment of an academic community, which consists not only of employer and employees, but of students as well.

Sexual harassment is unwelcome or uninvited, sexual or gender-based verbal, written, online, and/or physical conduct of a sexual nature.

Anyone experiencing sexual harassment (or knows of harassment occurring) in any College program or activity is encouraged to report it immediately to the appropriate College Title IX Coordinator.

Sexual harassment is unwelcome sexual advances, requests for sexual favors and other inappropriate oral, written or physical conduct of a sexual nature when made by a member of the College staff to a student or staff member or when made by any student to another student or a staff member when: (1) submission to such conduct is made, explicitly or implicitly, a term or condition of the individual's education or employment; (2) submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or (3) such conduct has the purpose or effect of interfering with an individual's academic or professional performance or creating an intimidating, hostile or offensive academic or working environment.

## Sexual Misconduct

State law defines various violent and/or non-consensual sexual acts as crimes. Additionally, the College has defined categories of sexual misconduct, as stated below, for which action under this policy may be imposed. The College uses the term “sexual misconduct” to address behaviors like rape and sexual assault. The use of this term is not intended to diminish or minimize a victim’s experience but is instead a recognition that the College has no authority to determine that a crime occurred. The College does not view sexual misconduct as a lesser form of misconduct than rape or sexual assault. Generally speaking, the College considers non-consensual sexual intercourse violations to be the most serious, and therefore typically the College imposes the most severe sanctions, including suspension or expulsion for students and termination for employees. However, the College reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any act of sexual misconduct or other gender-based offenses, including intimate partner or relationship (dating and/or domestic) violence, non-consensual sexual contact and stalking based on the facts and circumstances of the particular instance. Acts of sexual misconduct may be committed by any person upon any other person, regardless of the sex, gender, sexual orientation, and/or gender identity of those involved. Violations include:

### Non-Consensual Sexual Intercourse

Defined as:

- any sexual penetration or intercourse (Sexual penetration includes vaginal or anal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact).
- however slight
- with any object
- by a person upon another person
- that is without consent and/or by force.

### Non-Consensual Sexual Contact

Defined as:

- any intentional sexual touching (Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner).
- however slight
- with any object
- by a person upon another person
- that is without consent and/or by force.

## Sexual Exploitation

- Sexual Exploitation refers to a situation in which a person takes non-consensual or abusive sexual advantage of another, and situations in which the conduct does not fall within the definitions of Sexual Harassment, Non-Consensual Sexual Intercourse or Non-Consensual Sexual Contact. Examples of sexual exploitation include but are not limited to:
- Invasion of sexual privacy;
- Sexual voyeurism (such as watching a person undressing, using the bathroom, or engaged in sexual acts without the consent of the person observed);
- Taking pictures or video or audio recording another in a sexual act, or in any other private activity without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent);
- Prostitution;
- Prostituting another student or employee;
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or other sexually transmitted disease (STD) and without informing the other person of the infection;
- Administering alcohol or drugs (such as "date rape" drugs) to another person without his or her knowledge or consent;
- Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

## Consent

Consent is knowing, voluntary, and clear permission by word or action to engage in mutually agreed upon sexual activity. Consent is active, not passive. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. 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.

A person cannot consent if he or she is unable to understand what is happening or is disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this policy.

Because alcohol or other drug use can place the capacity to consent in question, sober sex (no alcohol or drug usage by either party) is less likely to raise such questions. It is not an excuse that the individual responding party of sexual misconduct was intoxicated and, therefore, did not realize the incapacity of the other. Incapacitation is defined as "a state where someone cannot make rational, reasonable decisions because she or he lacks the capacity to give knowing consent (e.g., to understand the "who,

what, when, where, why or how” of her/his sexual interaction).” This policy also covers a person whose incapacity results from mental disability, involuntary physical restraint, and/or from the taking of incapacitating drugs.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. Likewise, consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced. Silence or the absence of resistance alone is not consent. A person can withdraw consent at any time during sexual activity by expressing in words or actions that he or she no longer wants the act to continue, and, if that happens, the other person must stop immediately. 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.”

### Confidentiality and Reporting of Offenses

Labette Community College officials, depending on their roles at the College, have varying reporting responsibilities and abilities to maintain confidentiality. In order to make informed choices, one should be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality, offering options and advice without any obligation to inform an outside agency or individual unless you have requested information to be shared. Other resources exist for you to report crimes and policy violations and these resources are required to take action when you report victimization to them. Some resources on campus fall in the middle of these two extremes; neither the College, nor the law, requires them to divulge private information that is shared with them, except in rare circumstances but yet must share general, non-identifiable information with designated officials.

### Formal Reporting Options

A party bringing a grievance(s) is encouraged to speak to a Labette Community College Title IX Coordinator to make formal reports of incidents of sexual harassment and/or sexual misconduct. A party bringing a grievance(s) has the right, and can expect, to have grievances taken seriously by the College when formally reported and to have those incidents afford privacy to the reporter, and only a small group of officials who need to know will be informed. Information will be shared as necessary with investigators, witnesses and the responding party. The circle of people with this knowledge will be kept as tight as possible to preserve a party bringing a grievance’s rights and privacy. Additionally, safe and anonymous reports can be made by victims and/or third parties using an online reporting form.

## Title IX Reporting

Those seeking to report sexual misconduct may seek advice from the non-mandated reporting staff members who are not required to initially tell anyone else private, personally identifiable information unless there is a pattern of abuse, cause for fear of safety or the safety of others, or either party is under 18 years of age. If a reporting party is unsure of someone's duties and ability to maintain privacy, ask them before talking to them. They will be able to explain and help a reporting party to make decisions about who is in the best position to help. All these resources are instructed to share incident reports with their supervisors, but they do not share any personally identifiable information about the report unless the reporting party gives permission or they are under 18, except in the rare event that the incident reveals a need to protect the reporting party and/or other members of the community. If personally identifiable information is shared, it will be shared with as few people as possible, and all efforts will be made to protect privacy to the greatest possible extent.

## Weighing Requests for Confidentiality in Reports Disclosed to Responsible Employees

If a reporting party discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action be taken, the College must weigh that request against the College's obligation to provide a safe, non-discriminatory environment for all individuals, including the reporting party.

If Labette Community College honors the request for confidentiality, a reporting party must understand that the College's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. Although rare, there are times when the College may not be able to honor a reporting party's request in order to provide a safe, non-discriminatory environment for all individuals.

The College has designated Title IX Coordinators to evaluate requests for confidentiality once a responsible employee is on notice of alleged harassment and/or misconduct. When weighing a reporting party's request for confidentiality or that no investigation or disciplinary action be pursued, a Title IX Coordinator will consider a range of factors, including the following:

- The increased risk that the alleged perpetrator will commit additional acts of misconduct or other violence, such as
  - whether there have been other misconduct complaints about the same alleged perpetrator;
  - whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
  - whether the alleged perpetrator threatened sexual violence or other violence against the reporting party or others;
- Whether the sexual violence was perpetrated with a weapon;
- Whether the reporting party is a minor;
- Whether the College possesses other means to obtain relevant evidence of the sexual misconduct (e.g., security cameras or personnel, physical evidence);
- Whether the reporting party's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

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

If the College determines that it cannot maintain a reporting party's confidentiality, the College will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the College's response.

The College will remain ever mindful of the reporting party's well-being and will take ongoing measures to protect the reporting party from retaliation or harm and work with the reporting party to create a safety plan. Retaliation against the reporting party, whether by students or College employees, will not be tolerated. The College will also

- assist the reporting party in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus;
- provide other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
- inform the reporting party of the right to report a crime local law enforcement—and provide the reporting party with assistance if the victim wishes to do so.
- The College may not require a reporting party to participate in any investigation or disciplinary proceeding.

Because the College is under a continuing obligation to address the issue of sexual misconduct campus-wide, reports of sexual misconduct (including non-identifying reports) will also prompt the College to consider broader remedial action—such as increased monitoring, supervision or security at location where the reported sexual misconduct occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments; and/or revisiting its policies and practices.

If the College determines that it can respect a reporting party's request for confidentiality, the College will also take immediate action as necessary to protect and assist the reporting party.

## Federal Statistical Reporting and Timely Warning Obligations

Certain campus officials have a duty to report sexual assault, domestic violence, dating violence and stalking for federal statistical purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be shared with the Vice President of Student Affairs regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the College's Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters include student/conduct affairs, local police, coaches, athletic directors, residence life staff, student activities staff, human resource staff, advisors to student organizations, and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the victim and may be done anonymously.

Victims of sexual harassment and/or misconduct should be aware that College administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. The College will make effort to ensure that a victim's name and other identifying information is not disclosed while still providing enough information for community members to make safety decisions in light of the potential danger.

## Grievance Process for Resolving Grievances of Harassment, Sexual Misconduct and Other Forms of Discrimination

Labette Community College will, to the extent that it can, act on any formal or informal grievance or notice of violation of the policy on Equal Opportunity, Harassment and Nondiscrimination, that is received by a Title IX Coordinator, his or her deputies (if/when applicable), or a responsible Labette Community College employee. The LCC Student Grievance Procedure 4.081 can be found in the LCC Policy and Procedure Manual and Policies 7.01 and 8.01 Conditions of Employment for staff and the Master Agreement for faculty.

## Education

Labette Community College has programs in place to provide education on sexual misconduct. These programs include:

- Annual training to all employees on sexual misconduct (Campus SAVE and active bystander) and Title IX during inservice and SafeColleges online training.
- SafeColleges online educational training on sexual misconduct and active bystander for students.
- Sexual misconduct information provided to new students during the College Success Skills course as well as all student athletes.
- Workshops and special events are hosted by the Student Life Office and the Student Affairs office on dating violence, sexual misconduct, and other topics.