

A photograph of the Rose State College Student Union building, a modern structure with large glass windows and a stone facade. The building is partially obscured by a blue overlay. A large sign on the right side of the building reads "ROSE STATE COLLEGE" and "STUDENT UNION".

ROSE STATE COLLEGE

2023 ANNUAL SECURITY AND FIRE SAFETY REPORT

Prepared in Compliance with The Jeanne Clery Disclosure of
Campus Security Policy and Campus Crime Statistics Act

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WELCOME FROM THE PRESIDENT

Dear Campus Community:

As we usher in a new academic year at Rose State College, we reflect on the profound challenges our community has faced, and the courage displayed throughout. A springtime sorrow marked an undesired change in our narrative, bringing us face to face with adversity, an unexpected test of our resilience.


With the trust you place in us, we regard campus safety as a paramount priority and even more intensively committed to it. Each one of us, students, faculty, staff, or visitors, forms an integral part of our security apparatus, ensuring not only our own safety but of those around us too.

Our concentrated efforts on safety measures have been evident this year. The implementation of an Active Assailant drill conducted in March 2023, followed closely by the introduction of a Panic Button app for staff, is proof we continue to fortify our defense systems to ensure collective campus safety.

In our relentless pursuit of security, we are pleased to release the 2023 Annual Security and Fire Safety Report. More than just adherence to state and federal obligations, this report stands as a testament to our overwhelming dedication to the safety and security of every individual on this campus.

It is in looking out for each other that we can truly protect our safe haven. Your vigilance, your voice, and your commitment empowers us all, making Rose State College what it should be: a place of learning, personal growth, and community. As we courageously march forward, bearing our past with grace, our dedicated efforts have solidified a safe and secure future, because indeed, there has never been a better time to BE A RAIDER!




Dr. Jeanie Webb

President, Rose State College



INTRODUCTION

Rose State College presents this report in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as modified by the Higher Education Opportunity Act, and Oklahoma Campus Life and Safety and Security Taskforce's initiatives. It comprises of statistics for crimes reported over the past three years which took place on campus; in on-campus student accommodation; in off-campus property controlled by the College; and on public property close to the Campus. Additionally, the report outlines institutional policies on culture of security, including policies on alcohol and drug use, crime prevention, crime reporting, sexual assault, missing persons, and further crucial areas.

Reports of campus crime, arrests and referrals are inclusive of those disclosed to the Midwest City Police Department, appointed campus security officials, and local law enforcement agencies. An annual update, drafted in an email notification, is shared with all enrolled students, faculty, and staff, directing them on how to access the Security Report online. Printed copies can also be obtained from Rose State College Susan Loveless Center (Room 100B).

The policy and procedures enlisted herein are designed to ensure campus safety and security for students, faculty, staff, and visitors. Achieving the principles of academic freedom, equal opportunity, and human dignity, Rose State College is committed to making judgments on individual merit, free from any form of discrimination.

Discrimination or harassment against any individual based on race, sex, age, religion, disability, sexual orientation, or veteran status is prohibited. Rose State College adheres to all federal and state laws, orders, and regulations around nondiscrimination, equal opportunity, and affirmative action. This policy applies to various operation areas, including but not limited to: admissions, employment, financial aid, and educational programs.

We have placed clear avenues to address complaints alleging discrimination. Public members are advised to channel their grievances or inquiries to the College's Associate Vice President of Human Resources/AAO:

Rose State College
ATTN: AVP of HR/AAO
Administration Building, Room 104
6420 SE 15th St
Midwest City, Oklahoma 73110
405-733-7979

Please refer to the College's Policies and Procedures Manual for an in-depth understanding of the Equal Employment Opportunity Statement.

REPORTING A CRIME OR EMERGENCY

All community members, including students, staff, faculty, and visitors, are urged to precisely and promptly report any incidents of crime or public safety to the Rose State College security staff, the Midwest City Police, or respective Campus Security Authorities.

For general inquiries, please contact the Campus Security Office at 733-7313 or the Rose State College Security Coordinator at 736-0213 for non-urgent concerns.

During emergency situations, please dial 911 or use the emergency telephones located in campus parking lots and within buildings. Any suspicious action or person noticed in parking lots, around vehicles, within buildings, or in campus mall areas should be immediately reported to security or police authorities. Reporting crimes to the Campus Security Office is crucial for producing timely community warnings and ensuring their inclusion in the yearly disclosure report.

EMERGENCY RESPONSE

Upon receiving a call regarding a crime or an emergency, Midwest City Police will deploy an officer to investigate the matter. Any crime-related incidents reported to the Campus Security Office are relayed to the Midwest City Police Department for further investigation. Incident reports and investigative details may also be passed to the Office of the Campus Operations for examination and potential necessary action. In cases requiring help from local police or fire departments, Campus Security facilitates the communication. In the event of a sexual offense, the on-site staff, including the Midwest City Police, ensures the victim access to extensive supportive services.

ANNUAL DISCLOSURE OF CRIME STATISTICS

In compliance with federal law, Rose State College compiles annual crime statistics based on a calendar-year frame, following the FBI's crime definitions as used in the Uniform Crime Reporting (UCR) system. This report includes three-year statistics of reported on-campus crimes and individuals referred for disciplinary action under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, encompassing Violence Against Women Act (VAWA), as well as liquor, drug law infringements and illegal weapons possession.

The report includes statistics for particular off-campus locations or properties owned or controlled by the College, along with public properties within or immediately adjacent to and accessible from campus, as per the geographic designations of the Clery Act. This data is gathered from the Midwest City Police Department and Oklahoma County Sheriff's Department. For statistical purposes, crime data reported to these sources are recorded in the calendar year of reporting.

For definitions of Campus Property, On-campus Student Housing, Non-Campus Property, and Public Property refer to page 10. A map defining the properties owned or controlled by Rose State College subject to Clery Act reporting is included in Appendix B.

The crime statistics tables on the following pages align with the federal law requirements for this report, effective from July 1, 2000.

Daily Crime Log

A daily crime log can be accessed by contacting the Office of Campus Operations at (405) 736-0213 or the security office at (405) 733-7313. This log enumerates all criminal offenses within the campus Clery Geography.

Privacy

All personal information is redacted from the daily crime log and crime statistics, maintaining confidentiality of the individuals involved.

Rose State College Annual Crime Statistics

The ensuing table presents data from 2020-2022. A map of the College's Clery Geography can be found in Appendix B. Please note that incidents labeled as "On-campus Student Housing" are also included in the total for "Campus Property Total". For instance, if there's one case of Robbery in On-campus Student Housing, it's counted as one case under "Campus Property". If two additional Robbery cases occurred on-campus (e.g., at the Learning Resource Center), the total cases of Robbery under Campus Property for that year would be three.

This information may also be accessed from the U.S. Department of Education website at the following URL:
<http://ope.ed.gov/security/>

Offences	Campus Property Total			On-campus Student Housing Facilities			Public Property		
	2022	2021	2020	2022	2021	2020	2022	2021	2020
Murder / Non-Negligent Homicide	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	1	1	1	0	1	1	0	0	0
Fondling	0	1	1	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	1	1	0	0	1	0	0	0
Motor Vehicle Theft	2	2	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
VAWA OFFENSES									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	1	0	0	0	0	0	0	0	0
Stalking	2	2	1	0	0	1	0	0	0
DISCIPLINARY ACTIONS / JUDICIAL REFERRALS									
Weapons (Possession, etc.)	Arrests:	0	0	0	0	0	0	0	0
	Disciplinary Ref:	1	0	3	1	0	3	0	0
Drug Abuse Violations	Arrests:	0	0	2	0	0	2	0	0
	Disciplinary Ref:	4	5	4	4	5	4	0	0
Liquor Law Violations	Arrests:	0	0	0	0	0	0	0	0
	Disciplinary Ref:	8	11	11	8	11	11	0	0

Hate Crime Reports

There were no reported hate crimes for the years 2020, 2021, or 2022.

CLERY ACT REPORTING DESCRIPTIONS

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)), originally recognized as the Campus Security Act, is a significant federal legislation requiring colleges and universities in the U.S. to disclose information about crime on and adjacent to their campuses. This law, regulated by the U.S. Department of Education, is linked to institutions' participation in federal student financial aid programs, and applies to most higher education institutions, both public and private alike.

Amendments to the law in 1992 included a mandate to grant certain fundamental rights to victims of campus sexual assault. In 1998, the law was further amended to expand reporting requirements and was formally named in memory of Jeanne Clery. Consequent changes in 2000 and 2008 introduced provisions related to registered sex offender notification, campus emergency response and protection from retaliation for crime victims, "whistleblowers", among others.



For statistical reporting, Rose State College categorizes criminal offenses based on their location of occurrence. The geographic locations are defined as follows:

On-Campus: 1) Any building or property owned or controlled by the institution in a contiguous geographic area, used in direct support of, or in relation to, the institution's educational activities, including residence halls; and 2) any building or property within or closely adjacent to the area in point 1), owned by the institution but controlled by a different party, regularly used by students and serving institutional purposes (such as food or retail vendors).

On-Campus Student Housing Facility: Any student housing facility that the institution owns or controls, or that is located on property owned or controlled by the institution, and is within the reasonably contiguous geographic area of the campus.

Non-Campus Building or Property: 1) Any building or property owned or controlled by a student organization recognized by the institution; or 2) any building or property owned or controlled by the institution that directly supports or relates to the institution's educational purposes, regularly used by students, and not within the same reasonably contiguous geographic area of the institution.

Public Property: All public property including streets, sidewalks, and parking facilities, either on campus, or immediately adjacent to and accessible from it.

Hate crimes, indicative of the victim deliberately targeted due to their actual or perceived race, religion, sexual orientation, gender, ethnicity, or disability, further extend to larceny, simple assault, intimidation, and property destruction, damage or vandalism.

Non-arrested individuals violating campus policies on liquor law violations, drug law violations, or illegal weapons possession may face campus disciplinary action. Such a referral for a breach of Rose State College policies on alcohol, drugs, or weapons does not necessarily imply a legal violation. Referrals resulting from an arrest or citation are reflected separately in the report. Data pertaining to the number of individuals

referred for campus disciplinary actions is sourced from the Director of Service Learning and Student Conduct.

Classifying Crime Statistics

The statistics in the Rose State College Annual Crime Statistics chart on page 9, observe the standards and guidelines of the Federal Bureau of Investigation Uniform Crime Reporting Handbook and the Clery Act. The number of victims in a single incident is listed for the following crimes: murder/non-negligent manslaughter, negligent manslaughter, forcible and non-forcible sex offenses, and aggravated assault. For instance, if an aggravated assault involves three victims, it's recorded as three aggravated assaults in the crime statistics chart.

The number of incidents for specific offenses are listed for these crime categories: robbery, burglary, larceny, and arson. For example, if five students are robbed while they are together on campus, it counts as one robbery incident in the statistics chart. Each stolen motor vehicle counts as one crime incident of motor vehicle theft.

For liquor law, drug law, and illegal weapons violations, every individual arrested is logged in the arrest statistics. If an arrest involves multiple liquor or drug law violations, it's counted as a drug law violation, as it's considered the more severe offense (this is referred to as the 'hierarchy rule').

The "Referred for Disciplinary Action" section for liquor law, drug law, and illegal weapons violations reflects the number of individuals referred to the judicial system who were found to be in violation of these specific laws by the Director of Service Learning and Student Conduct. A record of the action is kept on file.

Hate crime statistics are included in each specific Clery reportable crime category, thus they are part of the overall statistics reported each year. The exception is a bias-motivated simple assault resulting in bodily injury; such statistics must be reported as a hate crime, even though there's no requirement to report the crime in other sections of the compliance document.



CLERY ACT CRIMINAL OFFENSE DEFINITIONS

The definitions provided below pertain to criminal offenses that are required to be reported under the Clery Act. These definitions are derived from the FBI Uniform Crime Reporting Handbook, with sex offenses defined following the FBI National Incident-Based Reporting System Handbook.

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

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

Forcible Sex Offenses: Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

Forcible Rape: The carnal knowledge of a person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity or because of his/her youth.

Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault with an Object: The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

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

Non-Forcible Sex Offenses: Unlawful, non-forcible sexual intercourse.

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

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

Domestic Violence: Violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant or person protected under the domestic or family violence law.

Dating Violence: Violence by a person who has been in a romantic or intimate relationship with the victim.

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.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

Robbery: The taking or attempted taking of anything of value under confrontational circumstances from another person by force or threat of force or violence.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even if the vehicles are later abandoned. Include joy riding.)

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, etc.

Liquor Law Violations: The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Illegal Weapons Law Possession: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

Hate Crime Definitions

Larceny/theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Simple assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury.

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

Destruction/damage/vandalism of property (except "arson"): To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

CAMPUS HOUSING MISSING STUDENT POLICY AND PROCEDURE

Rose State College

Campus Housing Missing Student Policy & Procedure

This Policy established a frame work for locating and assisting residential students who are reported missing. A student shall be deemed missing when he or she is absent from College housing for more than 24 hours without any known reason. All reports of missing students shall be directed to RSC Campus Security who shall investigate each report and make a determination whether the student is missing in accordance with this policy. All students shall have the opportunity to identify an individual to be notified by the college in case a student is determined to be missing. If a missing student is under 18 years of age, The Director of Residence Life is required to notify the parent of guardian of the missing student not later than 24 hours after the determination by Campus Security that the student is missing. The Director of Residence Life will also notify the Midwest City Police Department and Oklahoma County Sheriff's Office not later than 24 hours after it determines that the student is missing. The Director of Residence Life shall have the responsibility to make provisions of this policy and the procedures set forth below available to all residential housing students.

Annually, all students living in student housing are offered the opportunity to identify a "registered" person of contact who will then be utilized as the person to be notified in the case of a missing student report. This registered contact will be the ONLY person notified in the case of a missing student report for all students 18 years of age or older. Parents or guardians will be the only option for contact for any student under the age of 18 who is NOT emancipated.

A student residing in Campus Housing may register an emergency contact(s) by contacting the Director of Residence Life at 405-733-7490 or via electronic mail at residencelife@rose.edu. Student contact information shall be kept confidential and maintained by the Office of Residence Life. This information may not be disclosed unless to law enforcement officers in furtherance of a missing persons investigation.

1. Any report of a missing student, from whatever source, should immediately be directed to Campus Security (405-733-7313) and the Senior Director of Campus Operations (405-736-0213), who shall:
 - a) Initiate an investigation to determine the validity of the missing person report.
2. When notified by Campus Security that a valid missing student situation exists, the Director of Residence Life shall:
 - a) Contact the Safety and Risk Management Coordinator, Chief Conduct & Service Learning Officer, Senior Director of Student Life, and Vice President of Student Affairs.
 - b) Make a determination as to the status of the missing student
 - c) Notify the individual identified by the missing student as the emergency contact within 24 hours of making a determination that the student is missing.
 - d) If the missing student is under the age of 18, notify the student's custodial parent or guardian as contained in college records within 24 hours of the determination that the student is missing.
 - e) Notify the Midwest City Police Department and Oklahoma County Sheriff's Office within 24 hours after determine that the student is missing.

Student Name (printed): _____

If I am reported "missing" 24 hours or longer, please notify:

Registered contact person: _____

Contact Phone Number: _____

Contact Address: _____

Student Signature: _____



ANNUAL FIRE SAFETY REPORT

As per the Clery Act, Rose State College is mandated to disclose yearly fire statistics along with insights on fire safety and prevention.

The Village @ Rose State serves as the on-campus housing at Rose State College, offering apartment-style accommodations for 180 students, distributed across four buildings. Additionally, a communal clubhouse accommodates the Residence Life staff offices.

Biannually, The Village conducts two fire drills each building in the spring and fall semesters. The successful 2020 fire drills occurred on January 24th and August 26th.

Fire Statistics

The college maintains a systematic fire log, currently devoid of entries due to no reported fires in campus housing in 2020, 2021, and 2022. Requests for the log can be directed to the Security office in SLC 109.

Annual Fire Incident Reports				
Total Fires Reported For:	2020, 2021, 2022			
Residence Building	Number of Fires	Cause of Fire	Number of Injuries	Property Damage Amount
The Village @ Rose State – Building A	0	N/A	0	\$0
The Village @ Rose State – Building B	0	N/A	0	\$0
The Village @ Rose State – Building C	0	N/A	0	\$0
The Village @ Rose State – Building D	0	N/A	0	\$0
The Village @ Rose State – Clubhouse	0	N/A	0	\$0

Fire Safety and Emergency Evacuations

Our Senior Director of Campus Operations collaborates with the Midwest City Fire Inspection Division for all fire prevention and protection endeavors at the college. They conduct periodic inspections of all campus facilities to identify and eliminate potential fire risks, ensuring functional fire and life-safety systems. Further, all life safety devices are inspected annually by a vendor specializing in life safety equipment. The Director also provides staff training in fire extinguisher use, hazard elimination, and fire emergency protocols, acting as the key contact between the college and the local fire department. You can reach them at 405-736-0213.

Campus Fire Safety Month

Each September, the Senior Director of Campus Operations works with the Director of Residence Life and Student Affairs and the Midwest City Fire Department to organize fire safety training programs, fire drills in residence facilities, and share fire safety tips via social media.

Mandatory Fire Drills

Each residence life facility is mandated to carry out fire drills within the first two weeks of occupancy, coordinated and assessed by the Senior Director of Campus Operations and the Director of Residence Life.

Residence Staff Training

Residence life staff receive specialized training on fire extinguisher use, evacuation procedures, fire alarm activation, hazard identification, and handling fire safety equipment at the beginning of the fall and spring semesters.

Upon the sounding of the Fire Alarm

1. Move quickly and quietly to the exit for your area. In an orderly fashion, go to the designated waiting area for further instructions.
2. Wear a coat and shoes. Carry a towel in case of smoke. Keep these items easily accessible for emergency use. Bring along your keys and ID, if it is safe to do so.
3. If you are away from your room when the alarm sounds, proceed to the nearest exit without returning to your room.

Do not use elevators during a fire emergency. Use stairways only.



Fire Prevention Policies

If you use combustibles in decorating your room, such as fabrics, cardboard or similar materials, please ensure the items are flame-proof. Purchase only UL- listed or FM-approved material marked “flameproof” or “flame retardant”. The following items are deemed fire hazards by the Senior Director of Campus Operations and are strictly prohibited within all residence life facilities:

- Fireworks or explosives,
- Smoking, tobacco or simulated tobacco products, and all vaping devices,
- Use of incense burning products, and
- Open flame devices like lanterns, candles, potpourri pots, or warmers with votives or canned fuel.

Future Life Safety upgrades and improvements

The life safety systems at The Village function as intended, without any immediate plan for an upgrade as of September 2023. However, the College did purchase and distribute 2.5-pound fire extinguishers to all residents in October 2023.

Reporting Fires

All fires should be reported to the Midwest City Fire Department by dialing 911. It is important to remember that your safety comes first, therefore, only dial 911 once you have reached a safe and secure location.



Once 911 has been informed of the situation, contact the Senior Director of Campus Operations at (405) 736-0213 or Campus Security (405) 733-7313.



EMERGENCY NOTIFICATIONS AND TIMELY WARNINGS

Emergency Notification

Rose State College uses Emergency Notifications in the presence of an immediate or advancing threat to the health or safety of students, employees, or visitors. Potential threats may include a tornado in proximity, an armed intruder on campus, an outbreak of a severe illness, civil unrest or riots, etc. The decision for an emergency alert is taken by the Executive Policy Group, under the authority of the campus President or their designee, as detailed in the Campus Emergency Response Plan. This decision is grounded in both internal and external reports, existing mitigation measures, and potential impact on safety and health.

We use pre-scripted and approved emergency notifications, already loaded into the Raider Alert system, to expedite alert distribution. Upon a final decision to issue an emergency alert, notifications are instantly dispatched via the Raider Alert system (text, email, voice call), Rose State College's website, and social media channels.

Timely Warnings

If an incident doesn't necessitate an Emergency Notification, the Senior Director of Campus Operations is responsible for determining if it warrants a Timely Warning. These are issued when an incident presents a grave or ongoing threat to students, employees, or property. The warnings contain relevant information about the crime triggering the warning, but might withhold certain details to support law enforcement processes. Examples might include burglary trends, multiple car thefts, a sequence of aggravated assault incidents, or sexual assaults within Clery geography where the culprit remains at large.

The Senior Director of Campus Operations, in conjunction with the Executive Director of Marketing and Public Relations and the Midwest City Police Department, develops timely warning notifications. Notices are issued with no delay through the Raider Alert system, the college website, and social media, if deemed necessary.

Raider Alert: Notification via Cellular Phone and Email

Rose State College implements the Raider Alert program, and upon employment or enrolment, all faculty, staff, and students' college emails and phone numbers are automatically registered. The Raider Alert system enables emergency alerts and warnings via email, text, and voice call notifications.

Campus community members are encouraged to review and update their contact information by visiting the following URL: <https://www.getrave.com/login/rose>

Emergency Phone System

Our campus hosts an accessible emergency phone system with phones available in each classroom and strategically positioned across the campus. Labelled with a conspicuous orange sticker stating "For Emergency Use Only", these phones ensure immediate communication with the Campus Security Office and allow for emergency notifications to individual classrooms, campus-wide announcements, or specific buildings.

Notifying the Surrounding Community

In case an emergency arises that may affect the surrounding vicinity, the Senior Director of Campus Operations liaises with the Midwest City Emergency Manager, Police Department, and Fire Department to synchronize information dissemination in the surrounding areas.

Website and Social Media Notification

Emergency notifications are also published on the college's website, and updates are shared via the college's Twitter (@RoseState) and Facebook accounts.

Emergency Numbers		
Emergency (Police, Fire, Ambulance)	.....	911
Campus Security	.....	405-733-7313
Campus Assistance		
Senior Director of Campus Operations.	.....	405-736-0213
Campus Counselor	.....	405-733-7373
Student Conduct	.....	405-736-0355
Anonymous Crime Reporting	.....	405-736-0213
Media Inquiries	.....	405-733-7961
TABIT (Behavioral Intervention)	.....	405-736-0355
References / Referrals		
State SafeLine (24 hours)	.....	800-522-7233 (SAFE)
YWCA Crisis Services	.....	405-943-RAPE
YWCA Domestic Violence Hotline	.....	405-917-9922
Reach Out Hotline (Mental Health & Substance Abuse)	.....	1-800-522-9054
Suicide Hotline	.....	1-800-SUICIDE

VOLUNTARY CONFIDENTIAL REPORTING

We urge everyone who witnesses or becomes a victim of a crime to report the incident immediately by dialing 911 (or 9-911 from a college phone). Confidential reporting for the annual crime statistic disclosure can be done via various designated campus authorities.

In Oklahoma, police reports are public records and cannot be held in confidence by the Midwest City Police. However, the college strongly encourages professional counselors to inform individuals about the on-campus options to confidentially report crimes voluntarily. This could involve contacting Midwest City Police Officers on-campus, Rose State College Campus Security Authorities, or providing guidance to individuals for independent reporting.

Campus Security Authorities

The Clery Act defines Campus Security Authorities (CSAs) as campus officials with a responsibility to relay allegations of Clery Act crimes reported to them. CSAs are designated in the following categories:

- Rose State College Security Department.
- Individuals tasked with campus security but are not part of a campus police or security department.
- Individuals mentioned in the campus security policy.
- Any official significantly responsible for student and campus activities.

The CSA program is overseen by Rose State College's Senior Director of Campus Operations. The director's office contains all relevant CSA program documentation, including reports, a comprehensive CSA roster, and procedures. The program's policies and procedures last underwent revisions in March 2020. An exhaustive CSA list is attached in the Appendices section.

PREFERRED CAMPUS SECURITY AUTHORITIES

Vice President, Student Affairs

405-736-0281, Office SSB 101

Vice President, Academic Affairs

405-736-0243, Office FA 100

AVP, Human Resources

405-733-7933, Office ADM 104

Director, Student Engagement

405-733-7371, Office SSB 107

Director, Residence Life

405-736-0373, The Village Clubhouse

Senior Director, Campus Operations

405-736-0213, Office SLC 100D

College Security Staff

405-733-7313, Office SLC 109



CAMPOUS LAW ENFORCEMENT AUTHORITY AND JURISDICTION

Safety for Rose State College community members is spearheaded by our contract security and Midwest City Law Enforcement Officers. These teams jointly ensure our campus remains secure.

Contract Security Officers

Our Contract Security Officers offer round-the-clock on-campus coverage, ensuring consistent safety across our facilities and grounds. These officers are CLEET-certified and manage tasks such as traffic control, building access, vigilance over our closed-circuit security camera system, and customized security requests, like on-campus escorts. These officers, however, do not possess law enforcement authority and do not engage in criminal activity investigations.

Midwest City Police Officers

Rose State College benefits from the services of part-time Midwest City Police Department (MWCPD) officers, who provide extensive on-campus law enforcement. They have complete authority, under Oklahoma state law, to investigate criminal activities and serious policy violations involving students, employees or faculty. Their jurisdiction spans all property owned or controlled by the College, including adjacent streets. As of September 24, 2019, the collaborative agreement between Rose State College and MWCPD is encapsulated in a Memorandum of Understanding.

Interagency and Inter-local Coordination

Rose State College maintains a strong collaboration with the Midwest City Police Department, the Oklahoma County Sheriff's Department, the Oklahoma Highway Patrol, and other state and federal law enforcement bodies. Crime reports, statistics, joint patrol initiatives, special events, investigations, and special unit operations are common aspects of this collaborative effort.

Security and Access to Campus Facilities

Most campus facilities, during standard business hours from Monday to Friday and for specified hours on weekends and holidays, are accessible to campus community, guests, and visitors. The security of these facilities is carefully monitored. Public events held at facilities such as the Tanenbaum Aerospace and Cybersecurity Center and the Communications Center are accessible to the public. Facilities providing services to the public include Rose State Student Union, bookstore, Learning Resource Center, and cafe.

General access to administrative and academic facilities is circumscribed to students, staff, guests, and visitors who are there for study, work, teaching, or conducting other College operations. Nevertheless, academic buildings are accessible during standard business hours and often in the evening hours for classes and meetings, during which visitors can gain access. The specific academic division dictates the hours for each academic building.

Access to on-campus student housing, or The Village @ Rose State, is controlled via an automatic gate encompassing the four-building complex. Post-evening access necessitates a residence card, which also provides access to The Village clubhouse, a common recreation space.

Apartment keys for students are standard, enabling access to front doors and specified bedroom doors within the apartments. Overnight guests are allowed following proper identification submission and a background check completed by Residence Life staff.

Maintenance of Campus Facilities

Campus facilities' maintenance and landscaping obligations prioritize minimizing hazardous conditions. Contract security and Midwest City Police Officers conduct regular campus rounds, reporting incidences of faulty lighting or unsafe physical conditions to the Physical Plant for prompt rectification. The College community is also encouraged to report equipment malfunction, overgrown foliage, and other security issues to the Security office or the Operations Department.

SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

Rose State College's administration aims to prevent crimes before they occur, striving for a secure environment for all community members. Through various programs, we educate students, faculty, and staff about potential campus crimes and preventive approaches. At Raider Takeoff, students and parents are informed about campus crimes and available prevention resources. We also host an annual Safety Week, featuring presentations from local emergency services on a range of safety topics.

Training and Security Awareness seminars are held throughout the year to familiarize the campus community with security procedures and practices. These include Raider Takeoff - an annual student orientation, Convocation - a bi-annual faculty/staff orientation, security briefings and drills

Domestic Violence Month is hosted every October to raise awareness for victims of domestic abuse, sexual assault, and stalking. Training sessions and awareness programs are available for students, faculty, and staff.

Our college has a Campus Safety and Security Advisory Committee (CSSAC) and a Threat Assessment and Behavioral Intervention Team (TABIT) to enhance our safety measures. CSSAC advises college executives on crime and fear reduction. TABIT identifies and addresses any disruptive student behavior potentially involving mental health or safety issues.

The College also keeps a close eye on criminal activity involving its students and student organizations off-campus. While we do not have off-campus housing facilities for student organizations, we maintain strong relationships with local law enforcement agencies to monitor and thoroughly investigate crimes involving students.

Part of our security assurance includes a comprehensive Emergency Response Plan detailing immediate response and evacuation procedures, as required by federal and state law.

CRIMINAL ACTIVITY OFF-CAMPUS

While the College does not have off-campus student organizations with housing facilities, we maintain strong links with local law enforcement agencies to monitor and thoroughly investigate any off-campus crimes involving students.

The Senior Director of Campus Operations maintains constant communication with the Campus Security Office and the Midwest City Police Department staff to monitor criminal activity involving students and student organizations. Any reports of violations by students may be referred to the office of the Senior Director of Campus Operations for review and recommendations.

EMERGENCY RESPONSE PLAN

In compliance with federal and state requirements, Rose State College has developed a comprehensive Emergency Response Plan detailing immediate response and evacuation procedures. This plan, overseen by the President or the Executive Policy Group, is coupled with training programs for college authorities that foster a robust campus security system.

Communication during an emergency is executed via college's Raider Alert System. However, if critical follow-up information needs to be communicated, the College can disseminate it using additional mechanisms such as public media outlets, NOAA emergency alert radios and/or the telephone alert directory.

The College also conducts regular disaster response exercises to practice and improve our preparedness. These often include activation of the Emergency Response Plan or functional exercises designed to simulate specific aspects of a response operation, such as evacuation or shelter-in-place actions. Through continual exercise and evaluation, the college continually enhances its ability to respond effectively to any emergency that may arise on campus. In compliance with federal and state requirements, Rose State College has developed a comprehensive Emergency Response Plan detailing immediate response and evacuation procedures. This plan, overseen by the President or the Executive Policy Group, is coupled with training programs for college authorities that foster a robust campus security system.



FEMA

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ALCOHOL, DRUG, AND CONTROLLED SUBSTANCES EDUCATION

This section aims to uphold the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989, advocating safe and healthy lifestyles that reject substance abuse.

Substance abuse can greatly impact overall health, effectiveness at work, and learning potential, making it a risk not only to individuals but also to the entire community. Thus, Rose State College has established rigorous policies concerning alcohol and illicit drug use.

The goal is to prevent substance abuse by:

- Ensuring access to accurate information about drug use,
- Nurturing healthy use of free time through recreation and alternative activities,
- Building comprehensive stress-coping skills, and
- Coordinating with campus leaders to create a healthy environment.

Alcohol and Drug Education Initiatives

Rose State College celebrates Safety Week every spring, offering students safety and security tips while also bringing awareness of the risks associated with drug and alcohol use. In collaboration with the Midwest City Police Department, the College also conducts drug education sessions, showcasing live drug dog demonstrations and imparting knowledge on the ramifications of driving under the influence (DUI). These include impactful victim stories and simulated "drunk" driving sessions to safely convey the hazards of impaired driving.

Further, the College hosts alcohol education courses that include interactive games and presentations by staff and counselors, reinforcing awareness of the consequences and responsibilities associated with alcohol consumption.

Substance Abuse Health Impact

The health repercussions from substance abuse can range from mild symptoms like anxiety and nausea to severe conditions like coma or even death, especially with chronic use of psychoactive substances, including alcohol. Pregnant women using alcohol, cigarettes, or other drugs risk potential harm to their unborn child, including miscarriage, low birth weight, and brain damage. Substance misuse could involve controlled substances, illegal drugs, and alcohol, all of which bear health risks. Mix-use of multiple drugs often exponentially magnifies the negative effects on mental and physical health compared to individual drug usage.

Alcohol is the drug most frequently abused on college campuses and in our society. Even small amounts of alcohol significantly impair the judgment and coordination required to drive a vehicle, increasing your chances of having an accident. Consumption of alcohol may be a factor in the incidence of aggressive crimes, including date rape and domestic abuse. Moderate to large amounts of alcohol severely impair your ability to learn and remember information. Because alcohol is a depressant, very large amounts can cause respiratory and cardiac failure, resulting in death.



Marijuana impairs short-term memory and comprehension. Its use can cause confusion, anxiety, lung damage and abnormalities of the hormonal and reproductive system. Hours after the feeling of the drug-induced euphoria fades, the effects of the drug on coordination and judgment remain, heightening the risk of driving or performing other complex tasks. Cannabis, a fat-soluble substance, may remain in the body for weeks, and an overdose can cause paranoia, panic attacks, or psychiatric problems.



Club Drugs refers to a wide variety of drugs including MDMA (Ecstasy, Molly), GHB, rohypnol, ketamine, methamphetamine, and LSD, and are often used at dance clubs and bars. No club drug is safe due to variations in purity, potency and concentration, and they can cause serious health problems or death. They have even more serious consequences when mixed with alcohol.

Narcotics like heroin, codeine, morphine, methadone and opium cause such negative effects as anxiety, mood swings, nausea, confusion, constipation and respiratory depression. Overdose may lead to convulsions, coma and death. The risk of being infected with HIV/AIDS or other diseases increases significantly if you inject drugs and share needles, and there is a high likelihood of developing a physical and psychological dependence on these drugs.

Depressants such as barbiturates, Valium and other benzodiazepines, Quaaludes and other depressants cause disorientation, slurred speech and other behaviors associated with drunkenness. The effects of an overdose of Depressants range from shallow breathing, clammy skin, dilated pupils, and weak and rapid pulse to coma and death.

Hallucinogens such as LSD, MDA, PCP (angel dust), mescaline and peyote can cause powerful distortions in perception and thinking. Intense and unpredictable emotional reactions can trigger panic attacks or psychotic reaction. An overdose of hallucinogens can cause heart failure, lung failure, coma and death.

Stimulants – cocaine, amphetamines and others – can cause agitation, loss of appetite, irregular heartbeat, chronic sleeplessness and hallucinations. Cocaine and crack cocaine are extremely dangerous and psychologically and physically addictive. An overdose can result in seizures and death.

Fentanyl is a potent synthetic opioid, typically used for severe pain management but often misused due to its heroin-like effect. Signs of intoxication include severe drowsiness, slow breathing, and confusion. Overdose can result in respiratory distress or even death, especially when mixed with other substances like alcohol or stimulants.

Notification of Counseling Services

At the beginning of every semester, the Rose State College Director of Special Services sends out an email notification to all students, faculty, and staff of the counseling services available to all members of the College at no cost to the individual seeking help. The Office of Special Services is located in the Learning Resources Center, Room 106 and is open Monday-Friday 8:00 a.m. to 5:00 p.m., or can be reached via phone at 736-7373.

EMPLOYEE AND STUDENT DRUG USE POLICY

Adhering to federal and state laws, Rose State College takes a firm stand for an alcohol-free and drug-free learning and working environment. Criminal prosecution may be faced by students and employees who violate federal or state laws related to alcohol or drug possession, use, or sale. Infringements against College policies can also lead to institutional sanctions (Refer to College's Policies and Procedures Manual, 39th Revision, Chapter IV, Section 1-1. Drug-Free Campus Policy).

Unauthorized or unlawful possession, distribution, dispensation, sale, or manufacture of alcohol or controlled substances is prohibited on College premises or as part of any College activity. Disciplinary action can be faced by students for violations of alcohol or drug policy occurring off-campus or on private properties. Breaches of these policies can lead to disciplinary actions in correlation with College policies, statutes, rules, reemployment contracts, labor agreements, and regulations, up to dismissal or prosecution referral. Parents of students aged below 21 may be contacted by the College for violation of the Student Code.

Disciplinary Actions of College Employees

Possession or consumption of alcohol on premises or while on duty, failing to adequately perform assigned duties due to alcohol use, illicit or excessive use, or sale of drugs, narcotics, or intoxicants can warrant disciplinary actions for employees, up to job termination.

Employees struggling with alcohol or controlled substance issues are strongly encouraged to seek professional help and treatment. Confidential assistance or a list of counselling and referral programs can be obtained by dialing the Rose State College Counseling Office at 733-7373. Employees may, in certain cases, also be directed to seek this information by their supervisors.

Drug and Alcohol Testing of College Employees

Promoting a drug-free and safe working environment, the Rose State College Board of Regents mandates drug and alcohol testing for employees in line with federal and state laws (See College's Policies and Procedures Manual, 41st Revision, Chapter IV, Section 1-1. Drug-Free Campus Policy, (b) Alcohol and Drug Testing Policy applicable to RSC employees and applicants).

Rose State College employees may be subjected to post-accident drug and alcohol testing, for-cause testing, and post-rehabilitation testing. Employees handling activities directly affecting the safety of others may be exempted from random drug and alcohol testing and scheduled periodic testing. Employees working closely with individuals in the custody of the Department of Corrections or juveniles under the supervision of the Department of Human Services may also undergo random drug and alcohol tests (See College's Policies and Procedures Manual, 41st Revision, Chapter IV, Section 1-1. Drug-Free Campus Policy, (d) (2) (3) (4)).

Drug or Alcohol Convictions in the Workplace

Within five calendar days following a criminal conviction or Plea of Guilty or No Contest for drug-related or alcohol-related offenses, employees must notify their supervisors. If an employee of a federal contract or grant is convicted of a workplace drug or alcohol offense, the federal contracting or granting agency will be notified within ten days of receiving notice of the conviction by the College. To continue employment at the College, the employee may need to complete a drug rehabilitation program (See College's Policies and Procedures Manual, 41st Revision, Chapter IV, Section 1-1. Drug-Free Campus Policy, (a) (3)).

Violation of the Drug Policy by College Students

Dismissal from College may be warranted for students who unlawfully possess, use, distribute, sell, or manufacture drugs. In most cases, students involved in drug distribution may be dismissed. For further information about drug policies, please refer to the 2023-2024 Student Handbook (pages 31-37).

To aid students affected by their own substance abuse or that of others, the College provides counseling and referral services. For confidential aid with these issues, contact the Counseling Center at 733-7373 or the Senior Director of Campus Operations at 736-0213.

Drug and Alcohol Use: State Laws

Oklahoma State law prohibits the selling or delivery of alcohol to individuals under the age of 21 or to inebriated persons. Violations can result in fines of up to \$1,000 and up to a year of jail time. It is also unlawful for an under-21 individual to present false identification to purchase alcohol.

Safety of Rose State College students and employees is prioritized, and violators of the college's policies around drug and alcohol use on-campus could face additional penalties.

Under Oklahoma State law, operating a vehicle with a blood or breath-alcohol concentration of .08 or above is heavily penalized. However, arrests can also be made at lower levels if driving is impaired. A fine of up to \$1,000, possible incarceration for up to a year, and suspending or revocation of the driver's license can happen for the first offense. After the first offense, the severity of the penalties increases for each subsequent offense. Transporting open alcohol containers in a vehicle is also illegal under Oklahoma State law.

Controlled substances' possession and sale are prohibited by the federal Controlled Substances Act and The Oklahoma Statute 63 O.S. § 2. Penalties are determined based on the drug type, drug quantity, number of previous offenses by the individual, and the individual's intentions about the drug. Convicting for possession of a controlled substance often leads to a 1 to 3-year prison sentence along with a fine of up to \$15,000. However, if the felony involves manufacturing, transferring to a minor, or more severe activities, then stricter penalties may be warranted.

Drug and Alcohol Use: Federal Laws

According to federal sentencing guidelines, federal courts can sentence simple-possession first offenders to one year in prison and a \$100,000 fine with penalties becoming significantly greater for subsequent convictions [21 U.S.C. 844 (a)]. A life imprisonment can result from a conviction for possession of a controlled substance that results in death or bodily injury. More than five grams of cocaine possession can trigger a sentence of 10 to 16 years in prison [U.S.S.G.S. 2D2.1 (b) (1)].

CODES OF CONDUCT, STANDARDS OF EVIDENCE, AND ACCOMMODATION

According to Oklahoma law, sex crimes involve the use of force or threat of force to sexually touch or sexually penetrate the victim's body or forcing the victim to touch or penetrate the offender's body. Threats of death or use of a weapon increases the severity of legal charges. Sex crimes can be prosecuted even if the victim knew the attacker; the victim did not fight back; the victim had consensual sex with the attacker previously; or the victim was intoxicated or unconscious.

Rose State College is committed to ensuring the safety and security for all members of the Rose State College campus community. Rose State College prohibits all forms of sexual misconduct, sexual harassment, and unlawful harassment in compliance with Title IX, The Violence Against Women Act (VAWA), and The Clery Act. Rose State College shall conduct investigations and disciplinary proceedings in a prompt, fair, and impartial manner for all sexual misconduct, gender discrimination, sex discrimination, unlawful harassment, and sexual violence complaints including: sexual assault; sexual harassment, domestic violence; dating violence; and stalking. Rose State College while conducting investigations and all disciplinary proceedings in resolution of complaints regarding sexual misconduct, gender discrimination, sex discrimination, unlawful harassment, and sexual violence shall:

1. Utilize the preponderance of evidence standard.

- A. The Student Code of Conduct (SCC) and the Sexual Misconduct, Sex Discrimination and Unlawful Harassment Policy (SMSDSHP) are enforced utilizing the preponderance of the evidence standard of review.

- B. All alleged violations of the SCC and SMSDSHP will be evaluated by examining the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred by utilizing the preponderance of the evidence standard. The preponderance of the evidence standard shall be defined as; whether or not it is more likely than not that the actions in question were committed by the student as alleged in the complaint. The College bears the burden of proof and the burden shall not shift from the College to any other party.

2. Provide the parties with information regarding the College's policy on Confidentiality and Retaliation in response to a good faith reporting.

- A. Confidentiality.

Employees of the Human Resources/Affirmative Action Office, the Office of the Campus Operations, Security and Risk Management, and all responsible administrators receiving reports of sexual misconduct, sex discrimination and/or unlawful harassment shall maintain confidentiality of information received, except where disclosure is required by law or is necessary to facilitate legitimate College processes, including the investigation and resolution of sexual misconduct, sex discrimination and/or unlawful harassment allegations.

- B. Retaliation.

No reprisals or retaliation shall be allowed to occur as a result of the good faith reporting of charges of misconduct, discrimination, unlawful harassment and/or any other complaint. Any attempt to penalize or retaliate against a person for filing a complaint or participating in the investigation of a complaint of misconduct, discrimination, and/or unlawful harassment will be treated as a separate and distinct violation of this policy.

3. Ensure that investigations regarding sexual misconduct, gender discrimination, sex discrimination, unlawful harassment, and sexual violence by Rose State College shall be conducted by College officials who have received annual training in the areas of: sexual misconduct, sexual harassment, and unlawful harassment in compliance with Title IX, VAWA, The Clery Act, protection of victims' rights, and Confidentiality & Retaliation.

4. Permit the Complainant and Respondent during the investigation, the proceedings, and any other related meeting to have an advisor or support person present in compliance with the Policies and Procedures Manual and the Student Code of Conduct.

5. Upon completion of the investigation and all proceedings provide prompt written notice of the resolution and any change in such resolution to both the Complainant and Respondent in a reasonably simultaneous manner. 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 disclosing the report or the results of any disciplinary proceedings.

6. Victim's Protection Order (VPO).

A. If you have been a victim of domestic or dating abuse; a victim of stalking; a victim of harassment; and/or a victim of rape, under 22 O.S. § 60.2 at www.oscn.net you may have the right to request a Victim Protective Order (VPO). VPOs are filed through the Oklahoma County Court Clerk's office located at 320 Robert S. Kerr, Oklahoma County, OK.

B. For questions regarding the process for filing a VPO, please contact the Oklahoma County Court Clerk's office at (405) 713-1735. For further assistance regarding a VPO, you may also contact the Midwest City Police Department (MWCPD) at (405) 732-2266 for non-emergency inquiries.

C. For emergencies regarding incidents of domestic or dating abuse; a victim of stalking; a victim of harassment; and/or a victim of rape call 911.

D. Rose State College honors and enforces Victim Protective Orders that are registered with the institution.

7. Provide a statement of preserving evidence

Midwest City Police Department (MWCPD) is in the best position to secure evidence of a crime. Physical evidence of a criminal sexual assault must be collected from the alleged victim's person within 120 hours, though evidence can often be obtained from towels, sheets, clothes, etc. for much longer periods of time. If you believe you have been a victim of a criminal sexual assault, you should go to the nearest Hospital Emergency Room (Alliance Health Midwest), before washing yourself or your clothing. The Sexual Assault Nurse Examiner (a specially trained nurse) at the hospital is usually on call 24 hours a day, 7 days a week (call the Emergency Room if you first want to speak to the nurse; ER will refer you). A representative from the College can also accompany you to the Hospital and law enforcement or Campus Security can provide assistance in arranging transportation. If a victim goes to the hospital, MWCPD will be contacted, but s/he is not obligated to talk to MWCPD or to pursue prosecution. Having the evidence collected in this manner will help to keep all options available to a victim, but will not obligate him or her to any course of action. Collecting evidence can assist the authorities in pursuing criminal charges, should the victim decide later to exercise it.

For the Victim: the hospital staff will collect evidence, check for injuries, address pregnancy concerns and address the possibility of exposure to sexually transmitted infections. If you have

changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe, and may render evidence useless). If you have not changed clothes, bring a change of clothes with you to the hospital, if possible. Personnel will likely keep the clothes you are wearing as evidence. You can take a support person with you to the hospital, and they can accompany you through the exam, if you desire. Do not disturb the crime scene; leave all sheets, towels, and materials that may bear evidence for the police to collect.

8. Provide reasonable accommodation(s) and reasonable protective measure(s) as requested in compliance with the Sexual Misconduct, Sex Discrimination, and Unlawful Harassment Policy (SMSDSHP).

A. A victim of sexual misconduct, sex discrimination and/or unlawful harassment requiring reasonable accommodation should make their requests to the Title IX Coordinator. The AVP for Human Resources/AEO is the designated Title IX Coordinator and is located at 6420 S.E. 15th Street, Midwest City, OK 73110, ADM Room 104 or by calling (405) 733-7979. A student may additionally contact the Senior Director of Campus Operations and Deputy Title IX Coordinator of students for further assistance regarding reasonable accommodations and reasonable protective measures and is located at 6420 S.E. 15th Street, Midwest City, OK 73110, Susan Loveless Center Room 109 or by calling (405) 736-0355. The procedures set forth shall mirror the College's procedures regarding requests for reasonable accommodation under the Americans with Disabilities Act as outlined in (See College's Policies and Procedures Manual, Forty-first Revision, Chapter II, Section 1-69, (b), (1), (2)).

B. Reasonable accommodation may include, but is not limited to:

- i. Exam (paper, assignment, etc.) rescheduling;
- ii. Taking an incomplete in a class;
- iii. Transferring class sections;
- iv. Temporary withdrawal; and
- v. Alternative course completion options.

C. Reasonable protective measure may include, but is not limited to:

- i. Campus Security Escorts;
- ii. Campus Security Parking Accommodations; and
- iii. Other reasonable requested security/protective services.

9. Should you be a victim or witness of an alleged incident of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off-campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options.

Sex Offender Registration and Information

In accordance with the Oklahoma Sex Offender Registration Act (57 O.S. 583), convicted sex offenders are required to register with the Rose State College Campus Security Office within three days of becoming a full or part time student. The offender must complete and update the Campus Security Sex Offender

Registration Form and file it with the Campus Security Office within three days of any change in status, to include breaks in study and graduation. Registering with the Rose State College Campus Security Office does not satisfy the offender's responsibility to register with the law enforcement agency having jurisdiction over the offender's residence. For questions regarding compliance with the Oklahoma Sex Offender Registration Act, please contact (405) 736-0213.

The Oklahoma Department of Corrections maintains an online database that permits access of all registered sex offenders in Oklahoma. To learn the identity of registered sex offenders on or near campus, or anywhere in Oklahoma, visit the Sex Offender Database. Once there, you can search by city, county, or ZIP code. The Rose State College campus is located in Midwest City, in Oklahoma County, and in ZIP code 73110. The information in the database is collected by other agencies and Rose State College cannot guarantee the accuracy or the completeness of the information.

The Oklahoma Sex Offender Registry may be accessed at the following URL: <https://sors.doc.state.ok.us/>

The Federal Campus Sex Crimes Prevention Act requires colleges and universities to issue a statement advising the campus community where state law enforcement agency information concerning registered sex offenders may be obtained. The act also requires registered sex offenders to provide notice of each institution of higher education in that state at which the offender is employed, carries on a vocation, or is a student.

Information contained in the Sex Offender Registry shall not be used to commit a crime against an offender or to engage in illegal discrimination or harassment of an offender. Any person who improperly uses Sex Offender Registry information shall be punished by no more than 2 ½ (two and one-half) years imprisonment or by a fine of no more than \$1,000 or by both such fine and imprisonment.

APPENDIX A: ROSE STATE COLLEGE CAMPUS POLICIES ON SEXUAL MISCONDUCT, SEX DISCRIMINATION, AND UNLAWFUL HARASSMENT

The Policy & Procedures Manual

The following information is from the Rose State College Policy and Procedures (P&P) Manual (Forty-first Revision). The P&P is the campus-wide source of all official policy and procedures. When there are discrepancies in policy throughout campus publications, this manual shall be the ultimate authority in policy and procedure.

The two sections from the P&P that will be quoted for this report are in Chapter IV of the manual. These sections are:

- Section 1-5: Sexual Misconduct, Sex Discrimination and Unlawful Harassment Policy and Grievance Procedures.
- Section 7-1: Grievance Procedures

The campus Policy and Procedures manual, which also covers a wide array of other topics, can be accessed online in its entirety at the following URL:

<https://www.rose.edu/policies-procedures/>

Chapter IV, Section 1-5: Sexual Misconduct, Sex Discrimination and Unlawful Harassment Policy and Grievance Procedures

(a) **Statement.** Rose State College does not discriminate on the basis of race, color, sex, age, national origin, religion, disability, genetic information, sexual orientation, gender identity or expression, status as a veteran, or any other protected class under federal or state law or regulation or any of its policies, practices or procedures. This includes but is not limited to admissions, employment, financial aid, and educational programs, activities, or services. The person designated to handle inquiries regarding the nondiscrimination policies, including issues of noncompliance, is the Associate Vice President for Human Resources/Affirmative Action Officer, also the College's Title IX Coordinator, 6420 SE 15th Street, ADM Room 104, Midwest City, OK 73110, (405) 733-7979. Complaints and grievances will be handled in accordance with the College's appropriate grievance procedures. Sexual misconduct and sexual discrimination are discussed in this section, including:

- (1) Domestic Violence;
- (2) Dating Violence;
- (3) Stalking;
- (4) Sexual Assault;
- (5) Sexual Harassment; and/or
- (6) Any other form of sexual misconduct as defined by law and available at www.oscn.net.

(b) **Positions of authority.** Since some members of the College community hold positions of authority that may involve the legitimate exercise of power over others, they have the responsibility to be sensitive to that power. Faculty and supervisors, in their relationships with students and subordinates, need to be aware of potential conflicts of interest and the possible compromise of their evaluative capacity. Because there is an inherent power difference in these relationships, the potential exists for the less powerful person

to perceive a coercive element in suggestions regarding activities outside those appropriate to the professional relationship. The responsibility of faculty and supervisors is to behave in such a manner that their words or actions cannot reasonably be perceived as sexually coercive, abusive, or exploitive.

(c) **Consensual relationships.** Consensual romantic or sexual relationships are not appropriate or allowed when they occur between an employee of the institution and a student for whom that employee has a professional responsibility. This includes students enrolled in courses for credit and student-workers. Exceptions will be addressed on a case-by-case basis (such as the spouse of an employee decides to enroll in school and thereby becomes a student would not be a violation).

(d) **Management responsibilities.** Employees or agents who

(a) supervise other employees, contractors, or agents

(b) teach or advise students

(c) have management authority related to a College sponsored activity, student program or activity are encouraged to:

(1) Engage in appropriate measures to prevent violations of this policy.

(2) Promptly notify the Human Resources/Affirmative Action Office after being informed of or having a reasonable basis to suspect a policy violation. In instances where the supervisor has taken independent action, the supervisor shall notify the Human Resources/Affirmative Action Office as soon as possible after taking such action. Additionally, any action taken may not disadvantage the complaining party.

(e) **Environment of study and work.** The College is committed to providing an environment of study and work free from sexual misconduct and sex discrimination and to ensuring the accessibility of appropriate grievance procedures for addressing all complaints regarding sexual misconduct and sex discrimination.

(f) **Definitions.** Offenses prohibited under the College's policy include, but are not limited to: sexual harassment; sex discrimination (including sexual orientation discrimination and gender identity or gender expression discrimination); non-consensual sexual intercourse (or attempts to commit same); non-consensual sexual contact, including fondling (or attempts to commit same); sexual coercion; domestic/dating violence; stalking; and sexual exploitation (or attempts to commit same).

(1) **Sex Discrimination:**

(A) Includes sexual harassment and is defined as conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that adversely affects their employment or education, or institutional benefits, on account of sex or gender (including sexual orientation, IV-1-10 gender identity and gender expression discrimination). It may include acts of verbal, nonverbal or physical aggression, intimidation or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

(B) **Pregnancy Discrimination:**

(i) The College prohibits discrimination on the basis of pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom. Discrimination on the basis of pregnancy should be reported in accordance with this policy. Employees, students, and visitors with questions regarding

accommodations during pregnancy are encouraged to contact the Office of Human Resources, 6420 S.E. 15th Street, Midwest City, OK 73110, ADM Room 104, (405) 733-7979. For complaints arising under this policy, please report to the Associate Vice President, Human Resources/AAO.

(2) **Sexual Harassment:**

(A) Sexual harassment is a form of sex discrimination.

(i) The College is committed to stopping, preventing and remedying sexual harassment whenever and however it occurs; however, in the interest of directing complainants to the appropriate grievance procedure, the definition of hostile environment is dissected to include the Civil Rights Act of 1964, Title VII definition as well as the Higher Education Act of 1972, Title IX definitions. (ii) For harassment to be actionable under Title VII the offensive conduct must be sufficiently severe or pervasive to alter the conditions of the victim's employment and create a hostile working environment. (iii) For harassment to be actionable under Title IX the offensive conduct must be severe and pervasive and objectively offensive, so the conduct effectively denies a person equal educational access. (iv) The distinction between the 2 definitions allows the College to balance Title IX enforcement with free speech and academic freedom.

(B) Hostile Environment Sexual Harassment includes conduct that is sufficiently severe, pervasive or persistent, objectively and subjectively offensive that it alters the conditions of education or employment or institutional benefits of a reasonable person with the same characteristics of the victim of the harassing conduct. Whether conduct is harassing is based upon examining a totality of circumstances, including but not limited to:

- (i) The frequency of the conduct;
- (ii) The nature and severity of the conduct;
- (iii) Whether the conduct was physically threatening;
- (iv) Whether the conduct was deliberate, repeated humiliation based upon sex;
- (v) The effect of the conduct on the alleged victim's mental or emotional state from the perspective of a reasonable person;
- (vi) Whether the conduct was directed at more than one person;
- (vii) Whether the conduct arose in the context of other discriminatory conduct;
- (viii) Continued or repeated verbal abuse of a sexual nature, such as gratuitous suggestive comments and sexually explicit jokes; and
- (ix) Whether the speech or conduct deserves constitutional protections.

(C) Quid Pro Quo Sexual Harassment exists when individuals in positions of authority over the complainant:

(i) Make unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and

(ii) Indicate, explicitly or implicitly, that failure to submit to or the rejection of such conduct will result in adverse educational or employment action or where participation in an educational program or institutional activity or benefit is conditioned upon the victim's submission to such activity.

(D) For the purpose of this policy, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment if:

(i) Submission to the conduct is made either an explicit or implicit condition of employment or academic instruction/standing;

(ii) Submission to or rejection of the conduct is used as a basis for employment or academic decisions affecting the harassed employee or student;

(iii) The conduct, either by intent or by effect, creates an intimidating, hostile or offensive work or learning environment; or

(iv) Submission to or rejection of the conduct is used as a basis for providing the College's services or participation in the College's programs.

(E) Sexual harassment can occur in a variety of circumstances, including but not limited to:

(i) The individual who is sexually harassed, as well as the harasser, may be female or male and does not have to be of the opposite sex from the harasser;

(ii) The harasser can be the supervisor or the individual who is sexually harassed, an agent of the employer, a supervisor in another area, a coworker, a subordinate, a professor or a non-employee;

(iii) The individual who is sexually harassed does not have to be the specific person to whom the harasser directs the conduct which constitutes sexual harassment but must be a person who was directly affected by the offensive conduct of the harasser; and

(iv) Unlawful sexual harassment may occur without economic injury to or discharge of the individual who is sexually harassed.

(3) **Sexual Violence:**

(A) Physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A number of acts fall into the category of sexual violence, which includes, but is not limited to: rape, sexual assault, sexual battery, sexual misconduct and sexual coercion.

(i) Unwanted Sexual Intercourse is defined as any sexual intercourse or penetration of the anal, oral, vaginal or genital opening of the victim, including sexual intercourse or penetration by any part of a person's body or by the use of an object, however slight, by at least one person to another without consent or against the victim's will. This definition includes rape and sexual assault, sexual misconduct, and sexual violence.

(ii) Unwanted Sexual Contact is any intentional touching, however slight, whether clothed or unclothed, of the victim's intimate body parts (primarily genital area, groin, inner thigh, mouth, buttock or) with any object or body part, without consent and/or by force. It also includes the touching of any part of a victim's body using the perpetrator's genitalia and/or forcing the victim to touch the intimate areas of the perpetrator or any contact in a sexual manner even if not involving contact of or by breasts, buttocks, groin, genitals, mouth or other orifice. This definition includes sexual battery and sexual misconduct.

(iii) Sexual Coercion is the act of using pressure (including physical pressure, verbal pressure, or emotional pressure), alcohol, medications, drugs, or force to have sexual contact against another person's will or with someone who has already refused. This includes rape, sexual assault, sexual exploitation, and sexual misconduct.

(4) **Sexual Exploitation:**

(A) Occurs when a person takes non-consensual, unjust or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior may not otherwise constitute one of the other sexual misconduct offenses.

(i) Examples of sexual exploitation include, but are not limited to:

(a) Non-consensual video or audio-taping of any form of sexual activity;

(b) Going beyond the boundaries of consent (such as letting a person or people hide in the closet to watch an individual have consensual sex without their partner's knowledge or consent);

(c) Sexually-based stalking or bullying;

(d) Engaging in non-consensual voyeurism, such as observing sexual acts or body parts of another from a secret vantage point;

(e) Knowingly transmitting a sexually transmitted disease or illness to another;

(f) Exposing one's genitals in a non-consensual circumstance or inducing another to expose his or her genitals;

(g) Prostituting another person; and

(h) Other forms of invasion of sexual privacy.

(5) **Domestic and Dating Violence:**

- (A) Dating violence is violence between individuals in the following circumstances:
 - (i) The party is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - (ii) The existence of such a relationship shall be determined based on a consideration of the following factors:
 - (a) Length of the relationship;
 - (b) Type of relationship;
 - (c) Frequency of interaction between the persons involved in the relationship.
- (B) Domestic Violence under College policy means violence committed by a:
 - (i) Current or former spouse of the victim;
 - (ii) A person with whom the victim shares a child in common;
 - (iii) A person who is cohabitating with or has cohabitated with the victim as a spouse;
 - (iv) A person similarly situated to a spouse of the victim under Oklahoma domestic or family violence laws;
 - (v) Any other person against an adult or youth victim who is protected from that person's acts under Oklahoma domestic or family violence laws.
- (C) Additional information regarding what constitutes a "prior pattern of physical abuse" can be located at Oklahoma Penal Code, § 21-644, www.oscn.net.

(6) **Sexual Assault:**

- (A) Assault as applied to an act when committed in a sexual context, in furtherance of sexual demands or based on sex stereotyping is defined in Oklahoma Penal Code as any willful and unlawful attempt or offer with force or violence to do a corporal hurt to another (Oklahoma Penal Code, § 21-641, www.oscn.net).
- (B) Information regarding additional issues regarding battery and aggravated assault and battery, can be located at Oklahoma Penal Code, § 21-642, www.oscn.net.

(7) **Stalking:**

- (A) Any person who willfully, maliciously and repeatedly follows or harasses another person in a manner that:
 - (i) Would cause a reasonable person or a member of the immediate family of that person as defined in subsection D of this section to feel frightened, intimidated, threatened, harassed, or molested
 - (ii) Causes the person being followed or harassed to feel terrorized, frightened, intimidated, threatened, harassed or molested.
- (B) Any person who violates the provisions of subsection A of this section when:

(i) 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

(ii) 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

(iii) 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.

(C) Evidence that the individual continued to engage in a course of conduct involving repeated unconsented contact, as defined in subsection D 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.

(D) For purposes of this section:

(i) "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 Title 21 (Oklahoma Penal Code, § 21-1173, www.oscn.net) and conduct prohibited by Section 850 of Title 21 (Oklahoma Penal Code, § 21-1173, www.oscn.net). Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose;

(ii) "Course of conduct" means a pattern of conduct composed of a series of two (2) or more separate acts over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct";

(iii) "Emotional distress" means significant mental suffering or distress that may, but does not necessarily require, medical or other professional treatment or counseling;

(iv) "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:

(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.

(v) "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 (Oklahoma Penal Code, § 21-1173, www.oscn.net).

(8) **Other Misconduct:**

(A) Other forms of misconduct based on one's gender also constitute violations of this policy including, but not limited to: threatening or causing physical harm, extreme verbal abuse or other conduct which threatens or endangers the health or safety of any person.

(i) Gender-based intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another

(ii) Gender-based hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the Campus community, when related to the admission, initiation, pledging, joining or other group-affiliation activity

(iii) Gender-based bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally (that is not speech or conduct otherwise protected by the First Amendment).

(9) **Consent:**

(A) Consent is the act of willingly agreeing to engage in sexual contact or conduct. Individuals who consent to sex must be able to understand what behavior they are providing consent. Under this policy, "No" always means "No," and the absence of "No" may not mean "Yes."

(i) Consent is informed, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity.

(ii) Consent to one form of sexual activity cannot imply consent to other forms of sexual activity.

(iii) Previous relationships or consent does not imply consent to future sexual acts.

(iv) Consent cannot be procured by use of physical force, compelling threats, intimidating behavior or coercion. Coercion is unreasonable pressure for sexual activity.

(v) In order to give effective consent, one must be of legal age and have the capacity to consent. Incapacity may result from mental disability, intellectual disability, unconsciousness/sleep, age or use of alcohol, drugs, medication, and/or other substances. Consent given by someone who one IV-1-16 should know to be, or based on the circumstances, reasonably should have known to be, mentally or physically incapacitated, is a policy violation. Incapacitation is a state where someone cannot make rational, reasonable decisions because he or she lacks capacity to give knowing consent (e.g. to understand the “who, what, when, where, why or how” of their sexual interaction). Incapacity may result from a level of alcohol ingestion that is more severe than impairment, being under the influence, drunkenness, or intoxication. It is less severe than alcohol poisoning or overdose. Whether a person is incapacitated is a subjective determination that will be made after the incident and considering all facts available. Individuals reach incapacitation at different points and because of different stimuli [and] exhibit incapacity in different ways.

Note: Indications of consent are irrelevant if the initiator knows or should reasonably have known of the incapacity of the other person.

(B) Use of alcohol, medications, or other drugs will not excuse behavior that violates this policy.

(g) **Examples of prohibited conduct.** Conduct prohibited by this policy may include, but is not limited to:

(1) Unwelcome conduct of a sexual nature.

(A) Conduct of a sexual nature may include, but is not limited to:

(i) Verbal or physical sexual advances, including subtle pressure for sexual activity, flirtation, advances and/or propositions of a sexual nature

(ii) Touching, pinching, patting or brushing against

(iii) Unwarranted displays of sexually suggestive or sexually explicit objects or pictures, including greeting cards, articles, books, magazines or cartoons

(iv) Comments regarding physical or personality characteristics of a sexual nature

(v) Sexually-oriented “kidding,” “teasing,” double meanings and jokes and

(vi) Sexual assault.

(2) Conduct of a sexual nature may constitute sexual harassment when the allegedly harassed employee has indicated, either orally or by his or her conduct, that it is unwelcome.

(3) If a person has initially welcomed such conduct by active participation, the person must give specific notice to the alleged harasser that such conduct is no longer welcome in order for the subsequent conduct to be deemed unwelcome.

(h) **State Law Definitions.** In accordance with the Violence Against Women Reauthorization Act of 2013 (VAWA), please

be advised that the following definitions are applicable should an individual wish to pursue Oklahoma state criminal or civil actions. These definitions may differ from the College's administrative policy definitions noted above. The College's administrative system and disciplinary procedures are separate and distinct from those available to someone in a state civil or criminal action. Individuals may seek administrative remedies in accordance with this policy and may seek state or federal civil or criminal remedies for the same incident through the applicable systems. The definitions set forth below are reviewed and verified annually; for a more frequently updated resource, please consult Oklahoma's State Court Network site (<http://www.oscn.net>).

(1) Oklahoma Criminal Law Definition of Rape Oklahoma Penal Code, §21-1111:

(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:

(i) Where the victim is under sixteen (16) years of age;

(ii) Where the victim is incapable through mental illness or any other unsoundness of mind, whether temporary or permanent, of giving legal consent;

(iii) Where force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person;

(iv) 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;

(v) Where the victim is at the time unconscious of the nature of the act and this fact is known to the accused;

(vi) 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;

(vii) 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

(viii) 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.

(B) Rape is an act of sexual intercourse accomplished with a male or female who is the spouse of the perpetrator if force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person.

(2) Definition of Consent under Oklahoma Criminal Law Oklahoma Penal Code, §21-1114A, provides lack of consent in rape cases where:

(A) Rape committed by a person over eighteen (18) years of age upon a person under fourteen (14) years of age;

(B) 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;

(C) 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;

(D) Rape accomplished where the victim is at the time unconscious of the nature of the act and this fact is known to the accused;

(E) 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;

(F) 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

(G) Rape by instrumentation committed upon a person under fourteen (14) years of age.

(3) Definition of Domestic/Dating Violence under Oklahoma Criminal Law Oklahoma Penal Code, §21-644 defines domestic and dating violence as any person who commits any assault and battery against a current or former spouse, a present spouse of a former spouse, a former spouse of a present spouse, parents, a foster parent, a child, a person otherwise related by blood or marriage, a person with whom the defendant is or was in a dating relationship as defined by Section 60.1 of Title 22 of the Oklahoma Statutes, an individual with whom the defendant has had a child, a person who formerly lived in the same household as the defendant or a person living in the same household as the defendant shall be guilty of domestic abuse.

(4) Definition of Stalking under Oklahoma Criminal Law Oklahoma Penal Code, §21-1173, defines stalking as:

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

(i) Would cause a reasonable person or a member of the immediate family of that person to feel frightened, intimidated, threatened, harassed or molested; and

(ii) Actually causes the person being followed or harassed to feel terrorized, frightened, intimidated, threatened, harassed or molested.

(5) Rape as defined by the Federal Bureau of Investigation's (FBI) updated definition in the Uniform Crime Reporting (UCR) Summary Reporting System is 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.

(i) **Bystander Intervention.** Rose State College seeks to promote the health, safety, security, and wellbeing of all members of the College community. If an individual witnesses a violation of the Sexual Misconduct and Sex Discrimination Policy, or any behavior that may appear to be a violation of the policy, there are a range of options available including, but not limited to:

(1) For emergency situations, contact the Midwest City Police Department (MWCPD) by calling 911.

(2) For non-emergency situations, contact the Campus Security Office by calling (405) 733-7313.

(3) For information regarding nonviolent bystander intervention training and education, please contact the Office of Special Services located at 6420 S.E. 15th Street, Midwest City, OK 73110, Learning Resources Center, Room 106 or by calling (405) 733-7373.

(j) **Anonymous requests for accommodations/support.** RSC Advocates is a group of staff advocates trained to respond if any of our community experiences any type of sexual assault, relationship violence, stalking or harassment. RSC Advocates is an anonymous, free and LGBTQAI friendly service. A Title IX complaint is not necessary to access the services available through the RSC Advocates program.

(k) **Reporting sexual misconduct, sex discrimination and unlawful harassment to law enforcement, seeking outreach and reporting to College officials.** Please see Section 7, Grievance Procedures.

(l) **Availability of other Complaint Procedures.** In addition to seeking criminal charges through local law enforcement, members of the Campus community may also file complaints with the following entities irrespective of whether they choose to file a complaint under this procedure:

Office of Civil Rights:

Kansas City Field Office

OCR.KansasCity@ed.gov

1-816-268-0550

Washington D.C.

OCR@ed.gov

1-800-421-3481

Equal Employment Opportunity Commission:

Oklahoma City Field Office
1-800-669-4000

Washington D.C.
1-800-669-4000
Eeoc.gov/contact/

State of Oklahoma Attorney General's Office:
Office of Civil Rights Enforcement: 405-521-3921
OCRE@oag.gov

*Definitions taken, in part, from the model policy of National Center for Higher Education Risk Management (NCHERM): www.ncherm.org. Effective September 01, 2014

Chapter IV, Section 7-1: Grievance Procedures

This policy covers the complaint and grievance procedures for all forms of discrimination, harassment, retaliation, or violence (whether on-campus or off-campus) that occur in conjunction with any Rose State College activity, athletic program, educational program, employment, or in conjunction with an application for enrollment or employment, as well as administrative redress for employee grievances not in the aforementioned categories. All students, faculty, staff, guests, vendors, and visitors are required to comply with this policy. This section covers formal complaints of discrimination based on various protected statuses and Administrative Grievances, for Informal Grievance Procedures, please see Sec. 7B of this policy.

Sec. 7A-1. General Statement

Rose State College (College) does not discriminate on the basis of race, color, sex, age, national origin, religion, disability, genetic information, sexual orientation, gender identify or expression, or status as a veteran in any of its policies, practices, or procedures. This includes, but is not limited to admissions, employment, financial aid, and educational programs, activities, or services. If discrimination, including harassment or retaliation, occurs, the College will take prompt and appropriate corrective and remedial action.

The person designated to handle inquiries regarding the nondiscrimination policies, including issues of noncompliance, is the Associate Vice President, Human Resources/Affirmative Action Officer (A.V.P. HR/AAO), 6420 SE 15th Street, ADM Room 104, Midwest City, OK 73110, (405) 733-7979.

A. Duty to Report

Rose State College encourages any person who believes that they have experienced discrimination, harassment, retaliation, or violence based on a protected status in conjunction with a College activity, athletic program, educational program, employment, or in conjunction with an application for enrollment or employment, to report that complaint to the Associate Vice President, Human Resources/AAO (A.V.P. HR/AAO), 6420 SE 15th Street, ADM Room 104, Midwest City, OK 73110, (405) 733-7979.

Where violations of sexual misconduct, harassment, and/or discrimination may have occurred, please see Section 7C of this policy.

Certain employees, who are prohibited from reporting due to privilege. The only “by-law” exempt employee at Rose State College is the certified Licensed Professional Counselor in Student Services.

B. Duty to Report Child Abuse

Oklahoma law requires every person having reason to believe that an unmarried child under the age of 18 is a victim of abuse (including sex abuse) or neglect to report the matter promptly to the Oklahoma Department of Human Services. Under Oklahoma law, “abuse” means harm or threatened harm or failure to protect the health, safety, or welfare of a child by a person responsible for the child’s health, safety, or welfare. This includes, but is not limited to, nonaccidental physical or mental injury, sexual abuse, or sexual exploitation. Under Oklahoma law, no privilege or contract shall relieve any person of this duty to report. The duty to report is individual, and no employer, supervisor, or administrator shall interfere with any person’s reporting duties or in any manner discriminate or retaliate against any person who in good faith reports suspected child abuse or neglect.

Sec. 7A-2. Initial Report and Complaint Procedure

A. The Initial Report

When the A.V.P. HR/AAO receives notice, either from the complainant or from any other source, that discrimination based on a protected status has possibly occurred, the A.V.P.HR/AAO will:

1. Determine the identity and contact information of the complainant (whether that be the reporting party, the alleged victim, a College representative, or other party).
2. Identify the portions of this policy allegedly violated.
3. Advise the complainant that both formal and informal resolution options are available.
4. Review the process of a formal complaint.
5. Respect complainant's wishes not to pursue a complaint; formal or informal (see 7ABb-ii for possible exceptions).
6. Advise the complainant that they may file a non-employment-based complaint with the Office for Civil Rights of the U.S. Department of Education (OCR), where such a complaint is within that agency's jurisdiction.
7. If the complaint is employment-related, advise the complainant that they may file a complaint with the U.S. Equal Employment Opportunity Commission (EEOC), where such a complaint is within that agency's jurisdiction.
8. If the complainant alleges abuse or neglect of a child under the age of 18, report the matter promptly to the Oklahoma Department of Human Services

B. Complaint Procedure

1. All complaints involving discrimination based on a protected status shall be reviewed, investigated, and adjudicated only by persons with training or experience in:

- a. Title VI, Title VII and ADA grievances.
- b. The College's relevant grievance procedures.
- c. Relevant confidentiality requirements.

2. Submitting a Complaint

a. Timeliness

Generally, any complaint should be filed with the College within 180 calendar days of the alleged discrimination, harassment, or retaliation, to facilitate the process of gathering facts and evidence. Complaints that are filed after that time will be reviewed, but a lengthy lapse of time, may make an investigation difficult.

b. Obtaining the Complaint Form

Complaint Forms (ADM 44 - Discrimination/Harassment Complaint Form) are available online through the intranet Forms Handbook, the Title IX Resources page at www.rose.edu, and from the A.V.P. HR/AAO. The complaint shall include the following information:

- i. The complainant's name and address.
- ii. The College program or activity in which the complainant was participating, or attempting participation, at the time of the alleged misconduct.

- iii. The name and title of the person(s) against whom the complaint is filed.
- iv. A statement describing the specific acts allegedly committed by the respondent.
- v. The specific dates on which those alleged actions took place.
- vi. A clear and concise statement of any other facts that form the basis of the complaint.
- vii. If the complainant is not the alleged victim, the complainant's relationship, if any, to the person who experienced the prohibited conduct.
- viii. A clear and concise statement of the remedy the complainant seeks.
- ix. The complainant's signature.

c. Submitting the Complaint Form

The signed complaint form must be submitted to the A.V.P. HR/AAO by mail, electronic mail, or in person; 6420 SE 15th Street, ADM Room 104, Midwest City, OK 73110, (405) 733-7979, anutter@rose.edu.

3. Review of the Complaint

Within 5 business days or less of receiving the complaint, A.V.P. HR/AAO shall review the complaint to determine whether:

- a. The written complaint is complete.
- b. The alleged misconduct took place while the complainant was participating in, or attempting to participate in, a College program activity and the allegations are against someone in the U.S.
- c. The written complaint alleges conduct prohibited by this Policy.
- d. The complainant experienced the alleged conduct, is a personal representative of someone who experienced the alleged misconduct, or witnessed the alleged misconduct.

4. Anonymity and Confidentiality

The College does not reveal information about complaints of discrimination except as necessary to fulfill its legal obligations. Potential complainants are sometimes reluctant to pursue a complaint if their names will be revealed. The inability to reveal the name of a complainant or facts that are likely to reveal the identity of the complainant can severely limit the ability of the College to respond.

If a complainant insists that his or her name not be revealed, the A.V.P. HR/AAO or designee should take all reasonable steps to investigate while maintaining the complainant's confidentiality and respond to the complaint consistent with the complainant's request as long as doing so does not jeopardize the rights of other students or employees.

5. Dismissals of Complaints

The College will dismiss complaints with allegations failing to place the complainant in a protected category. The College may dismiss a complaint if:

- a. The complainant gives the A.V.P. HR/AAO written notice to withdraw the complaint.
- b. The respondent is no longer affiliated with the College.

- c. There are circumstances preventing the A.V.P. HR/AAO or designee from collecting necessary evidence to make a determination of responsibility.

7A-3. Investigations

A. Selection of the Investigator

If the A.V.P. HR/AAO determines the written complaint is sufficient, within two (2) business days or as soon as possible, the investigation will be assigned to a qualified designee. The investigator selected will be a neutral individual, who is not party to the complaint, the complainant, or the accused, nor should the investigator have a vested interest in the outcome of the investigation. The A.V.P. HR/AAO may choose to personally investigate some complaints.

Both the complainant and respondent are entitled to the same rights regarding representation and supportive services, as well as other rights throughout the investigation and into the live hearing processes.

B. Rights of the Parties

1. Representation

- a. Parties shall be entitled to be accompanied by a representative or advocate (such as a colleague, parent, student advocate, etc.) of their choosing at all complaint meetings.
- b. Representatives and advocates shall act as a supporting presence for the party but may not participate directly in the process.
- c. Representatives and advocates are prohibited from disclosing any information concerning the content of a meeting or hearing.
- d. Representatives and advocates are prohibited from any retaliatory conduct related to information disclosed during a meeting or hearing.
- e. Legal advisors and attorneys may be present during any meetings but cannot participate directly in the process. They may only interact with the party they are representing.

2. Supportive Services

- a. Supportive services that do not favor either party may continue throughout the formal complaint process; the College will provide the parties with information about how to obtain services from resources available on and off campus, including those listed in 7A.1.C.2.
- b. The College may consider steps, such as, administrative leave and alternate work/classroom locations, etc. These supportive services will be granted, as appropriate, on a case-by-case basis and to both the complainant and respondent.

3. Other Rights

- a. To be informed when an investigation begins of the allegations, any known facts surrounding the allegations, and a proposed timeline for resolving the complaint.
- b. To seek counseling and advice from the A.V.P. HR/AAO.
- c. To obtain services and resources from the College's advocates program; see Sec. 7-1(c).

- d. To present relevant witnesses, evidence, and information at any meeting or hearing.
- e. To have access to any information, to the extent permitted by the Family Educational Records and Privacy Act (FERPA) and by rules of privilege and confidentiality, that will be used at any meeting.
- f. Not to be personally questioned or cross-examined by the accused.
- g. To the College's taking reasonable steps to maintain the complainant's reputation during the entire process and/or to restore the complainant's reputation if it is damaged during any proceeding.
- h. To be protected against retaliation from the accused or from other persons during or after the complaint process.
- i. To a prompt and equitable resolution of the complaint.
- j. To receive a written notice of the investigation's findings.

C. Notification to the Accused

Within a reasonable time, usually as soon as possible, after the complaint is reviewed and determined to be a valid complaint, the A.V.P. HR/AAO shall inform the respondent of the filing and the general nature of the complaint in a manner that is appropriate under the circumstances.

The A.V.P. HR/AAO shall advise the respondent:

- 1. That the accuracy of the allegations has not been assessed.
- 2. That they are presumed not responsible of the alleged misconduct until the entire complaint process is complete.
- 3. That they will have an opportunity to present their side of the matter
- 4. That any conduct that could be viewed as retaliatory against the complainant or witnesses is strictly prohibited and would constitute a separate violation of this policy.
- 5. In cases where the complainant voluntarily requests the informal resolution process, the respondent will be notified, presented with information to what that process entails, and provided the opportunity to accept or decline the use of this process.

D. Conducting the Investigation

If both parties have voluntarily requested an informal process, the College will follow the informal process procedure located in Section 7B. Once an investigator has been selected, they shall conduct the investigation in as timely a manner as possible unless the matter is informally resolved, or the complainant withdraws the complaint. The investigation will be conducted free of discrimination. The investigation will comply with the following:

- 1. Collection of Evidence/Witness Interviews and Statements
 - a. The burden of collecting evidence rests with the investigator, not the parties.
 - b. The investigator will not restrict the parties from collecting their own evidence.
 - c. The investigator will give equal opportunity for parties to present witnesses/evidence.

d. Investigator will not seek or use private medical, psychiatric, or treatment records for any party or witness without the individual's voluntary, written consent.

2. Advisors, Advocates and Representatives

Both parties will have equal opportunity to select an advisor, advocate, or representative.

3. Communication with Parties and Representatives

a. The investigator will send written notice regarding meetings, interviews, and hearings.

b. The investigator will provide each party with the evidence related to the allegations collected by the investigator or opposing party.

i. Evidence may be in hard copy or electronic format.

ii. Parties shall have 10 days to review, inspect, and respond to the investigator.

4. Relation of the Investigation to Law Enforcement Investigation

a. The investigation conducted pursuant to this policy may be concurrent with an investigation by law enforcement officers, but it is not dependent on any law enforcement investigation.

b. The College may, at its discretion, delay the investigative process long enough to allow local law enforcement to collect evidence. Any delay for this purpose will be as short as possible.

c. Additional information about the College's interaction with local law enforcement is contained in a Memorandum of Agreement and can be found at <https://www.rose.edu/content/about-us/our-campus/safety-security/>.

5. Investigative Report

Investigator will send both parties an investigative report containing:

a. Summary of the complaint.

b. Identification of complainant witnesses and summary of the witnesses' inputs.

c. Identification of respondent witnesses and summary of the witnesses' inputs.

d. General timeline of events related to the complaint.

e. Identification of specific policy related to the investigation.

f. Any other items of interest the investigator deems appropriate and relevant to the complaint.

E. Lack of Objection to the Findings

If neither the complainant nor the respondent objects, in writing, to the investigative findings within 5 business days of receiving the notice of those findings, the investigative report's findings and the proposed resolution shall be final and binding with no right of appeal.

Sec. 7A-5. Further Proceedings (Appeals)

The notice of results will also provide the parties with information on appealing the decisionmaker's findings through further proceedings.

1. Right to Further Proceedings/Review of Findings

The parties to a complaint may initiate further proceedings, within 5 business days of receiving the notification of findings if a party is not satisfied with the findings of the College's investigation. The further proceedings request must be in writing and is submitted to the A.V.P. HR/AAO, who will review the submission for sufficiency. In the event the requirements below are not met in the request, the A.V.P. HR/AAO will deny the request and inform the requesting party of the denial. The requesting party must state one of the following justifications supporting the need for further proceedings:

- a. There is new evidence that could have affected the decision that was not reasonably known prior to the issuance of the notification of findings.
- b. The investigation or findings exhibited prejudice, bias, or other unfair treatment that affected the outcome of the case.
- c. The institution's stated policies and procedures were not followed.

2. Rights of parties during Further Proceedings

The A.V.P. HR/AAO will inform the opposing party of the further proceedings request within a reasonable timeframe, usually within 5 business days, of receiving the request, and will afford the opposing party the opportunity to submit, within a reasonable timeframe, usually 5 business days, a written response to the request for further proceedings.

3. Decision of the Executive Vice President

- a. The Executive Vice President will review the original complaint, the investigative process and report, the notification, and the party's request for further proceedings.
- b. The Executive Vice President's decision is final. The Executive Vice President, or designee, will inform both parties, in writing, of the Executive Vice President's decision. Once the requesting party is notified of the Executive Vice President's final decision, all administrative actions have been exhausted.

Sec. 7A-6. Sanction Officials, Risk Management Notifications and Retaliation

A. Sanctions

1. Faculty/Staff/Employee Sanctions for Violations of this Policy

- a. In accordance with the College's policies and procedures, the College may impose sanctions such as verbal reprimands, mandatory enrollment in seminars pertaining to prohibited discrimination and sexual harassment issues, written reprimands, demotions, suspensions without pay, and termination of employment. Referral to law enforcement may be appropriate as set out in section 7.1.C.1. above or as required by law.
- b. The A.V.P. HR/AAO, will notify the department Vice President of the matter, along with recommended sanctions imposed by the decision-maker and, if appropriate, upheld by the Appellate Authority.

2. Student Sanctions for Violations of this Policy

- a. The A.V.P. HR/AAO will notify the Director, Service Learning and Student Conduct of the matter, along with the sanctions imposed by the decision-maker, and when appropriate, the outcome of the further proceedings process.
- b. The Director, Service Learning and Student Conduct is responsible for ensuring the sanctions imposed are properly executed and notification of the completion of sanctions is provided to the A.V.P. HR/AAO within a reasonable timeframe.
- c. In accordance with the College's student disciplinary procedures, the College may impose sanctions such as verbal reprimands, mandatory enrollment in seminars pertaining to prohibited discrimination, written reprimands, dismissal from class and/or other College activities, suspension, or expulsion, depending upon the severity of the act.
- d. Referral to law enforcement may be appropriate as set out in section 7A-3-4d or as required by law.

B. Risk Management Notification

Unless unusual or complex circumstances exist, the A.V.P. HR/AAO shall complete and distribute a final summary of the complaint and outcome to:

1. College President.
2. General Counsel.
3. Oklahoma Management Enterprise Services (OMES) Risk Management Office.

C. Rose State College Prohibition of Retaliation

Consistent with the law and this policy, the College prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the College's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Any attempt to retaliate against a person for filing a complaint or participating in the investigation of a complaint may be treated as a separate violation of this policy.

The prohibition of retaliation applies to the entire Grievance Procedure, from notice, to complaint, through the investigation and live hearing, post decision actions, execution of sanctions and future interaction of the parties.

D. Intentionally False Reports.

If, during or after an investigation, the College finds the complainant submitted an intentionally false statement, the College will consider and execute appropriate sanctions. Caution – a complaint resulting in a finding of "not responsible" is not reviewed for intentionally false motives.

Sec. 7A-7. Records Retention

A confidential file of all materials, including the complaint, interview and investigation notes and records relating to the investigation of the complaint will be maintained in the Office of Human Resources. The investigator, A.V.P. HR/AAO, sanction official and appellate authority, if applicable, will be the only persons who have access to the file. The file will then be handled in a manner consistent with applicable state and federal guidelines for maintaining records for this type of complaint. Nothing will be placed in either

person's official College files, including employment, contract or student records, unless disciplinary action is taken against the person. All records pertaining to the complaint must be maintained under the same rules as personnel files.

APPENDIX B: GEOGRAPHIC BOUNDARIES OF ROSE STATE COLLEGE FOR CLERY ACT REPORTING



ROSE STATE COLLEGE

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Rose State College is accredited by The Higher Learning Commission; 230 South LaSalle Street, Suite 7-500, Chicago, IL 60604-1411, Telephone: 1-800-621-7440. Rose State College does not discriminate on the basis of race, color, sex, age, national origin, religion, disability, genetic information, sexual orientation, gender identity or expression, or status as a veteran in any of its policies, practices or procedures. This includes, but is not limited to: admissions, employment, financial aid, and educational programs, activities, or services. The person designated to handle inquiries regarding the nondiscrimination policies, including issues of noncompliance, is the Associate Vice President, Human Resources/Alternative Action Officer, 6420 SE 15th Street, ADM Room 104, Midwest City, OK 73110, (405) 733-7979. Complaints and grievances will be handled in accordance with the College's Grievance Procedures. This publication is issued by Rose State College, as authorized by the Board of Regents.