



Oklahoma City
UNIVERSITY

**Security &
Fire Report
2021**

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Campus Map

MAIN CAMPUS

2501 N. Blackwelder Ave, Oklahoma City, OK 73106



P Parking (requires permit)
★ Emergency Phones
EMERGENCY?
 CALL OCU POLICE AT 208-5911.



Oklahoma City
UNIVERSITY

NUMERICALLY

- 120. Lambda Chi Alpha
- 210. Kappa Sign
- 220. Harris Hall
- 221. Draper Hall
- 225. Cokesbury Court Apartments
- 240. Theatre storage
- 310. Sarkeys Center
- 311. Walker Hall
- 312. Gold Star Memorial Building (Wimberly School of Religion)
- 320. Smith Hall
- 321. Banning Hall
- 322. Oklahoma United Methodist Hall
- 323. Aduddell Center (fitness center)
- 330. Gamma Phi Beta
- 331. Phi Mu
- 332. Alpha Phi
- 333. Alpha Chi Omega
- 334. J.R. Homsey Press Box
- 335. C.R. Sutton Baseball Complex
- 336. Dawson-Loeffler Center
- A1. Jim Wade Stadium
- 351. Facilities Department (housekeeping)
- 410. Bishop W. Angie Smith Chapel (Saint Paul School of Theology)
- 411. Edith Kinney Gaylord Center (Ann Lacy School of American Dance and Entertainment)
- 420. Tom and Brenda McDaniel University Center
- 421. Dulaney-Browne Library (Center for Excellence in Teaching and Learning)
- 430. Facilities Department
- 431. Facilities Department (shops)
- 440. Henry J. Freede Wellness and Activity Center
- 450. Ann Lacy Stadium (West building)
- 451. Ann Lacy Stadium (press box)
- 452. Ann Lacy Stadium (East building)
- A2. Ann Lacy Stadium
- A3. Kerr-McGee Centennial Plaza
- 510. Clara E. Jones Administration Building
- 520. Kirkpatrick Fine Arts Center
- 521. Margaret E. Petree Recital Hall
- 522. Wanda L. Bass Music Center
- 530. Walker Center for Arts and Sciences
- 531. Norrick Art Center
- 540. Campus Health Center

- 541. Kramer School of Nursing (East)
- 551. Stars Soccer Ticket Booth
- 552. Jim Wade Press Box
- 335. C.R. Sutton Baseball Complex
- A4. Stars Soccer Field
- 610. Exercise & Sports Science
- 611. Police Department
- 612. Stars Wrestling Facility
- 613. Lacy Admissions and Visitor Center
- 614. Dance and Entertainment costume storage
- 620. Wilson House
- 621. Children's Center for the Arts (Oklahoma Children's Theatre)
- 622. Oklahoma United Methodist Conference Center
- 630. Meinders School of Business

ALPHABETICALLY

- Aduddell Center (fitness center) (323)
- Alpha Chi Omega (333)
- Alpha Phi (332)
- Ann Lacy Stadium (A2)
- Ann Lacy Stadium (East building) (452)
- Ann Lacy Stadium (press box) (451)
- Ann Lacy Stadium (West building) (450)
- Banning Hall (321)
- Bishop W. Angie Smith Chapel (410) (Saint Paul School of Theology)
- Children's Center for the Arts (521) (Oklahoma Children's Theatre)

- Campus Health Center (540)
- Clara E. Jones Administration Building (510)
- Cokesbury Court Apartments (225)
- C.R. Sutton Baseball Complex (335)
- Dance and Entertainment costume storage (614)
- Dawson-Loeffler Center (336)
- Draper Hall (221)
- Dulaney-Browne Library (421) (Center for Excellence in Teaching and Learning)
- Edith Kinney Gaylord Center (411) (Ann Lacy School of American Dance and Entertainment)

- Exercise & Sports Science (610)
- Facilities Department (430)
- Facilities Department (housekeeping) (351)
- Facilities Department (shops) (431)
- Gamma Phi Beta (330)
- Gold Star Memorial Building (312) (Wimberly School of Religion)
- Harris Hall (220)
- Henry J. Freede Wellness and Activity Center (440)
- Jim Wade Press Box (552)
- Jim Wade Stadium (A1)
- J.R. Homsey Press Box (334)

- Kappa Sigma (210)
- Kerr-McGee Centennial Plaza (A3)
- Kirkpatrick Fine Arts Center (520)
- Kramer School of Nursing (East) (541)
- Lacy Admissions and Visitor Center (613)
- Lambda Chi Alpha (120)
- Meinders School of Business (630)
- Margaret E. Petree Recital Hall (521)
- Norrick Art Center (531)
- Oklahoma United Methodist Conference Center (622)
- Oklahoma United Methodist Hall (322)
- Phi Mu (331)

- Police Department (611)
- Sarkeys Science & Math Center (310)
- Smith Hall (320)
- Stars Soccer Field (A4)
- Stars Soccer Ticket Booth (551)
- Stars Wrestling Facility (612)
- Theatre storage (240)
- Tom and Brenda McDaniel University Center (420)
- Walker Center for Arts and Sciences (530)
- Walker Hall (311)
- Wanda L. Bass Music Center (522)
- Wilson House (620)

- Commuter
- Faculty/Staff
- Oklahoma United Methodist Hall Residents
- Cokesbury Court Apartment Residents
- Value Commuter
- Visitor/Admissions Guest

* The University Manor Apartments (400) were sold in 2016 and are no longer OCU property. They remain on this map for calendar year 2016 historical reference.

Campus Map

LAW SCHOOL

800 N. Harvey Ave, Oklahoma City, OK 73102

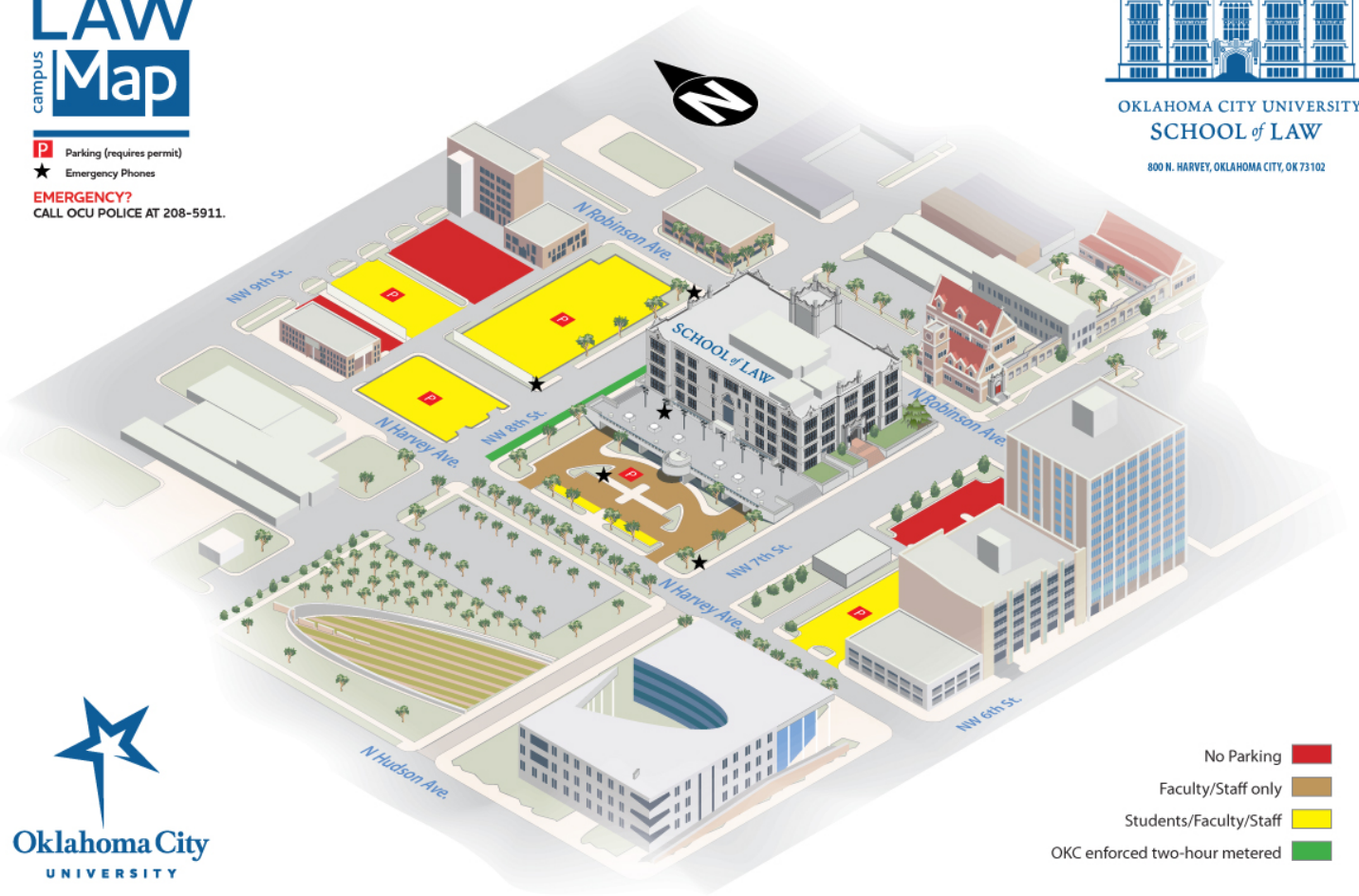


P Parking (requires permit)
★ Emergency Phones
EMERGENCY?
CALL OCU POLICE AT 208-5911.



OKLAHOMA CITY UNIVERSITY
SCHOOL of LAW

800 N. HARVEY, OKLAHOMA CITY, OK 73102



University Police Authority and Jurisdiction



The **Oklahoma City University Police Department (OCUPD)** is devoted to providing the campus community with emergency and non-emergency services in a timely and efficient manner. OCUPD is proactive in addressing criminal activity and safety concerns. **This is accomplished by ethical, well-trained, dedicated police personnel who successfully confront criminal activity with powers of arrest and the implementation of professional crime prevention techniques.**

The OCUPD is commissioned by the university, and officers are certified by the State of Oklahoma Council for Law Enforcement

Education and Training (CLEET). OCUPD Officers are authorized to stop, question, and detain anyone behaving in a suspicious manner, and if appropriate, arrest persons engaged in criminal activity on any campus properties and the surrounding area. The OCUPD maintains regular contact with other local, state and federal law enforcement agencies for the purpose of sharing information concerning known or suspected criminal activity.

The OCUPD has statutory authority to conduct law enforcement activities on its property and in an area of concurrent jurisdiction with the Oklahoma City Police Department. The area of concurrent jurisdiction is from N.W. 23rd Street on the south to N.W. 30th Street on the north, and from Pennsylvania Avenue on the west to Douglas Avenue on the east. It also includes Oklahoma City University owned structures and the properties near the main campus and at the downtown Law School located at 800 N Harvey Avenue.

The area of concurrent jurisdiction was established through an *Agreement for Campus Police Jurisdiction and Authority*, between Oklahoma City University and the City of Oklahoma City, established on October 9th, 2007.

Oklahoma City University Police Department

Telephone

Emergency 405-208-5911
Non-Emergency 405-208-5001

Mailing Address

1635 NW 23rd Street
OKC, OK 73106

Campus Police Department Location

1635 NW 23rd Street
Open 24 hours a day, 7 days a week

Email

ocupd@okcu.edu

Web

<http://okcu.edu/police>

Fax

405-208-6039

Reporting Crimes to University Officials

The Oklahoma City University Police Department (OCUPD) is charged by the University with the responsibility of maintaining conditions necessary for a safe and secure learning environment and strives for a crime-free campus. OCUPD is located at 1635 NW 23rd Street. The University has designated a single number, **405-208-5911**, to be used for reporting all emergencies. Trained state certified University dispatchers monitor this number 24-hours a day, 365 days a year. OCUPD is comprised of 9 full-time police officers commissioned by the University and state certified by the Oklahoma Council on Law Enforcement Education and Training (CLEET).

Emergencies

Any criminal act or emergency occurring on or in the vicinity of the OCU campus should be reported to the OCUPD either by phone, **405-208-5911**, or in person without delay. Additionally, blue emergency telephones at outdoor locations around the campus provide a readily accessible means for directly contacting the OCUPD dispatcher during an emergency.

Non-Emergencies

OCUPD provides law enforcement services, including the investigation of criminal offenses and traffic collisions occurring on university property, and handles official reports related to those incidents. To report a crime that is in progress or a crime that just occurred, call the emergency number **405-208-5911**. To report a criminal incident after the fact in which no one was injured, the suspect has left the area, there does not appear to be any physical evidence, and there are no other circumstances that would necessitate the immediate presence of a police officer, call the OCUPD's non-emergency number **405-208-5001**. To report crimes that occur off campus, contact the Oklahoma City Police Department at **405-231-2121**.

The OCUPD works with other local agencies and is aware of off-campus crimes when those agencies request assistance or when they routinely pass on information that may be of mutual interest.

Students, faculty, staff, campus guests and others are asked to cooperate fully with police officers. Failure to do so, making a false report, or obstructing an investigation may result in sanctions, fines, or other disciplinary action by the University or, if applicable, criminal prosecution. All incidents reported to OCUPD are summarized and maintained in a daily crime log available for inspection upon request at OCUPD's main office. This information is also updated weekly on the OCUPD website in the Blotter section.

OCUPD will promptly and thoroughly investigate all reports of any crime or incident including threats of (or actual) violence and of suspicious individuals or activities. If requested, the identity of the reporting party may be kept anonymous and will be

Reporting Crimes to University Officials

protected to the greatest extent possible. Following receipt of a report, follow-up investigation may be initiated by the OCUPD and/or by the Oklahoma City Police Department.

Anyone determined to be responsible for criminal activity or any other conduct that is in violation of university policies will be subject to prompt disciplinary action, up to and including, suspension or dismissal from the University with the possibility of criminal charges being filed with the Oklahoma County District Attorney's Office. Disciplinary proceedings, if appropriate, will be imposed by the Dean of Students in accordance with established University policies. Occasionally, when information is necessary to aid in the prevention, detection or investigation of crimes, flyers may be posted around campus, distributed by campus e-mail, published in "The Campus," *OCU's student newspaper* or posted on the OCUPD website.

Confidential Crime Reporting

Confidential reporting of crimes is allowed at Oklahoma City University. If, for a personal reason, a person does not wish to report an on-campus crime or suspected crime to the police, that person may anonymously report it by calling the Campus Conduct Hotline toll free at 866-943-5787.

Preparing the Annual Disclosure of Crime Statistics

Oklahoma City University has prepared this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The Annual Security and Fire Report is published each year by October 1st.

Crime statistics for the report are solicited from all law enforcement agencies that have or share law enforcement jurisdiction. The Dean of Students provides disciplinary action statistics concerning alcohol, drug, and weapon violations.

An e-mail notification is sent each year to all students, faculty and staff members providing the web link to access the Annual Security and Fire Report. Prospective students and prospective employees may obtain the report from the web link at <http://okcu.edu/police/>

This report is inclusive of the OCU Main Campus and OCU Law School. Differences in maps, crime statistics, policy, emergency procedures, shelter locations, defibrillator locations and other items are noted, and sometimes separated in this document.

Crime Statistics

The crime statistics are reported in accordance with Uniform Crime Reporting (UCR) procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Data sources include the Oklahoma City University Police Department, Oklahoma City Police Department and OCU Student Affairs.

OCU MAIN CAMPUS

Total Crimes Reported For: Years 2019 -2021	Oklahoma City University On Campus						Non-Campus Building or Property			Public Property			Total		
	2019		2020		2021		2019	2020	2021	2019	2020	2021	2019	2020	2021
	Res	Total	Res	Total	Res	Total									
Murder	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	2	2	3	3	0	0	0	0	0	0	0	2	3
Robbery	0	0	0	0	0	0	1	1	1	0	0	0	1	1	1
Aggravated Assault	0	0	0	0	0	0	1	2	2	1	1	1	2	3	3
Burglary	4	5	0	4	0	4	7	0	0	0	0	0	12	4	4
Arson	0	0	0	0	0	0	1	0	0	0	0	0	1	1	0
Motor Vehicle Theft	2	2	2	2	0	0	3	3	3	1	1	2	6	6	5
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations															
Arrest	4	4	0	0	0	0	2	0	0	0	0	0	6	0	0
Referral*	3	3	0	0	7	7	0	0	0	0	0	0	3	0	7
Drug Law Violation															
Arrest	3	3	0	0	2	2	0	0	0	4	0	0	7	7	2
Referral	2	2	1	1	1	1	3	0	0	0	0	0	5	0	1
Weapons Law Violations															
Arrest	0	0	0	0	0	0	4	0	0	0	0	0	4	0	0
Referral	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Crime Statistics

OCU LAW SCHOOL

* Total Crimes Reported For: Years 2019-2021	Oklahoma City University Campus						Non-Campus Building or Property			Public Property			Total		
	2019		2020		2021		2019	2020	2021	2019	2020	2021	2019	2020	2021
	Res	Total	Res	Total	Res	Total									
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
Burglary	1	1	0	0	0	0	0	1	1	0	0	0	1	1	1
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes	1	1	0	0	0	0	0	0	0	0	0	0	1	0	0
Liquor Law Violations															
Arrest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Referral	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violation															
Arrest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Referral	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Violations															
Arrest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Referral	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

* The Law School moved to the downtown location at 800 N Harvey in downtown Oklahoma City in 2015.

Off-Campus Student Functions

University police learn of off-campus crimes from other local agencies when those agencies request assistance or when they routinely pass on information that may be of mutual interest. OCUPD, members of the Office of Student Affairs, sorority and fraternity advisers and members of the Oklahoma City Police Department meet at various times to share information and redefine lines of communication. Because OCUPD's jurisdiction does not extend to all off-campus student functions, whether unofficially or officially recognized, its role in investigations of such criminal activity is limited to information sharing, cooperation and coordination with the investigating agency upon request.

Campus Security Authorities

The Clery Act identifies certain categories of students, University employees and contractors as CSAs who have federally mandated responsibilities to report alleged Clery Act crimes that they witness or are reported to them. A Clery Act crime is considered “reported” when it is brought to the attention of a CSA, University Police or local law enforcement personnel by a victim, witness, other third party or even the offender. The crime reporting party need not be University affiliated.

The law defines the following four categories of CSAs:

1. University Police (UP) Department sworn law enforcement personnel and department administrators.
2. Non-police people or offices responsible for campus security—community service officers, campus contract security personnel, parking enforcement staff, personnel providing access control and/or security at campus facilities, athletic events or other special events, safety escort staff, residential community assistants and other similar positions.
3. Officials with significant responsibility for student and campus activities—an Official is defined as any person who has the authority and the duty to act or respond to particular issues on behalf of the University. To determine which individuals of organizations are CSAs, consider job functions that involve relationships with students. Look for Officials (i.e., not support staff) whose functions involve relationships with students. If someone has significant responsibility for student and campus activities, then they would be considered a CSA. Some examples of CSAs in this category include but are not limited to: academic deans; student affairs / residential life officials; coordinator of Greek affairs (or related positions); athletic administrators, including directors, assistant directors and coaches; student activities coordinators and staff; student judicial officials; faculty and staff advisors to student organizations; student center building staff; student peer education advisors; and administrators at branch campuses.
4. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

Campus Security Authorities

These positions include but are not limited to:

- Police Department staff
- Student Activities staff
- Student Housing staff
- Dean of Students and other student conduct officers
- Athletic director & team coaches
- Faculty or staff advisor to student groups
- Student health center director
- Staff advisors
- Summer Camp Staff

The University continually (with changes and additions), and annually, identifies the individuals designated as Campus Security Authorities and assigns mandatory training to educate the CSAs in their responsibilities and reporting requirements.

Emergency Alerts & Timely Warnings

Anyone with information warranting a Timely Warning or Emergency Notification should report the circumstances to OCUPD immediately. The University will issue warnings or notifications as appropriate to keep the campus community informed about safety and security matters on an ongoing basis and to prevent similar crimes from occurring. The decision to issue a Timely Warning or Emergency Notification shall be decided on a case-by-case basis in compliance with the Clery Act and considering all available facts. The timing of the notification shall, in the first instance, be based upon whether the crime is considered a serious or continuing threat to students or employees and the possible risk of compromising law enforcement efforts.

Emergency Alerts

Oklahoma City University will immediately issue an Emergency Notification to the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff on campus. Warnings may only be withheld if they would compromise efforts to contain the emergency.

The Blue Alert System (Powered by RAVE) is OCU's method of alerting the campus community of an emergency. The system uses redundant communication, including e-mail, text messaging and social media to broadcast the alert. The system is only used for emergency announcements and not for day-to-day information dissemination.

Students can enroll for the OCU Blue Alert System at the following web page:
<http://een.okcu.edu>.

Timely Warnings

If a situation arises, whether on or off campus, that constitutes an ongoing or continuing threat, a *timely warning* will be issued at the discretion of Police personnel. This warning may be distributed by e-mail, publication on the OCUPD website, or announced by way of the Blue Alert Emergency Messaging System, or other methods deemed necessary by the situation.

Timely warnings are issued for crimes to persons or property, such as, but not limited to arson, burglary, aggravated assault, criminal homicide, motor vehicle theft, robbery and sex offenses, if there is a reason to believe there is an ongoing threat that a similar crime may occur.

Access to Campus Facilities

For the safety of its students, faculty, staff, and guests, Oklahoma City University seeks to maintain a closed campus and discourages trespassers. Students, faculty, and staff must always carry University identification cards and must present them to any University official upon request. Except for the Tom & Brenda McDaniel University Center, all University buildings are closed and secured by midnight. For safety reasons, students are not to remain in closed and secured University buildings after midnight unless accompanied by a full-time University employee.

Visitation hours are established in university housing and in fraternity and sorority facilities. Students should consult the Oklahoma City University Student Handbook regarding those policies and any additional policies that may be established by dormitory authorities regarding other safety measures.

While the University strives to maintain adequate evening lighting, individuals are discouraged from walking unaccompanied during the evening and late-night hours. A call to OCUPD dispatch for an escort will enhance individual safety.

Maintenance of Campus Facilities

The Physical Plant supervises custodial services and maintains the buildings, grounds, and utility systems. University employees routinely inspect building door locking mechanisms, windows, and fire alarm systems. Burned out lights, broken doors, and windows and malfunctioning alarm systems are repaired as quickly as possible. University community members are encouraged to report maintenance problems, including lighting and elevator concerns to **405-208-5382**, or after normal business hours to **405-208-5383**.

Crime Prevention Programs

Safety Escorts – “Never walk alone”

On-campus safety escorts are available 24 hours a day, year-round. Off-campus safety escorts to designated locations are available. Please call the OCUPD dispatch at 405-208-5001 (on-campus ext. 5001) to request an escort. The dispatcher will provide instructions as to where to meet an officer.

New Student Orientation

At the commencement of each fall semester a campus safety meeting is held for all new first-time students. The meeting includes topics related to crime prevention, reporting crime and other campus violations, sexual assault prevention and consent, personal safety and bystander intervention. Prior to the opening of the fall semester, new first-time students complete online education modules focused on Alcohol and Other Drugs Prevention & Awareness, Campus Safety & Residence Life, Dating Violence & Sexual Assault Prevention & Awareness, and Harassment Prevention & Awareness.

Question, Persuade, and Refer (Suicide prevention and awareness)

QPR is a simple educational program that teaches ordinary citizens how to recognize a mental health emergency and how to get a person at risk the help they need. It is also an action plan that can result in lives saved. OCU offers QPR training workshops at least two times per year.

Interpersonal Violence Awareness Campaign

Each October, the University Counseling Center coordinates an awareness campaign for interpersonal violence such as domestic abuse, dating violence, sexual assault, and stalking. The campaign includes educational opportunities for students as well as activities designed to heighten awareness about these issues.

Sexual Assault Awareness and Prevention

Each April, the University Counseling Center coordinates an awareness campaign addressing sexual assault. The campaign includes educational opportunities and resources to help educate students, faculty, and staff about sexual assault and prevention.

Crime Prevention Programs

Enough is Enough Campaign to Stem Societal Violence

Oklahoma City University annually participates in the Enough is Enough Campaign to Stem Societal Violence. The week-long activities, held in April, include Love Not Hate Day, Random Acts of Kindness Day, invited speakers, and informational outreach.

Bystander Intervention Educational Sessions

Oklahoma City University provides Bystander Intervention Educational Sessions to all incoming first year students, the fraternity and sorority community, and any student group interested in hosting a session. These interactive educational sessions provide students with knowledge on the intersectionality of alcohol and sexual assault, define what it means to be a bystander, discuss why it can be difficult to intervene but important to do so, and suggest safe intervention strategies and techniques. These educational sessions are usually held annually.

Resident Assistant Training

At the beginning of each new academic year, the Resident Assistants (RAs) take part in a comprehensive training program. Included in this training are presentations by university officials regarding Title IX, Campus Safety, Bystander Intervention and the Student Code of Conduct.

Safety Tips

The following tips are recommended whether on or off campus:

- Choose open, well-lit and well-traveled areas.
- Travel with a friend or in a group.
- Avoid dark, vacant, or deserted areas.
- Always keep your cell phone accessible if walking alone & do not focus your attention on your phone - watch your surroundings.
- When walking, you should walk facing traffic.
- Be cautious of drivers who stop to talk to you.
- Dress in clothes and shoes that will not hamper movement.
- If you sense trouble, move away from the potential threat if possible. Join any group of people nearby or cross the street and increase your pace.
- If a threatening situation is imminent and people are close by, yell, scream, or make a commotion in any way you can to get their attention.
- **BE ALERT AND AWARE** of your surroundings! Offenders often look for people to victimize who are not paying attention and are not alert to their surroundings.
- **NEVER HITCHHIKE!**
- Always let someone know where you will be and what time you are going to return.
- Do not wear headphones that cover both ears while walking or jogging. If you wear ear buds, only use one ear bud while walking or jogging.
- Do not read while driving, walking or standing on the street.
- **TRUST YOUR INSTINCTS.** If something feels wrong, something probably is wrong.

Other Police Services and Programs

Motorist Assistance

You can contact the Oklahoma City University Police Department for assistance with vehicle problems including:

- Dead Battery / Jump-Starts
- Vehicle Unlocks
- Low or Flat Tires
- Out of Gas
- Courtesy escorts

An officer can generally respond within a few minutes to help stranded motorists.

Lost & Found

The Oklahoma City University Police Department (OCUPD) is the central repository for all lost and found property. However, each program building maintains a lost and found for miscellaneous clothing items, books, and other low value lost and misplaced items. Valuable items such as cash, credit cards, wallets, purses, car keys and other identification forms that could be compromised, such as credit cards, or documents containing names, dates of birth, social security numbers, visas and passports, computers, or cellular phones should be delivered to the OCUPD as soon as possible.

To report missing items, call the OCUPD non-emergency line at (405) 208-5001. An officer or dispatcher will take your information over the phone. They will contact you if your property is located.

Lost and recovered items not claimed within 120 days. Items that have no identifiable owner, are subject to sale by university silent auction each year. Other items not sold at auction are subject to disposal.

Alcohol and Substance Abuse Policy

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at or employed by institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act. The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders. The OCUPD maintains a link on its website to the Oklahoma Department of Corrections Sex and Violent Crimes Offender Registry.

The Sex Offender Registration laws for the state of Oklahoma were amended in 2002 to include all University campuses. This means that anyone convicted of a non-aggravated sex offense in the past ten (10) years must register with the Oklahoma City University Police Department if they are a student, employee, resident, or anyone who works on campus in any capacity.

Those persons who have been convicted of aggravated sex offenses must register indefinitely. This applies to persons convicted in Oklahoma and all other states and territories of the United States of America. Registration with campus authorities must be in addition to registration with the local law enforcement agency where the convicted person resides (unless they reside on campus). Failure to register in accordance with the law will subject the offender to additional criminal prosecution.

OCUPD works in cooperation with the Oklahoma City Police Department, which has an Offender Registration Unit that coordinates the registration of sex offenders and violent offenders residing in Oklahoma City limits. This information is reported to the Oklahoma Department of Corrections, who maintains the statewide Oklahoma Sex and Violent Crime Offender Registry. To access the registry to search for or find out if someone is a registered sex or violent crime offender go to <https://sors.doc.state.ok.us/svor/f?p=119:1>:

Delinquent Offenders Statewide

Offenders who do not follow certain registration requirements are considered by the Department of Corrections to be delinquent. To view a list of delinquent offenders in Oklahoma, go to the Department of Corrections offender website and click on Delinquent Offenders.

These delinquent offenders are often not residing at their registered address. If you know the whereabouts of any delinquent offender listed statewide, there is a place on their listing to e-mail information about them. Helpful information would include where they are currently staying and/or working.

Check for Offenders by Oklahoma City Address

Alcohol and Substance Abuse Policy

Another way you can search for registered offenders in your area is by entering a specific address in Oklahoma City limits. Click http://www.communitynotification.com/cap_main.php?office=55546 to access a City of Oklahoma City system that will display registered offenders in proximity to a specific address in Oklahoma City. The main address of Oklahoma City University is 2501 N. Blackwelder, Oklahoma City, OK 73106. (Each building also has its own particular mailing address.)

Information for Offenders

If you are an offender residing or wanting to reside in Oklahoma City limits and you are required by law to register with local law enforcement, you must go to the Offender Registration Unit at the Oklahoma City Police Department. It is located at 701 West Main Street in Oklahoma City. Office hours for registrations are Monday through Thursday from 8:00 a.m. to 11:00 a.m. and 12:00 p.m. to 3:00 p.m. Registrations on Friday are done between the hours of 8:00 a.m. and 11:00 a.m. *Offenders should not call or e-mail the office – all registration transactions including address checks must be done in person.* Personnel at the Offender Registration Unit will assist offenders (in person at the office) to check addresses to find a location to reside that is not in a prohibited area. Registration violations are taken seriously and will be investigated and presented for prosecution when appropriate.

How to Report Possible Registration Violations

If citizens have any immediate safety concern involving a registered offender, they should call 911 and have a police officer respond to the scene. If a citizen has information about an offender in Oklahoma City limits required to register who is not actually staying at their listed registered address, that information can be reported to the Offender Registration Unit by e-mail at ocpd.sexoffender@okc.gov. Please include as much specific information as possible. You can remain anonymous or include your contact information if you would like. Possible registration violations will be investigated and presented for prosecution when appropriate.

Links to Offender Location Websites

Offender Watch Website

http://www.communitynotification.com/cap_main.php?office=55546

Oklahoma Sex Offender Registry

<https://sors.doc.state.ok.us>

National Sex Offender Registry

<https://www.nsopw.gov/en-US/seatch/verification>

Alcohol and Substance Abuse Policy

According to established Oklahoma City University policy, the use, possession, or sale of alcoholic beverages (including under-age drinking), tobacco, e-cigarettes, illegal drugs, firearms, or other dangerous weapons on university-owned or controlled property is strictly prohibited. Any student or employee found to be in violation of this policy is subject to university discipline, up to and including suspension or expulsion from the University. Criminal charges may also be filed with the Oklahoma County District Attorney if violations are applicable for prosecution. Oklahoma City University provides drug and alcohol abuse education, awareness programs, and counseling through the University Counseling Center. Current campus drug and alcohol policies related to university students are available in the Oklahoma City University Student Handbook and Student Code of Conduct (www.okcu.edu/students/conduct/). Current campus drug and alcohol policies related to university employees are available on Oklahoma City University's website as follows: www.okcu.edu/admin/hr/policies/general/.

Drug and Alcohol Policy Distribution

Oklahoma City University is actively involved in distributing this policy and providing education and training. This policy is distributed actively to 1) all newly hired employees and new students, and 2) twice annually, in a manner designed to actively reach all students, and separate from the distribution of the Annual Security and Fire Report, 3) upon arriving to University Housing as part of a signed residential contract, 4) campus wide awareness campaigns scheduled throughout the academic year.

Statement of Compliance

The Drug-Free Workplace Act of 1988 requires recipients of federal grants and certain federal contracts to certify that they will provide a drug-free workplace. Employees (including Work Study students) who are engaged in projects relating to federal grant awards, must abide by Oklahoma City University drug-free policy to avoid loss of the federal grant or contract. As part of this policy, Oklahoma City University has also adopted a drug-free awareness program and a drug testing program as noted below.

Oklahoma City University has developed this policy not only in response to the federal drug-free legislation, but also to attempt to provide a healthy environment by preventing the use of illegal drugs or the abuse of alcohol within Oklahoma City University's community.

Oklahoma City University is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace. We recognize that alcohol abuse and illegal drug use pose a significant threat to our goals. We have

Alcohol and Substance Abuse Policy

established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment. Oklahoma City University encourages employees to voluntarily seek help with drug and alcohol problems.

Standard of Conduct

Oklahoma City University prohibits the unlawful manufacture, distribution dispensation, possessions, or use of controlled substances and alcohol by Covered Individuals on Oklahoma City University's property or at any Oklahoma City University-sponsored function, whether on or off-campus, except as exempted. It is a violation of the OCU Student Code of Conduct and the OCU drug-free workplace policy to use, possess, sell, trade, and/or offer the of sale of alcohol, illegal drugs, or intoxicants. However, this policy does not prohibit the lawful and non-excessive consumption of alcohol by persons of legal age at off-campus Oklahoma City University sponsored social events or when acting as the Oklahoma City University representative at a third-party event, or personal consumption unrelated to Oklahoma City University.

Legal Sanctions

One of the goals of Oklahoma City University's drug-free workplace program is to encourage Covered Individuals to voluntarily seek help with alcohol and/or drug problems. If, however, a Covered Individual violates the policy, the consequences are serious. Any Covered individual who violates this policy, any city ordinances, state criminal laws, or federal laws relating to alcohol or drug use, or who does not cooperate with Oklahoma City University in its attempts to maintain a drug-free environment, will face appropriate disciplinary action up to and including dismissal from Oklahoma City University, cancellation of their contract, or other appropriate responsive action. In the case of applicants, the offer of employment can be withdrawn, and the applicant may not reapply.

Nothing in this policy prohibits a Covered Individual from being disciplined or discharged for other violations and /or performance problems.

Covered Individuals violating any city ordinance, state criminal laws, or federal laws relating to alcohol or drug use also risk fines and imprisonments.

State of Oklahoma

Oklahoma law (37-241): Any person who willfully furnishes alcohol to a minor will be guilty of a misdemeanor for the first violation and shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or imprisoned in the county jail for not more than one (1) year, or both such fine and imprisonment. Oklahoma Law (37-246): Any minor in possession shall be guilty upon conviction, of a

Alcohol and Substance Abuse Policy

misdemeanor and punished by a fine not to exceed thirty (30) hours, or both such fine and community service. In addition, if the person has an Oklahoma driver's license issued by the Department of Public Safety, that license shall be revoked for the period of time provided in Section 6-107.1 of Title 47 of the Oklahoma Statutes. If the person does not have an Oklahoma driver license, the person shall be ineligible to obtain an Oklahoma driver license for a period of time provided in Section 6-107.1 of Title 47 of the Oklahoma Statutes. Social host laws were passed and implemented in 2011 making it illegal to provide a location for underage drinking. HB 1211 has a sliding scale for a misdemeanor conviction and fines for first-time offenders of \$500 or less to a felony conviction, fines up to \$2500 and jail time of up to five years for repeat offenders. Also, any convicted Social Host can be convicted of a felony; pay the top fines and serve jail time in addition to those already assessed if "great bodily injury or the death of a person" occurs.

Federal law prohibits possession, use, distribution, manufacture, or dispensing of controlled substances. The ultimate punishment for drug crimes generally depends on the quantity, classification, and purpose of possession of the drug. The most serious drug crimes are producing, manufacturing or selling illegal drugs. Federal sanctions for drug felonies may include:

Federal Drug Possession Penalties: (federal charges are not applicable unless it involves multi-state trafficking)

- First violation - a minimum fine of \$1,000 but not more than \$100,000, and a maximum jail term of one year.
- Second violation - a minimum fine of \$2,500 but not more than \$250,000, and/or minimum jail term of 15 days but not more than two years.
- Third or subsequent violation - a minimum fine of \$5,000 but not more than \$250,000 and/or a minimum jail term of 90 days but not more than three years.
- Federal penalties have special sentencing provisions for the possession of crack cocaine: a maximum fine of \$250,000 and/or a minimum jail term of five years but not more than 20 years, if it is a first conviction and the amount of crack cocaine possessed exceeds 5 grams; second crack cocaine conviction, and the amount possessed exceeds 3 gram; third conviction and the amount possessed exceeds 1 gram.

Federal Financial Aid Penalties for Drug Violations (under section 484(r) of the Higher Education Act):

Conviction for an offense under any federal or state law involving the possession or sale of illegal drugs that occurred during a period of enrollment when a student was receiving federal financial aid (grant, loan, or work assistance under Title IV), can affect the student's eligibility for federal student aid for a period of time:

Alcohol and Substance Abuse Policy

- First offense - for one year from the date of conviction for possession or for two years from the date of conviction for sale of illegal drugs
- Second offense - for two years from the date of conviction for possession of illegal drugs or for an indefinite period for sale of illegal drugs
- Third (and subsequent) offenses – for an indefinite period for the possession and/or sale of illegal drugs
- Students convicted of both possession and sale will be ineligible for the longer of the two periods.

Rehabilitation - a student whose eligibility has been suspended under the previous provision may resume eligibility prior to the end of the ineligibility period by completing a qualified drug rehabilitation program that includes two unannounced drug tests.

Available Counseling, Treatment, Rehabilitation and Re-Entry Programs for Employees

Oklahoma City University provides no treatment, rehabilitation or re-entry programs for employees with substance-abuse problems. The University does provide to Covered Individuals and their family members Employee Assistance Program (EAP) services. The EAP, which provides services for clinical, emotional and work-life issues, is voluntary and confidential. Privacy is guaranteed under the law when a Covered Individual self-refers. Covered Individuals can access the EAP services 24 hours a day, 365 days a year.

Following a violation of the drug-free workplace policy, depending on the nature and severity of the violation, a Covered Individual may be offered an opportunity to participate in rehabilitation. In such cases, the Covered Individual must sign and abide by the terms set forth by Oklahoma City University as a condition of remaining on campus.

Further information on Oklahoma State laws regarding /alcohol is found at the Oklahoma State Legislature web page: <http://www.oklegislature.gov/>

The US Drug Enforcement Administration provides detailed information on the many laws governing controlled dangerous substances. More information available on their web page: <https://www.dea.gov/index.shtml>.

Alcohol and Substance Abuse Policy for Students

Alcohol and Other Drug Policies

Oklahoma City University is to be a safe environment free from alcohol and other drugs. The University recognizes that the use of alcohol and illegal drugs diminishes the strength and vitality of human resources and the integrity of the institution. It is the intent of the University to educate students about the risks associated with drugs and alcohol, along with the skills to help maintain a safe student experience.

Alcohol and Drug Education

Oklahoma City University recognizes its responsibility to help educate its students concerning alcohol and other drug use, abuse, and addiction. The University will offer lectures, workshops, and prevention programs. The University Counseling Center, Campus Health Clinic, and the Dean of Students Office will provide literature on resources, referral services and educational material on the use, abuse, and addiction to all drugs and treatment options.

Alcohol and Other Drugs Committee

This Committee is comprised of members of the Dean of Student Office, Housing and Residence Life, University Counseling, and OCUPD to address issues surrounding the use and misuse of alcohol and other drugs by students. The committee holds social and educational events each semester in an attempt to raise students' awareness of the consequences and dangers of alcohol consumption.

Drug and Alcohol Dependency Testing

The University may require any student who is reasonably suspected of drug use to undergo drug testing. Drug testing will be conducted in accordance with the Oklahoma Standards for Workplace Drug and Alcohol Testing Act. Any drug tests required will be conducted by a state certified laboratory during or immediately following regular working or classroom hours. The tests will be paid for by the University. Any student who requests a retest of a sample in order to challenge the results of a positive test is required to pay all costs of additional tests.

The University may require a drug and alcohol dependency evaluation with either an in-house or contracted program that provides substance abuse counseling, treatment, or rehabilitation. A "Release-Of-Information" form provided by the University must be signed by the student prior to any referral for testing or counseling. Students receiving sanctions requiring treatment may use any other certified program. In any case, a student must provide proof of treatment before consideration is given to his or her reinstatement.

Disciplinary Action for Drug and Alcohol Use

Any student found using or distributing alcohol and other drugs on campus, in on-campus housing, or during campus- sponsored activities can face disciplinary action

Alcohol and Substance Abuse Policy for Students

by the University. The disciplinary action may include a drug assessment, referral for counseling, and/or treatment as recommended by a University approved counselor or counseling service.

The University may take disciplinary action against a student who refuses to undergo drug and alcohol testing. The University will take no disciplinary action against a student, except for temporary suspension, until the first test result has been confirmed by an additional test. Any student has the right to an explanation, in confidence, of the test results and may obtain all information and records related to testing. Information related to drug and alcohol tests will be kept confidential and apart from other student records.

Notification to State and Federal Authorities

The University may refer individuals to applicable local, state, or federal law enforcement authorities for prosecution. Any student who is convicted under a criminal drug statute for a violation occurring in any campus owned or leased facility must notify the University within five working days of the conviction. Within ten working days, Oklahoma City University is required to notify the Department of Education of the disciplinary action. Within thirty days, the University will take appropriate disciplinary action. Any questions concerning this policy may be directed to the Vice President for Student Affairs.

Effect of Drug Law Violations

A student who is convicted of a state or federal offense involving the possession or sale of an illegal drug that occurred while the student is enrolled in school and receiving Title IV aid is not eligible for Title IV funds. A borrower's eligibility is based on the student's self-certification on the Free Application for Federal Student Aid (FAFSA). Students with eligibility issues as determined by the Department of Education are notified via their Student Aid Report and directed here: <https://ifap.ed.gov/eannouncements/attachments/20192020StudentAidEligibilityWorksheetforQuestion23EN.pdf> Convictions that are reversed, set aside, or removed from the student's record, or a determination arising from a juvenile court proceeding do not affect eligibility and do not need to be reported by the student.

In compliance with federal law, Oklahoma City University will publish and distribute a report no later than October 1, outlining the number and types of alcohol/drug violations occurring on campus during the previous academic year.

Alcohol and Substance Abuse Information

Financial Aid Penalties for Drug Violations

A student whose eligibility is suspended as a result of penalties under section 484(r) of the Higher Education Act will be provided written notice of the loss of eligibility and advised of the ways in which eligibility can be regained.

Oklahoma City University is a safe environment free from alcohol and other drugs. It recognizes that the use of alcohol and illegal drugs diminishes the strength and vitality of human resources and the integrity of the institution. It is the intent of the University to educate students about the risks associated with drugs and alcohol along with skills to help maintain a safe student experience. Any student found using or distributing alcohol and other drugs on campus, in on-campus housing, or during campus-sponsored activities will face disciplinary action by the administration, including but not limited to a mandatory drug assessment, referral for counseling, and/or treatment as recommended by a university-approved counselor or counseling service, and/or suspension or expulsion.

The use of alcohol or drugs may lead to abuse or addiction, causing psychological and/or physical dependence. They present a danger to the campus community when someone is performing a task under the influence or distributing to others.

Oklahoma City University recognizes its responsibility to help educate its students concerning alcohol and drug use, abuse, and addiction. Educational activities will include:

- Lectures, courses, and workshops in which all students are encouraged to attend at least one event annually.
- The Campus Health Clinic, University Counseling Center and the Dean of Students Office will provide educational material on the use, abuse, and addiction to drugs and alcohol. Referrals to outside agencies and treatment options are also available.
- The Office of Student Development will periodically conduct programs and publish information pertaining to the use/abuse of drugs and alcohol.
- Mandatory online training modules for all new students annually.

Health Risks Associated with Drug or Alcohol Use

Drugs at work are a hidden habit, but they have visible effects on the user. Whether the drug of choice is alcohol, marijuana, a prescription drug or cocaine, the habit can lead to a change in work habits, too. Some people may believe that drugs are harmless or even helpful. The truth is that drugs can have very serious, long-term physical and emotional health effects. And if drugs are mixed, the impact is even

Alcohol and Substance Abuse Information

more detrimental. The following is a partial list of drugs and some of the consequences of their use. Only some of the known health risks are covered, and not all legal or illegal drugs are included:

- **Alcohol** is the most commonly abused substance in the workplace. It produces short-term effects that include behavioral changes, impairment of judgment and coordination, greater likelihood of aggressive acts, respiratory depression, irreversible physical and mental abnormalities in newborns (fetal alcohol syndrome) and death. Long term effects include damage to the liver, heart and brain; ulcers; gastritis; malnutrition; delirium tremens; and cancer.
- **Marijuana** is an addictive drug, although many still believe that it is harmless. It impairs short-term memory comprehension, concentration, reaction time, and motivation. It may also cause paranoia and psychosis. Marijuana smoke contains more cancer-causing agents than tobacco smoke. The way marijuana is smoked enhances the risk of contracting lung disease and cancer.
- While **cocaine** and **crack** can speed up performance, their effect is short-lived. More lasting risks are short attention span, irritability and depression, seizure and heart attack.
- **Prescription drugs** are often used to reduce stress. However, they are not safe, unless they are taken as directed. If abused, they can lead to sluggishness or hyperactivity, impaired reflexes, addiction, and brain damage.
- Other drugs, such as **PCP**, **LSD**, **heroin**, **mescaline**, and **morphine**, have a wide variety of negative health effects from hallucinations and mental confusion to convulsions and death.
- **Tobacco/nicotine** is Oklahoma's leading cause of preventable death killing 5,800 Oklahomans each year; more than alcohol, auto accidents, AIDS, suicides, murders, and illegal drugs combined. Secondhand smoke exposure kills an estimated 700 Oklahomans each year.

Off-Campus Resources

While Oklahoma City University strives to help members of the campus community learn about alcohol and other drugs, we realize that sometimes students may wish to seek off-campus help. Following is a list of contacts and resources:

Reachout Hotline 1-800-522-9054

Oklahoma Alcoholics Anonymous

Alcohol and Substance Abuse Information

<http://www.aaoklahoma.org>

Norman Alcohol and Drug Treatment Center
405/573-6624

Oklahoma County Crisis Intervention Center
405/522-8100 or 1-800-522-9054

A Chance to Change
405/840-9000

Catalyst Behavioral Services (Inpatient and Outpatient)
405/232-9804

Jordan's Crossing, Inc. (Inpatient & Outpatient; Inpatient females only)
405/604-9644

North Care Center
405/858-2700

Quapaw Counseling Services
405/672-3033

The Referral Center (Medical Detox)
405/525-2525

Specialized Outpatient Services, Inc.
405/810-1766

Total Life Counseling
405/840-7040

Valley Hope (Outpatient)
405/946-7337

Law School Exceptions to Alcohol Policy

The Oklahoma City University School of Law does allow alcohol for limited purposes and events on its downtown OKC campus, administratively regulated and at the discretion of the Law School Dean.

Alcohol and Substance Abuse Information

Applicable University Sanctions

Students found responsible for drug and alcohol related offenses are subject to campus disciplinary action that provides for sanctions of varying severity. Sanctions are to “fit the violation” and increase according to severity. Oklahoma City University will impose disciplinary sanctions on students (consistent with local, State and Federal law) found in violation of this Alcohol and other Drugs Policy

Sex Offenses, Domestic Violence, Dating Violence and Stalking

Educational Programming

Oklahoma City University strives to provide the education and resources necessary for members of the campus community to make informed decisions regarding personal relationships and the possibility of sexual assault. This may include educational programming, distribution of printed material, and referrals to outside areas for support and assistance.

New Student Orientation

At the commencement of each fall semester a campus safety meeting is held for all New first-time students. The meeting includes topics related to crime prevention, reporting crime and other campus violations, sexual assault prevention and consent, and personal safety. Prior to the opening of the fall semester, new first-time students complete online education modules concerning substance abuse, bullying, bystander intervention, dating violence and personal safety.

Bystander Intervention Training

Oklahoma City University provides Bystander Intervention Educational Sessions to all incoming first-year students and any student group interested in hosting a session. These interactive educational sessions provide students with knowledge on the intersectionality of alcohol and sexual assault, define what it means to be a bystander, discuss why it can be difficult to intervene but important to do so, and suggest safe intervention strategies and techniques.

Resident Assistant Training

At the beginning of each new academic year, the Resident Assistants (RAs) take part in a comprehensive training program. Included in this training are presentations by university officials regarding Title IX, Campus Safety, and the Student Code of Conduct.

Interpersonal Violence Awareness Campaign

Each October, the University Counseling Center coordinates an awareness campaign for interpersonal violence such as domestic abuse, dating violence, sexual assault, and stalking. The campaign includes educational opportunities for students as well as activities designed to heighten awareness about these issues.

Sex Offenses, Domestic Violence, Dating Violence and Stalking

Sexual Assault Awareness and Prevention Annual Campaign

Each April, the University Counseling Center coordinates an awareness campaign addressing sexual assault. The campaign includes educational opportunities and resources to help educate students, faculty, and staff about sexual assault and prevention.

Policy Statement

Oklahoma City University further prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as defined under Oklahoma law, set forth in "Definitions Under Oklahoma Law" section on page 44.

Victim Information

If you are a victim of sexual violence, you are not alone and you are in no way responsible for your assault. Visit the University's website on Sexual Assault Resources for more information.

<https://www.okcu.edu/campus/resources/counseling/sexual-assault>

Definitions

Consent

The term "consent" means the affirmative, unambiguous and voluntary agreement to engage in a specific sexual activity during a sexual encounter which can be revoked at any time. Consent cannot be:

1. Given by an individual who:
 - a. is asleep or is mentally or physically incapacitated either through the effect of drugs or alcohol or for any other reason, or
 - b. is under duress, threat, coercion or force; or

2. Inferred under circumstances in which consent is not clear including, but not limited to:
 - a. the absence of an individual saying "no" or "stop", or
 - b. the existence of a prior or current relationship or sexual activity.

21 Okla. Stat. §113

"Force or threat of force" means the use of force or violence, or the threat of force or violence, including but not limited to (1) when the accused threatens to use force or violence on the victim or on any other person, and

Sex Offenses, Domestic Violence, Dating Violence and Stalking

the victim under the circumstances reasonably believes that the accused has the ability to execute that threat or (2) when the accused has overcome the victim by use of superior strength or size, physical restraint or physical confinement.

What to do if you are a Victim of Sexual Violence

- A. If you are not safe and need immediate help, call the police. If the incident happened on campus, call the OCU Police Department at 405.208.5911. If the incident occurred elsewhere in Oklahoma City, call 9-1-1. If the incident happened anywhere else, call 9-1-1 or the law enforcement agency that has jurisdiction in the location where it occurred.
- B. Do what you need to do to feel safe. Go to a safe place or contact someone with whom you are comfortable. In the Oklahoma City area call the YWCA Sexual Assault Hotline 405.943.7273 to get advice and discuss options for how to proceed. If you are currently located outside of the OKC area, a Title IX Resource Team member can assist you in identifying local resources.
- C. Do not shower, bathe, douche, change or destroy clothes, eat, drink, smoke, chew gum, take any medications or straighten the room or place of the incident. Preserving evidence is critical for criminal prosecution. Although you may not want to prosecute immediately after the incident, that choice will not be available without credible evidence. The evidence collected can also be useful in the Title IX investigation process.
- D. Seek care for any physical injuries that may have occurred. In the OKC area call the YWCA Sexual Assault Hotline 405.943.7273. The advocate will inform you as to which OKC metro medical facility currently has the Sexual Assault Nurse Examiner (SANE) on staff. While in the emergency room, treatment will be provided for sexually transmitted diseases and to prevent pregnancy as appropriate.

On and Off Campus Resources

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

It is important to be aware that different individuals who you may contact for assistance following an incident may have different responsibilities regarding

Sex Offenses, Domestic Violence, Dating Violence and Stalking

confidentiality, depending on their position. Under state law, some individuals can assure the victim of confidentiality, including counselors and certified victims' advocates. In general, however, any other institution employee cannot guarantee complete confidentiality, unless specifically provided by law. As is the case with all colleges and universities, Oklahoma City University must balance the needs of the individual victim with an obligation to protect the safety and well-being of the community at large.

Counseling Resources- Confidential Reporting Options

Oklahoma City University Counseling

The University Counseling Center is located in the lower level of Walker Hall. Students receiving counseling from a counselor are provided confidentiality. However, University counselors are required to report incidents to the OCUPD, but the counselor will not disclose students' identities or other confidences that are of an identifiable nature (unless authorized by the reporting student). The Safe Line, 1-800-522-SAFE, also has counselors available 24 hours a day. These counselors can also recommend area support groups and other services.

Additional information on resources as well as educational information on sexual violence prevention can be found at:

- National Domestic Violence Hotline 1-800-799-7233 (SAFE)
- YWCA Sexual Assault Hotline 405-943-7273 (RAPE)
http://www.ywcaokc.org/site/c.7ojELRPuFgJYG/b.8331205/k.64C6/Sexual_Assault_Services.htm
- Oklahoma State Safeline 1-800-522-7233
- Oklahoma Coalition against Domestic Violence and Sexual Assault 405-524-0700 website: <http://www.ocadvsa.org/> email: info@ocadvsa.org
- National Suicide Prevention Hotline: 1-800-273-TALK website: <http://www.suicidepreventionlifeline.org/>
- 1is2 Many Resources website: <https://www.whitehouse.gov/1is2many/resources>
- Not Alone Resources website: <https://www.notalone.gov/resources/>

Medical Services- Confidential Reporting Options

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

Sex Offenses, Domestic Violence, Dating Violence and Stalking

You may seek medical care at any health care facility. However, it is important to know which health care facility has a Sexual Assault Nurse Examiner (SANE) on staff. Call the **YWCA Sexual Assault Hotline 405.943.7273**. The advocate will inform you as to which OKC metro medical facility currently has a SANE nurse on staff. While in the emergency room, treatment will be provided for sexually transmitted diseases and to prevent pregnancy.

Campus Health Services (on-campus)

West wing of the Kramer School of Nursing
405.208.5090

Other Local Services Available To Victims- Non-Confidential Reporting Options

Oklahoma City University Police Department

Location: 1635 NW 23rd St.
Hours: Open 24 hours a day, 7 days a week
Emergency: 405.208.5911
Non-emergency: 405.208.5001
Email: ocupd@okcu.edu

Oklahoma City Police Department

Emergency: 9-1-1
Non-emergency: 405-231-2121

Oklahoma City University Vice President of Student Affairs

Dr. Amy Ayres
405.208.7900
University Center Rm 257
aaayres@okcu.edu

Oklahoma City University Dean of Students

Dr. Levi Harrel
405-208-6287
University Center Rm 257
ljharrel@okcu.edu

Oklahoma City University Associate Dean of Students

Ms. Emilia Bermudez
405.208.5161
University Center Rm 234

Sex Offenses, Domestic Violence, Dating Violence and Stalking

elbermudez@okcu.edu

Oklahoma City University Title IX Coordinator

Ms. Joey C. Croslin

405.208.5857

Clara E. Jones Administration Building Rm 205

jcroslin@okcu.edu

Interim Measures

The Title IX Coordinator oversees interim measures for student victims of sexual violence as needed. A formal complaint does not need to be submitted to have interim measures put in place. Oklahoma City University will maintain as confidential any interim measures provided it does not impair the ability to provide the interim measures. The Dean of Students may assist in the implementation of various types of interim measures as appropriate.

- A. Assistance in Reporting: Student Conduct can assist you in filing a complaint with the institution conduct process and the appropriate law enforcement agencies against the student(s) who caused harm.
- B. No Contact Order: Student Conduct can put in place a No Contact Order between the complainant and the respondent, which would prohibit contact between both parties through any means of communication, as well as not having others make contact on their behalf.
- C. Emergency Protective Order: The Title IX Coordinator or Dean of Students can assist you in filing for an Emergency Protective Order in court with the Oklahoma County Court Clerk. **The Oklahoma County Victim Protection Order Help Number is 405-713-1735.** This is a court-ordered petition that prohibits contact between the complainant and respondent.
- D. Safety Measures: Dean of Students can coordinate any reasonable arrangements that are necessary for your ongoing safety. This includes transportation arrangements or providing an escort.
- E. Living Arrangements: Dean of Students can assist in changing your on-campus living arrangements or that of the accused to ensure safety and a comfortable living situation.
- F. Academic Arrangements: Dean of Students can assist in adjusting your academic schedule or that of the accused as well as assist in providing access to academic support services.
- G. Other Interim Measures: Dean of Students can coordinate any reasonable arrangements to address the effects of the sexual violence on you, including connecting you with counseling, health care or academic support resources.

Sex Offenses, Domestic Violence, Dating Violence and Stalking

When Dean of Students Office and/or Title IX coordinator becomes aware of a student who potentially could have been a victim of sexual violence, they will contact the victim in writing through Oklahoma City University email to share these interim measures, reporting options and other resources available. This will be done no matter the location of the incident.

Reporting

All forms of sexual violence, dating/domestic violence, and stalking should be reported, no matter the severity. Oklahoma City University's primary concern is safety; therefore, individuals should not be deterred in reporting even if the use of alcohol or other drugs was involved.

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

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

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

Sex Offenses, Domestic Violence, Dating Violence and Stalking

Confidential Reporting Options

Confidential reporting options provide students with the ability to confidentially report and discuss an instance of sexual violence without their information being shared with others. Please note confidential reporting limits the institution's ability to respond to incidents.

Pastoral or Mental Health Counselors

To be exempt from disclosing reported offenses to appropriate Oklahoma City University officials, a pastoral or mental health counselor must be acting in their role as a pastoral or professional counselor. This exemption does not relieve counselors of the duty to exercise reasonable care to protect a foreseeable victim from danger posed by the person being counseled. When speaking to a victim or witness to a crime, counselors are encouraged to inform the individual to report the crime to police.

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

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

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

Campus Health Services Providers

Campus Health Services providers are confidential reporting options. They are not required to report any information about an incident to the Title IX Coordinator without a victim's permission. However, they will report

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incidents without any identifiable information to Oklahoma City University Police for the purpose of the Clery Act.

While these professional counselors and health services providers may maintain a victim's confidentiality, they may have reporting or other obligations under state law, such as mandatory reporting to law enforcement in the case of minors, imminent harm to self or others, or requirement to testify if subpoenaed in a criminal case.

If Oklahoma City University determines that the alleged individual(s) pose a serious and immediate threat to the campus, Oklahoma City University may issue a timely warning to the community. Any such warning will not include any information that identifies the victim.

Non-Confidential Reporting Options

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

Note that the Clery Act requires other crimes to be reported.

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

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

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

Sex Offenses, Domestic Violence, Dating Violence and Stalking

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

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

Requests for Confidentiality from a Non-Confidential Reporter

If a victim discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or conduct action taken, Oklahoma City University must weigh that request against the obligation to provide a safe environment for all students, including the victim. The Title IX Coordinator, not the responsible employee, makes the determination to honor requests for confidentiality.

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

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

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

The increased risk that the alleged respondent will commit additional acts of sexual or other violence, such as:

- whether there have been other sexual violence complaints about the same alleged respondent;
- whether the alleged respondent has a history of arrests or records from a prior school indicating a history of violence;
- whether the alleged respondent threatened further sexual violence or other violence against the victim or others;
- whether the sexual violence was committed by multiple respondents;
- whether the sexual violence was perpetrated with a weapon;
- whether the victim is a minor;

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- whether the institution possesses other means to obtain relevant information of the sexual violence (e.g., security cameras or personnel, physical evidence);
- whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

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

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

Reporting to the Police

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

If the incident happened on campus, it can be reported to the **Oklahoma City University Police Department at 1635 NW 23rd Street or at 405-208-5001 (non-emergency) 405-208-5911 (emergency)** If the incident occurred elsewhere in Oklahoma City, it can be reported to the **Oklahoma City Police Department at 701 Colcord Drive, OKC, 73102, or at 405-231-2121 (non-emergency dispatch)**. If the incident happened anywhere else, it can be reported to the local law enforcement with jurisdiction in the location where it occurred.

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

Report to Dean of Students Office

Anyone can report any instances of sexual violence to the Dean of Students at University Center Room 257, or at 405-208-7900. A complaint should be filed as soon as possible.

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If either the victim or the accused is a student, the incident will be addressed through Oklahoma City University's nondiscrimination policy and equity resolution process, once a complaint is filed. Any student who is found to have committed sexual assault in any form will be subject to disciplinary sanctions which may include, but are not limited to, limitation of presence on campus or at University-sponsored events, referral to on or off-campus rehabilitation programs, and/or suspension or dismissal from the University.

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

Definitions under Oklahoma law:

Dating violence is not defined in Oklahoma; however, violence against a person with whom the perpetrator is in a dating relationship is considered domestic violence, defined below. A dating relationship is defined as: a courtship or engagement relationship. For purposes of this act, a casual acquaintance or ordinary fraternization between persons in a business or social context shall not constitute a dating relationship.
22 Okla. Stat. § 60.1.

Domestic violence is not defined in Oklahoma law. However, the criminal definition of domestic abuse is defined as: Any person who commits any assault and battery against a current or former spouse, a present spouse of a former spouse, a former spouse of a present spouse, parents, a foster parent, a child, a person otherwise related by blood or marriage, a person with whom the defendant is or was in a dating relationship as defined by Section 60.1 of Title 22 of the Oklahoma Statutes, an individual with whom the defendant has had a child, a person who formerly lived in the same household as the defendant, or a person living in the same household as the defendant shall be guilty of domestic abuse.
21 Okla. Stat. § 644.

Sexual Assault

The term "sexual assault" is any type of sexual contact or behavior that occurs without explicit consent of the recipient including, but not limited to, forced sexual intercourse, forcible sodomy, child molestation, child sexual abuse, incest, fondling and all attempts to complete any of the aforementioned acts.

21 Okla. Stat. § 112

Sex Offenses, Domestic Violence, Dating Violence and Stalking

Rape:

- A. Rape is an act of sexual intercourse involving vaginal or anal penetration accomplished with a male or female who is not the spouse of the perpetrator and who may be of the same or the opposite sex as the perpetrator under any of the following circumstances:
1. Where the victim is under sixteen (16) years of age;
 2. Where the victim is incapable through mental illness or any other unsoundness of mind, whether temporary or permanent, of giving legal consent;
 3. Where force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person;
 4. Where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privity of the accused as a means of forcing the victim to submit;
 5. Where the victim is at the time unconscious of the nature of the act and this fact is known to the accused;
 6. Where the victim submits to sexual intercourse under the belief that the person committing the act is a spouse, and this belief is induced by artifice, pretense, or concealment practiced by the accused or by the accused in collusion with the spouse with intent to induce that belief. In all cases of collusion between the accused and the spouse to accomplish such act, both the spouse and the accused, upon conviction, shall be deemed guilty of rape;
 7. Where the victim is under the legal custody or supervision of a state agency, a federal agency, a county, a municipality or a political subdivision and engages in sexual intercourse with a state, federal, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim; or
 8. Where the victim is at least sixteen (16) years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in sexual intercourse with a person who is eighteen (18) years of age or older and is an employee of the same school system.

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9. Where the victim is nineteen (19) years of age or younger and is in the legal custody of a state agency, federal agency or tribal court and engages in sexual intercourse with a foster parent or foster parent applicant.
- B. Rape is an act of sexual intercourse accomplished with a male or female who is the spouse of the perpetrator if force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person.

21 Okla. Stat. § 1111

Rape by instrumentation:

- A. Rape by instrumentation is an act within or without the bonds of matrimony in which any inanimate object or any part of the human body, not amounting to sexual intercourse is used in the carnal knowledge of another person without his or her consent and penetration of the anus or vagina occurs to that person.
- B. Provided, further, that at least one of the circumstances specified in Section 1111 of this title has been met; further, where the victim is at least sixteen (16) years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in conduct prohibited by this section of law with a person who is eighteen (18) years of age or older and is an employee of the same school system, or where the victim is under the legal custody or supervision of a state or federal agency, county, municipal or a political subdivision and engages in conduct prohibited by this section of law with a federal, state, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim, consent shall not be an element of the crime.
- C. Provided, further, that at least one of the circumstances specified in Section 1111 of this title has been met; further, where the victim is nineteen (19) years of age or younger and in the legal custody of a state agency, federal agency or tribal court and engages in conduct prohibited by this section of law with a foster parent or foster parent applicant.

Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections.

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The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

21 Okla. Stat. § 1111.1.

Forcible sodomy:

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

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4. Sodomy committed by a state, county, municipal or political subdivision employee or a contractor or an employee of a contractor of the state, a county, a municipality or political subdivision of this state upon a person who is under the legal custody, supervision or authority of a state agency, a county, a municipality or a political subdivision of this state; or
5. Sodomy committed upon a person who is at least sixteen (16) years of age but less than twenty (20) years of age and is a student of any public or private secondary school, junior high or high school, or public vocational school, with a person who is eighteen (18) years of age or older and is employed by the same school system.
6. Sodomy committed upon a person who is at the time unconscious of the nature of the act, and this fact should be known to the accused; or
7. Sodomy committed upon a person where the person is intoxicated by a narcotic or anesthetic agent administered by or with the privity of the accused as a means of forcing the person to submit.

21 Okla. Stat. § 888.

Stalking:

- A. Any person who willfully, maliciously, and repeatedly follows or harasses another person in a manner that:
 1. Would cause a reasonable person or a member of the immediate family of that person as defined in subsection F of this section to feel frightened, intimidated, threatened, harassed, or molested; and
 2. Actually causes the person being followed or harassed to feel terrorized, frightened, intimidated, threatened, harassed, or molested,

upon conviction, shall be guilty of the crime of stalking, which is a misdemeanor punishable by imprisonment in a county jail for not more than one (1) year or by a fine of not more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

- B. Any person who violates the provisions of subsection A of this section when:
 1. There is a permanent or temporary restraining order, a protective order, an emergency ex parte protective order, or an injunction in effect prohibiting the behavior described in subsection A of this section against the same party, when the person violating the provisions of subsection A of this section has actual notice of the issuance of such order or injunction;
 2. Said person is on probation or parole, a condition of which prohibits the

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behavior described in subsection A of this section against the same party or under the conditions of a community or alternative punishment; or

3. Said person, within ten (10) years preceding the violation of subsection A of this section, completed the execution of sentence for a conviction of a crime involving the use or threat of violence against the same party, or against any member of the immediate family of such party, shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding five (5) years, or by a fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00), or by both such fine and imprisonment.

C. Any person who commits a second act of stalking within ten (10) years of the completion of sentence for a prior conviction under subsection A of this section, upon conviction thereof, shall be guilty of a felony punishable by imprisonment in the State Penitentiary for a term not exceeding five (5) years, or by a fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00), or by both such fine and imprisonment.

D. Any person who commits an act of stalking within ten (10) years of the completion of execution of sentence for a prior conviction under subsection B or C of this section, shall, upon conviction thereof, be guilty of a felony punishable by a fine of not less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Ten Thousand Dollars (\$10,000.00), or by imprisonment in the State Penitentiary for a term not exceeding ten (10) years, or by both such fine and imprisonment.

E. Evidence that the defendant continued to engage in a course of conduct involving repeated unconsented contact, as defined in subsection F of this section, with the victim after having been requested by the victim to discontinue the same or any other form of unconsented contact, and to refrain from any further unconsented contact with the victim, shall give rise to a rebuttable presumption that the continuation of the course of conduct caused the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

F. For purposes of this section:

1. "Harasses" means a pattern or course of conduct directed toward another individual that includes, but is not limited to, repeated or continuing unconsented contact, that would cause a reasonable person to suffer emotional distress, and that actually causes emotional distress to the victim. Harassment shall include harassing or obscene phone calls as prohibited by Section 1172 of this title and conduct prohibited by Section 850 of this title. Harassment does

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not include constitutionally protected activity or conduct that serves a legitimate purpose;

2. “Course of conduct” means a pattern of conduct composed of a series of two (2) or more separate acts over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of “course of conduct”;
3. “Emotional distress” means significant mental suffering or distress that may, but does not necessarily require, medical or other professional treatment or counseling;
4. “Unconsented contact” means any contact with another individual that is initiated or continued without the consent of the individual, or in disregard of that individual's expressed desire that the contact be avoided or discontinued. Constitutionally protected activity is not included within the meaning of unconsented contact. Unconsented contact includes but is not limited to any of the following:
 - a) following or appearing within the sight of that individual,
 - b) approaching or confronting that individual in a public place or on private property,
 - c) appearing at the workplace or residence of that individual,
 - d) entering onto or remaining on property owned, leased, or occupied by that individual,
 - e) contacting that individual by telephone,
 - f) sending mail or electronic communications to that individual, and
 - g) placing an object on, or delivering an object to, property owned, leased, or occupied by that individual; and
5. “Member of the immediate family”, for the purposes of this section, means any spouse, parent, child, person related within the third degree of consanguinity or affinity or any other person who regularly resides in the household or who regularly resided in the household within the prior six (6) months.

21 Okla. Stat. § 1173.

University Nondiscrimination Policy and Equity Resolution Process

1.0 POLICY: Equal Opportunity, Harassment and Nondiscrimination

As used in this document, the term “reporting party” refers to the person impacted by alleged harassment, discrimination and/or retaliation. The term “responding party” refers to the person who has allegedly engaged in harassment, discrimination and/or retaliation.

Applicable Scope

Oklahoma City University (the “University”) affirms its commitment to promote the goals of fairness and equity in all aspects of the educational enterprise. All policies included herein are subject to resolution using Oklahoma City University’s Equity Resolution Process (ERP) as detailed below. This policy applies to all University faculty, staff and students. This policy also applies to third parties (such as campus visitors or vendors) who may have contact with members of the University community either on the University’s campus or at other University events and programs. When the responding party is a member of the Oklahoma City University community, the ERP is applicable regardless of the status of the reporting party who may be a member or non-member of the campus community, including students, student organizations, faculty, administrators, staff, guests, visitors, campers, etc.

Title IX Coordinator

The Chief Human Resources Officer serves as the Title IX Coordinator and ADA/504 Coordinator and oversees implementation of Oklahoma City University’s Nondiscrimination Policy and Equity Resolution Process. The Title IX Coordinator directs the Title IX Resource Team and acts with independence and authority free of conflicts of interest. To raise any concern involving a conflict of interest by the Title IX Coordinator, contact the University President at (405) 208-5032. To raise concerns regarding a potential conflict of interest with any other administrator involved in the ERP, please contact the Title IX Coordinator. Inquiries about and reports regarding this policy and procedure may be made internally to:

Ms. Joey Croslin
Title IX Coordinator
Administrative Building Suite 205
Telephone: (405) 208-5075
Email: jcroslin@okcu.edu

Ms. Amy R. Ayres
Deputy Title IX Coordinator
University Center, Suite 257
Telephone: (405) 208-7900
Email: aayres@okcu.edu

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Inquiries may be made externally to:

Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-1100
Customer Service Hotline #: (800) 421-3481
Facsimile: (202) 453-6012
TDD#: (877) 521-2172
Email: OCR@ed.gov
Web: <http://www.ed.gov/ocr>

Kansas City Office
U.S. Department of Education
One Petticoat Lane
1010 Walnut Street, Suite 320
Kansas City, MO 64106
Telephone: (816) 268-0550
Facsimile: (816) 268-0559
Email: OCR.KansasCity@ed.gov

Equal Employment Opportunity Commission (EEOC)
Oklahoma City Area Office
215 Dean A McGee Avenue
Suite 524
Oklahoma City, OK 73102
Telephone: (800) 669-6820
Facsimile: (405) 231-4140
ASL Video: (844) 234-5122

University Nondiscrimination Policy and Equity Resolution Process

Reporting Discrimination

Reports of discrimination, harassment, and/or retaliation may be made using any of the following options. There is no time limitation on the filing of allegations.

However, if the responding party is no longer subject to Oklahoma City University's jurisdiction, the ability to investigate, respond and provide remedies may be more limited:

- 1) Report directly to the Title IX Coordinator or Deputy Title IX Coordinator

Ms. Joey C. Croslin
Title IX Coordinator
Administration Building Suite 205
(405) 208-5075
jcroslin@okcu.edu

Ms. Amy R. Ayres
Deputy Title IX Coordinator
University Center, Suite 257
(405) 208-7900
aayres@okcu.edu

- 2) Report online, using the reporting form posted at <https://secure.okcu.edu/titleix/>
- 3) Report to a University administrator or member of the Title IX Resource Team and/or
- 4) Report using the using the Campus Conduct Hotline (866) 943-5787
If a reporting party would like the details of an incident to be kept confidential, the reporting party may speak with:
 - On-campus licensed professional counselors and staff
 - On-campus health service providers and staff
 - On-campus clergy, acting in their capacity as clergy
 - Off-campus (non-employees):
 - Licensed professional counselors
 - Local rape crisis counselors
 - Domestic violence resources
 - Local or state assistance agencies
 - Clergy/Chaplains

All reports made to the University are acted upon promptly. Every effort is made by the University to preserve the privacy of reports and information is shared only with individuals with a "need to know." Reports may also be anonymous; however, this may impact the University's ability to effectively proceed. Anonymous reports will be investigated to determine if remedies can be provided. Additionally, nearly all employees of Oklahoma City University are designated as mandated reporters

University Nondiscrimination Policy and Equity Resolution Process

and will share a report with the Title IX Coordinator promptly. Confidentiality and mandated reporting are addressed more specifically later in this policy. Reports of misconduct or discrimination committed by the Title IX Coordinator should be reported to the University President at (405) 208-5032.

Jurisdiction

This policy applies to behaviors that take place:

- on the campus;
- at Oklahoma City University-sponsored events; and
- may also apply off-campus; and
- to actions online.

The jurisdiction of this policy may apply to off-campus and/or online conduct when the Title IX Coordinator determines that the off-campus and/or online conduct affects a substantial University interest. A substantial University interest is defined to include:

- a) any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state or federal law;
- b) any situation where it appears that the responding party may present a danger or threat to the health or safety of self or others;
- c) any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- d) any situation that is detrimental to the educational interests of Oklahoma City University.

1.1 Oklahoma City University Policy on Nondiscrimination

Oklahoma City University adheres to all federal and state civil rights laws prohibiting discrimination in private institutions of higher education. The University will not discriminate against any employee, applicant for employment, student or applicant for admission on the basis of race, religion, color, sex, pregnancy, political affiliation, religion, creed, ethnicity, national origin (including ancestry), citizenship status, physical or mental disability, age, marital status, sexual orientation, gender, gender identity, gender expression, veteran or military status (including special disabled veteran, Vietnam-era veteran, or recently separated veteran), predisposing genetic characteristics, domestic violence victim status or any other protected category under applicable local, state or federal law, including protections for those opposing discrimination or participating in any resolution process on campus or within the Equal Employment Opportunity Commission or other human rights agencies.

This policy covers nondiscrimination in employment and access to educational

University Nondiscrimination Policy and Equity Resolution Process

opportunities. Therefore, any member of the campus community who acts to deny, deprive or limit the educational and/or employment access, benefits and/or opportunities of any member of the campus community, guest, or visitor on the basis of their actual or perceived membership in the protected classes listed above is in violation of this policy. When brought to the attention of the University, any such discrimination will be appropriately addressed and remedied by the University according to the Equity Resolution Process described below. Non-members of the campus community who engage in discriminatory actions within University programs or on University property are not under the jurisdiction of this policy, but can be subject to actions that limit their access and/or involvement with University programs, services, and property as the result of their alleged misconduct. All vendors serving Oklahoma City University through third-party contracts are subject to these policies and procedures, to which their employer has agreed to be bound.

1.2 Oklahoma City University Policy on Accommodation of Disabilities

Oklahoma City University is committed to complying with the Americans with Disabilities Act of 1990 and the ADA Amendments Act of 2008 (hereafter referred to collectively as “ADA”) and Section 504 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified persons with disabilities, as well as other federal and state laws pertaining to individuals with disabilities. Under the ADA, a person has a disability if they have a physical or mental impairment that substantially limits a major life activity. The ADA also protects individuals who have a record of a substantially limiting impairment or who are regarded as disabled by the institution whether qualified or not. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking or caring for oneself.

The Chief Human Resources Officer has been designated as the ADA/504 Coordinator responsible for coordinating efforts to comply with these disability laws, including investigation of any allegation of noncompliance.

a. Students with Disabilities

Oklahoma City University is committed to providing qualified students with disabilities with reasonable accommodations and support needed to ensure equal access to the academic programs and activities of the University.

All accommodations are made on a case-by-case basis. A student requesting any accommodation should first contact the Disability Services Coordinator who coordinates services for students with disabilities. The Disability Services Coordinator reviews documentation provided by the student and, in consultation with the student, determines which accommodations are appropriate to the student’s particular needs and academic programs.

[Click here to learn more about Oklahoma City University’s student policy on ADA and Section 504.](#)

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b. Employees with Disabilities

Pursuant to the ADA, Oklahoma City University will provide reasonable accommodation(s) to all qualified employees with known disabilities, where their disability affects the performance of their essential job functions, except where doing so would be unduly disruptive or would result in undue hardship. An employee with a disability is responsible for requesting an accommodation in writing to the Employee Relations Manager and to provide appropriate documentation. The Employee Relations Manager will engage in an interactive process with the employee and work with the employee's supervisor to identify which essential functions of the position are affected by the employee's disability and what reasonable accommodations could enable the employee to perform those duties.

[Click here to learn more about Oklahoma City University's employee policy on ADA.](#)

1.3 Oklahoma City University Policy on Discriminatory Harassment

Students, faculty, staff, and administrators are entitled to an education and work environment free of discriminatory harassment. Oklahoma City University's harassment policy is not meant to inhibit or prohibit the educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive subject matters protected by academic freedom. The University reaffirms its commitment to academic freedom but recognizes that academic freedom does not allow any form of prohibited discrimination. It is recognized that an essential function of education is a probing of opinions and an exploration of ideas that may cause some students discomfort. It is further recognized that academic freedom insures the faculty's right to teach and the student's right to learn. Finally, nothing in these Policies and procedures shall be interpreted to prohibit bona fide academic requirements for a specific university program, course, or activity.

When investigating prohibited discrimination complaints containing issues of academic freedom, the Compliance Coordinator will consult with a faculty member appointed by the Faculty Senate Executive Committee with respect to contemporary practices and standards for course content and delivery.

The sections below describe the specific forms of legally prohibited harassment that are also prohibited under University policy.

a. Discriminatory and Bias-Related Harassment

Harassment constitutes a form of discrimination that is prohibited by University policy as well as the law. Oklahoma City University condemns and will not tolerate discriminatory harassment against any employee, student, visitor or guest on the basis of any status protected by policy or law. Oklahoma City University will address all forms of harassment when reported, whether or not the harassment rises to the level of creating a hostile environment. When harassment rises to the level of creating a hostile environment, the University may also impose sanctions on the

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harasser through application of the Equity Resolution Process. This policy explicitly prohibits any form of harassment, defined as unwelcome conduct on the basis of actual or perceived membership in a protected class, by any member or group of the community.

A hostile environment may be created by harassing verbal, written, graphic, or physical conduct that is severe, persistent or pervasive, and objectively offensive such that it interferes with, limits or denies the ability of an individual to participate in or benefit from educational programs or activities, or employment access, benefits or opportunities.

The University reserves the right to address offensive conduct and/or harassment that 1) does not rise to the level of creating a hostile environment, or 2) that is of a generic nature not on the basis of a protected status. Addressing such behaviors shall not result in the imposition of discipline under the nondiscrimination policy, but will be addressed through respectful confrontation, remedial actions, education and/or conflict resolution mechanisms. For assistance with conflict resolution techniques, employees should contact the Chief Human Resources Officer and students should contact the Dean of Students.

b. Sexual Harassment

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC) and the State of Oklahoma regard sexual harassment as a form of sex/gender discrimination and, therefore, as an unlawful discriminatory practice. Oklahoma City University has adopted the following definition of sexual harassment to address the special environment of an academic community, which consists not only of employees but also students.

Sexual harassment is:

- unwelcome,
- sexual, sex-based and/or gender-based,
- verbal, written, online and/or physical conduct.

Anyone experiencing sexual harassment in any Oklahoma City University program is encouraged to report it immediately to the Title IX Coordinator or the Deputy Title IX Coordinator. Remedies, education, and/or training will be provided in response.

Sexual harassment may be disciplined when it takes the form of quid pro quo harassment, retaliatory harassment and/or creates a hostile environment.

"Hostile environment" sexual harassment is where an individual is subjected to a hostile or intimidating environment in which conduct is:

- Severe, pervasive, or persistent in nature; and

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- Objectively offensive, such that it unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from Oklahoma City University's educational programs or employment.

Quid Pro Quo Sexual Harassment:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a person having real or perceived power or authority over another constitutes sexual harassment when submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual's educational and/or professional development and/or performance.

Some examples of possible Sexual Harassment include:

- Direct or implied threats that submission to sexual advances will be a condition of employment, promotion, grades or letters of recommendation. This is harassment regardless of whether the student or employee accedes to the request
- A student repeatedly sends sexually oriented jokes around on an email list they created, even when asked to stop, causing one recipient to avoid the sender on campus and in the residence hall in which they both live.
- Certain visual displays of sexually-oriented images outside of the educational context (e.g., explicit sexual pictures are displayed in a professor's office or on the exterior of a student's residence hall door).
- Two supervisors frequently 'rate' several employees' bodies and sex appeal, commenting suggestively about their clothing and appearance.
- A professor engages students in her class in discussions about their past sexual experiences, yet the conversation is not in any way germane to the subject matter of the class. She probes for explicit details and demands that students answer her, though they are clearly uncomfortable doing so.
- A pattern of conduct that would discomfort or humiliate a reasonable person at whom the conduct was directed and includes one or more of the following: unnecessary touching; remarks of a sexual nature about a person's clothing or body, whether or not intended to be complimentary; remarks about sexual activity or speculations about previous sexual experience; or other comments of a sexual nature.
- Male students take to calling a particular brunette student "Monica" because of her resemblance to Monica Lewinsky. Soon, everyone adopts this nickname for her, and she is the target of relentless remarks about cigars, the president, and "sexual relations."
- A student intentionally brushed up another student and then groped her breast without her permission. While this is sexual harassment, it is also a form of sexual violence.

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POLICY EXPECTATIONS WITH RESPECT TO CONSENSUAL RELATIONSHIPS

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as faculty and student, supervisor and employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of applicable sections of this policy. Oklahoma City University does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the University. For the personal protection of members of this community, relationships in which power differentials are inherent (faculty-student, staff-student, administrator-student) are generally discouraged.

While no consensual relationships are prohibited by this policy, consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical and impermissible. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor and will likely result in the necessity to remove the employee from the supervisory or evaluative responsibilities, or shift a party out of being supervised or evaluated by someone with whom they have established a consensual relationship. This includes RAs and students over whom they have direct responsibility. Failure to timely self-report such relationships to a supervisor as required can result in disciplinary action up to and including termination.

c. Sexual Misconduct

State law defines various violent and/or non-consensual sexual acts as crimes. While some of these acts may have parallels in criminal law, Oklahoma City University has defined categories of sex/gender discrimination as sexual misconduct, as stated below, for which action under this policy may be taken and sanctions imposed. The University reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any act of sexual misconduct or other sex/gender-based offenses, including intimate partner (dating and/or domestic) violence, non-consensual sexual contact and/or stalking based on the facts and circumstances of the particular allegation. Generally speaking, Oklahoma City University considers Non-Consensual Sexual Intercourse violations to be the most serious of these offenses, and therefore typically imposes the most severe sanctions, including suspension or expulsion for students and termination for employees. Acts of sexual misconduct may be committed by any person upon any other person, regardless of the sex, sexual

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orientation and/or gender identity of those involved. Violations include:

i. Sexual Harassment (as defined in section b above)

ii. Non-Consensual Sexual Intercourse

Defined as:

- any sexual intercourse
- however, slight
- with any object
- by a person upon another person
- that is without consent and/or by force

Sexual intercourse includes:

- Vaginal or anal penetration by a penis, tongue, finger or object, and oral copulation (mouth to genital contact or genital to mouth contact) no matter how slight the penetration or contact.

iii. Non-Consensual Sexual Contact

Defined as:

- any intentional sexual touching
- however, slight
- with any object
- by a person upon another person
- that is without consent and/or by force

Sexual touching includes:

- Intentional contact with the breasts, groin, or genitals, mouth or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; or
- Any other bodily contact in a sexual manner.

iv. Sexual Exploitation

Sexual Exploitation refers to a situation in which a person takes non-consensual or abusive sexual advantage of another, and that behavior does not otherwise fall within the definitions of Sexual Harassment, Non-Consensual Sexual Intercourse or Non-Consensual Sexual Contact.

Examples of Sexual Exploitation include, but are not limited to:

- Sexual voyeurism (such as watching a person undressing, using the bathroom, or engaged in sexual acts without the consent of the person observed)
- Invasion of sexual privacy
- Taking pictures or video or audio recording another in a sexual act, or in any other private activity without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in

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- a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent)
- Forcing or coercing prostitution
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV), a sexually transmitted disease (STD) or infection (STI) without informing the other person of the infection
- Administering alcohol or drugs (such as "date rape" drugs) to another person without his or her knowledge or consent
- Exposing one's genitals in non-consensual circumstances
- Sexually based stalking and/or bullying

v. Force and Consent

Force: Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent ("Have sex with me, or I'll hit you." "Okay, don't hit me, I'll do what you want.").

Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

NOTE: Silence or the absence of resistance alone is not consent. There is no requirement on a party to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of consent is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.

Consent: Consent is knowing, voluntary, and clear permission by word or action to engage in mutually agreed upon sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Consent can be withdrawn once given, as long as the withdrawal is clearly communicated.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced.

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Incapacitation: Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction).

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

It is not an excuse that the responding party was intoxicated and, therefore, did not realize the incapacity of the reporting party.

This policy also covers a person whose incapacity results from mental disability, involuntary physical restraint and/or from the consuming of incapacitating drugs. In Oklahoma, a minor (meaning a person under the age of 16 years) cannot consent to sexual activity. This means that sexual contact by an adult with a person younger than 16 years old may be a crime, and a potential violation of this policy, even if the minor wanted to engage in the act or voluntarily participated in the act.

Examples of lack of consent:

- Amanda and Bill meet at a party. They spend the evening dancing and getting to know each other. Bill convinces Amanda to come up to his room. From 11:00pm until 3:00am, Bill uses every line he can think of to convince Amanda to have sex with him, but she adamantly refuses. He keeps at her, and begins to question her religious convictions, and accuses her of being “a prude.” Finally, it seems to Bill that her resolve is weakening, and he convinces her to give him a “hand job” (hand to genital contact). Amanda would never had done it but for Bill’s incessant advances. He feels that he successfully seduced her, and that she wanted to do it all along, but was playing shy and hard to get. Why else would she have come up to his room alone after the party? If she really didn’t want it, she could have left. Bill is responsible for violating the University’s Nondiscrimination Policy. It is likely that campus decision-makers would find that the degree and duration of the pressure Bill applied to Amanda are unreasonable. Bill coerced Amanda into performing unwanted sexual touching upon him. Where sexual activity is coerced, it is forced. Consent is not valid when forced. Sex without consent is sexual misconduct.
- Jiang is a junior at the university. Beth is a sophomore. Jiang comes to Beth’s residence hall room with some mutual friends to watch a movie. Jiang and Beth, who have never met before, are attracted to each other. After the movie, everyone leaves, and Jiang and Beth are alone. They hit it off, and are soon becoming more intimate. They start to make out. Jiang verbally expresses his desire to have sex with Beth. Beth, who was abused by a baby-sitter when she

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was five, and has not had any sexual relations since, is shocked at how quickly things are progressing. As Jiang takes her by the wrist over to the bed, lays her down, undresses her, and begins to have intercourse with her, Beth has a severe flashback to her childhood trauma. She wants to tell Jiang to stop, but cannot. Beth is stiff and unresponsive during the intercourse. Is this a policy violation? Jiang would be held responsible in this scenario for non-consensual sexual intercourse, which is a violation of this policy. It is the duty of the sexual initiator, Jiang, to make sure that he has mutually understandable consent to engage in sex. Though consent need not be verbal, it is the clearest form of consent. Here, Jiang had no verbal or non-verbal mutually understandable indication from Beth that she consented to sexual intercourse. Of course, wherever possible, it is important to be as clear as possible as to whether or not sexual contact is desired, and to be aware that for psychological reasons, or because of alcohol or drug use, one's partner may not be in a position to provide as clear an indication as the policy requires. As the policy makes clear, consent must be actively, not passively, given.

- Kevin and John are at a party. Kevin is not sure how much John has been drinking, but he is pretty sure it's a lot. After the party, he walks John to his room, and John comes on to Kevin, initiating sexual activity. Kevin asks him if he is really up to this, and John says yes. They remove their clothes, and end up in John's bed. Suddenly, John runs for the bathroom. When he returns, his face is pale, and Kevin thinks he may have thrown up. John gets back into bed, and they begin to have sexual intercourse. Kevin is having a good time, though he can't help but notice that John seems pretty groggy and passive, and he thinks John may have even passed out briefly during the sex. When Kevin runs into John the next day, he thanks him for the wild night. John remembers nothing and decides to make a report to the Dean. This is an example of non-consensual sexual intercourse and a violation of this policy. Kevin should have known that John was incapable of making a rational, reasonable decision about sex. Even if John seemed to consent, Kevin was well aware that John had consumed a large amount of alcohol, and Kevin thought John was physically ill, and that he passed out during sex. A person cannot consent if they are unable to understand what is happening or are unconscious for any reason, including due to alcohol. An individual who engages in sexual activity when they know or should have known that the other person is physically incapacitated, has violated this policy.

1.4 Other Civil Rights Offenses

In addition to the forms of sexual misconduct described above, the following behaviors are also prohibited as forms of discrimination when the act is based upon the reporting party's actual or perceived membership in a protected class.

- a. **Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;**

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- b. **Discrimination**, defined as actions that deprive, limit or deny other members of the community of educational or employment access, benefits or opportunities;
- c. **Intimidation**, defined as implied threats or acts that cause an reasonable fear of harm in another;
- d. **Hazing**, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the university community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy);
- e. **Bullying**, defined as
 1. Repeated and/or severe
 2. Aggressive behavior
 3. Likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally
- f. **Intimate Partner Violence**, is often referred to as dating violence, domestic violence or relationship violence. Intimate partner violence includes any act of violence or threatened act of violence against a person who is, or has been involved in, a sexual, dating, domestic, or other intimate relationship with the responding party. Intimate partner violence can encompass a wide range of behavior including, but not limited to, physical violence, sexual violence, and psychological abuse. It may involve one act or an ongoing pattern of behavior. Intimate partner violence may take the form of threats, assault, property damage, violence or threat of violence to one's self, one's sexual or romantic partner or to the family members or friends of the romantic or sexual partner.
 1. Examples:
 - i. A boyfriend shoves his girlfriend into a wall upon seeing her talking to a male friend. This physical assault based on jealousy is a violation of this policy.
 - ii. An ex-girlfriend shames her female partner, threatening to out her as a lesbian if she doesn't give the ex another chance. Psychological abuse is a form of Intimate Partner Violence.
 - iii. A student repeatedly calls his ex-boyfriend to indicate that if he doesn't get back together with her she will kill herself and he will be to blame.
 - iv. Married employees are witnessed in the parking garage, with one partner slapping and scratching the other in the midst of an argument.
- g. **Stalking**
 1. A course of conduct
 2. Directed at a specific person
 3. On the basis of actual or perceived membership in a protected class
 4. That is unwelcome, AND
 5. Would cause a reasonable person to feel fear and may be
 - repetitive and menacing, or include

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- pursuing, following, harassing and/or interfering with the peace and/or safety of another.

Examples of Stalking

- A student repeatedly shows up at another student's on-campus residence, always notifying the front desk attendant that they are there to see the resident. Upon a call to the resident, the student informs residence hall staff that this visitor is uninvited and continuously attempts to see them, even so far as waiting for them outside of classes and showing up to their on-campus place of employment requesting that they go out on a date together.
- A graduate student working as an on-campus tutor received flowers and gifts delivered to their office. After learning the gifts were from a student they recently tutored, the graduate student thanked the student and stated that it was not necessary and would appreciate if the gift deliveries stop. The student then started leaving notes of love and gratitude on the graduate assistant's car, both on-campus and at home. Asked again to stop, the student stated by email: "You can ask me to stop, but I'm not giving up. We are meant to be together, and I'll do anything necessary to make you have the feelings for me that I have for you." When the tutor did not respond, the student emailed again, "You cannot escape me. I will track you to the ends of the earth. We are meant to be together."

Any other University policies may fall within this section when a violation is motivated by the actual or perceived membership of the reporting party's sex or gender.

Sanctions for the above-listed "Other Civil Rights Behaviors" behaviors range from a reprimand through expulsion (students) or termination of employment.

1.5 Retaliation

Retaliation is defined as any adverse action taken against a person participating in a protected activity because of their participation in that protected activity.

Retaliation against an individual for alleging harassment or discrimination, supporting a party bringing an allegation, or for assisting in providing information relevant to a claim of harassment or discrimination is a serious violation of Oklahoma City University policy and will be treated as another possible instance of harassment or discrimination. Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. Oklahoma City University is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

Examples of Retaliation:

- Student-athlete A files an allegation against a coach for sexual harassment; the coach subsequently cuts the student-athlete's playing time in half without a legitimate justification.

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- A faculty member complains of gender inequity in pay within her department; the department chair then revokes his prior approval allowing her to attend a national conference, citing the faculty member's tendency to "ruffle feathers."
- Student A from Organization Alpha participates in a sexual misconduct hearing against Student B – also a member of Organization Alpha; Student A is subsequently removed as a member of Organization Alpha because they participated in the hearing.

1.6 Remedial Action

Oklahoma City University will implement initial remedial, responsive and/or protective actions upon notice of alleged harassment, retaliation and/or discrimination. Such actions could include but are not limited to: no contact orders, providing counseling and/or medical services, academic support, living arrangement adjustments, transportation accommodations, visa and immigration assistance, student financial aid counseling, providing a campus escort, academic or work schedule and assignment accommodations, safety planning, referral to campus and community support resources.

The University will take additional prompt remedial and/or disciplinary action with respect to any member of the community, guest or visitor, upon a finding that they have engaged in harassing or discriminatory behavior or retaliation.

The University will maintain as confidential any accommodations or protective measures, provided confidentiality does not impair the University's ability to provide the accommodations or protective measures.

Procedures for handling reported incidents are fully described below.

1.7 Confidentiality and Reporting of Offenses Under This Policy

All Oklahoma City University employees (faculty, staff, administrators) are expected to report actual or suspected discrimination or harassment to appropriate officials immediately, though there are some limited exceptions. In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality – meaning they are not required to report actual or suspected discrimination or harassment to appropriate University officials – thereby offering options and advice without any obligation to inform an outside agency or campus official unless a reporting party has requested information to be shared. Other resources exist for reporting parties to report crimes and policy violations, and these resources will take action when an incident is reported to them. The following describes the reporting options at Oklahoma City University:

Confidential Reporting

If a reporting party would like the details of an incident to be kept confidential, the reporting party may speak with:

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- On-campus licensed professional counselors and staff
- On-campus health service providers and staff
- On-campus clergy, acting in their capacity as clergy
- Off-campus (non-employees):
 - Licensed professional counselors
 - Local rape crisis counselors
 - Domestic violence resources
 - Local or state assistance agencies
 - Clergy/Chaplains

All of the above-listed individuals will maintain confidentiality except in extreme cases of the immediacy of threat or danger or abuse of a minor. Campus counselors and the Employee Assistance Program are available to help free of charge and can be seen on an emergency basis during normal business hours. University employees listed above will submit anonymous statistical information to the Campus Police Department in order to comply with the University's Clergy Act reporting requirements, unless they believe it would be harmful to their client, patient, or parishioner.

Formal Reporting Options

All Oklahoma City University employees have a duty to report unless they fall under the "Confidential Reporting" section above. Reporting parties may want to consider carefully whether they share personally identifiable details with non-confidential employees, as those details must be shared with the Title IX Coordinator. Employees must promptly share all details of the reports they receive. Generally, climate surveys, classroom writing assignments or discussions, human subjects research, or events such as Take Back the Night marches or speak-outs do not provide notice that must be reported to the Title IX Coordinator by employees, unless the reporting party clearly indicates that they wish a report to be made. Remedial actions may result from such disclosures without formal University action.

If a reporting party does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, the reporting party may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and comply with the law. Note that the University's ability to remedy and respond to a reported incident may be limited if the reporting party does not want the institution to proceed with an investigation and/or the Equity Resolution Process.

In cases indicating pattern, predation, threat, weapons and/or violence, Oklahoma City University will likely be unable to honor a request for confidentiality. In cases where the reporting party requests confidentiality and the circumstances allow Oklahoma City University to honor that request, the University will offer interim support and remedies to the reporting party and the community, but will not

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otherwise pursue formal action. A reporting party has the right and can expect, to have allegations taken seriously by the University when formally reported, and to have those incidents investigated and properly resolved through these procedures. Formal reporting still affords some privacy to the reporting party. Only a small group of university officials who need to know will be told, including but not limited to personnel in: Student Affairs, University Police, and the Behavioral Intervention Team, if applicable. Information will be shared as necessary with investigators, witnesses, and the responding party. The circle of people with this knowledge will be kept as tight as possible to preserve a reporting party's rights and privacy. Additionally, anonymous reports can be made by victims and/or third parties using the online reporting form posted at <https://secure.okcu.edu/titleix/>, or the reporting hotline at (866) 943-5787. Note that these anonymous reports may prompt a need for the University to investigate.

Failure of a non-confidential employee (i.e., any employee not designated above for confidential reporting purposes), to report an incident or incidents of sex/gender harassment or discrimination of which they become aware is a violation of University policy and can be subject to disciplinary action up to and including employment termination for failure to comply.

1.8 Federal Timely Warning Obligations

Parties reporting sexual misconduct should be aware that under the Clery Act, Oklahoma City University administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. The University will ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

1.9 False Allegations

Deliberately false and/or malicious accusations under this policy, as opposed to allegations which, even if erroneous, are made in good faith, are a serious offense and will be subject to appropriate disciplinary action.

1.10 Amnesty for Alcohol and Other Drug Use

The University encourages the reporting of misconduct and crimes by reporting parties and witnesses. Sometimes, reporting parties or witnesses are hesitant to report alleged misconduct to University officials or participate in resolution processes because they fear that they themselves may be accused of policy violations. For example, a student who has been drinking underage might hesitate to help take a sexual misconduct victim to the Campus Police. It is in the best interests of this community that reporting parties choose to report to University officials, and that witnesses come forward to share what they know. To encourage reporting,

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Oklahoma City University pursues a policy of offering reporting parties and witnesses amnesty from minor policy violations related to the incident. An individual who reports harassment, discrimination or misconduct implicating this policy, either as a reporting party or third-party witness will not be subject to disciplinary action by the University for personal consumption of alcohol or drugs or other violations of the conduct policy (not including this policy) at or near the time of the incident, provided that any such violations did not and do not place the health or safety of any other person at risk and do not involve academic dishonesty. (While policy violations cannot be overlooked, the University will provide educational remedies, rather than punishment, to those who offer their assistance to others in need.

Being intoxicated by drugs or alcohol is no defense to any violation of this policy and does not diminish one's responsibility to obtain consent.

1.11 Parental Notification (allegations involving students)

Oklahoma City University reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, change in student status or conduct situation. Where a student is non-dependent, the University may contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk. Oklahoma City University also reserves the right to designate which University officials have a need to know about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act.

1.12 Federal Statistical Reporting Obligations

Certain campus officials – those deemed Campus Security Authorities - have a duty to report sexual assault, domestic violence, dating violence and stalking for federal statistical reporting purposes pursuant to the Clery Act. All personally identifiable information is kept confidential, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus, in the surrounding area, etc.) for publication in the University's Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters include: student affairs/student conduct, campus law enforcement, local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the victim and may be done anonymously.

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2.0 Equity Resolution Process for Allegations of Harassment, Sexual Misconduct and Other Forms of Discrimination

Oklahoma City University will act on any formal or informal allegation or notice of violation of the Nondiscrimination Policy that is received by the Title IX Coordinator or a member of the administration, faculty, or other employee.

The procedures described below apply to all allegations of harassment or discrimination on the basis of a protected class involving students, staff or faculty members. Any allegations made against a faculty member involving alleged harassment or discrimination that violates the University's Policy Against Sex Discrimination, Sexual Harassment, Sexual Violence, and Retaliation shall be resolved in adherence to the procedures set forth in Section 9 of the University Faculty Handbook, notwithstanding any provision in this policy to the contrary. These procedures may also be used to address collateral misconduct occurring in conjunction with harassing or discriminatory conduct (e.g.: vandalism, physical abuse of another, etc.). All other allegations of misconduct unrelated to incidents covered by this policy will be addressed through the procedures elaborated in the student code of conduct, faculty handbook, or staff handbook, depending on the role of the individual allegedly involved in the misconduct.

Overview

Upon notice to the Title IX Coordinator, this resolution process involves a prompt preliminary inquiry to determine if there is reasonable cause to believe the Nondiscrimination Policy has been violated. If so, Oklahoma City University will initiate a confidential investigation that is thorough, reliable, impartial, prompt and fair. The investigation and the subsequent resolution process determines whether the Nondiscrimination Policy has been violated. If so, Oklahoma City University will promptly implement effective remedies designed to end the discrimination, prevent its recurrence, and address any effects.

2.1 Equity Resolution Process (ERP)

Equity Resolution Process Pool

Allegations under the policy on nondiscrimination are resolved using the Equity Resolution Process (ERP). Members of the ERP pool are announced in an annual distribution of this policy to the campus, and to prospective students, their parents, and prospective employees. The list of members and a description of the panel can be found on the [Title IX website](#). Members of the ERP pool are trained in all aspects of the resolution process and can serve in any of the following roles, at the direction of the Title IX Coordinator:

- To provide sensitive intake for and initial advice pertaining to allegations
- To provide investigative support to the Title IX investigator

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- To act as process advisors to those involved in the Equity Resolution Process
- To serve on hearing panels for allegations
- To serve on appeal panels for allegations

ERP pool members also recommend proactive policies and serve in an educative role for the community. The President, in consultation with the Title IX Coordinator, appoints the ERP pool, which reports to the Title IX Coordinator. ERP pool members receive annual training organized by the Title IX Coordinator, including a review of Oklahoma City University policies and procedures as well as applicable federal and state laws and regulations so that they are able to appropriately address allegations, provide accurate information to members of the community, protect safety and promote accountability. This training will include, but is not limited to: how to appropriately remedy, investigate, render findings and determine appropriate sanctions in reference to all forms of harassment and discrimination allegations; Oklahoma City University's Nondiscrimination Policy and Equity Resolution Process (including Sexual Misconduct); confidentiality and privacy; and applicable laws, regulations and federal regulatory guidance. All ERP pool members are required to attend this annual training to be eligible to serve.

The ERP pool includes:

- 2 Co-chairs: one representative from Human Resources and one from Student Affairs, who are *ex officio* members and who respectively Chair resolution panel hearings for allegations involving student and employee responding parties
- 12-15 faculty, staff, and administrators.

ERP pool members are usually appointed to two-year terms. Appointments to the pool should be made with attention to representation of groups protected by the Nondiscrimination Policy. Individuals who are interested in serving in the pool are encouraged to contact the Title IX Coordinator. No member of the ERP pool may be a practicing attorney.

2.2 Reporting Misconduct

Any member of the community, guest or visitor who believes that the Nondiscrimination Policy has been violated should contact the Title IX Coordinator. It is also possible for employees to notify a supervisor, or for students to notify an administrative advisor or faculty member. Any member of the community, including visitors, may contact Campus Police to make a report. These individuals will, in turn, notify the Title IX Coordinator. The Oklahoma City University website also includes a reporting form at <https://secure.okcu.edu/titleix/> which may serve to initiate the resolution process.

All employees receiving reports of a potential violation of University Nondiscrimination Policy are expected to promptly contact the Title IX Coordinator, within 24 hours of becoming aware of a report or incident. All initial contacts will

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be treated with privacy: specific information on any allegations received by any party will be reported to the Title IX Coordinator, but, subject to the University's obligation to redress violations, every effort will be made to maintain the privacy of those initiating an allegation. In all cases, the University will give consideration to the reporting party with respect to how the reported misconduct is pursued, but reserves the right, when necessary to protect the community, to investigate and pursue a resolution even when a reporting party chooses not to initiate or participate in the resolution process.

2.3 Preliminary Inquiry

Following receipt of notice or a report of misconduct, the Title IX Coordinator or designee engages in a preliminary inquiry to determine if there is reasonable cause to believe the Nondiscrimination Policy has been violated. The preliminary inquiry typically takes 1-3 days in duration. This inquiry may also serve to help the Title IX Coordinator to determine if the allegations evidence violence, threat, pattern, predation and/or weapon. In any case where violence, threat, pattern, predation, and/or weapon is not evidenced, the Title IX Coordinator may respect a reporting party's request for no action and will investigate only so far as necessary to determine appropriate remedies. As necessary, Oklahoma City University reserves the right to initiate resolution proceedings without a formal report or participation by the reporting party.

In cases where the reporting party wishes to proceed or Oklahoma City University determines it must proceed, and the preliminary inquiry shows that reasonable cause exists, the Title IX Coordinator will direct a formal investigation to commence and the allegation will be resolved through one of three processes discussed briefly here and in greater detail below:

- Conflict Resolution – typically used for less serious offenses and only when both parties agree to conflict resolution (this option will not be used to resolve sexual assault complaints)
- Informal Resolution – a resolution without a hearing panel, or
- Formal Resolution – a resolution of contested allegations with a hearing panel.

The process followed considers the preference of the parties, but is ultimately determined at the discretion of the Title IX Coordinator. Conflict Resolution may only occur if selected by all parties. The parties can elect for Informal Resolution, but Informal Resolution may also apply if the responding party accepts responsibility for all alleged violations of policy. If either party or both parties select Formal Resolution, or the Title IX Coordinator determines that Formal Resolution is appropriate, the allegation will be addressed using the Formal Resolution option. If conflict resolution is desired by the reporting party and appears appropriate given the nature of the alleged behavior, then the report does not proceed to an investigation, unless a pattern of misconduct is suspected or there is an actual or perceived threat of further harm to the community or any of its members.

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Once a formal investigation is commenced, the Title IX Coordinator will provide written notification of the investigation to the parties at an appropriate time during the investigation. Oklahoma City University aims to complete all investigations within a sixty (60) calendar daytime period, which can be extended as necessary for appropriate cause by the Title IX Coordinator with notice to the parties as appropriate.

If, during the preliminary inquiry or at any point during the formal investigation, the Title IX Coordinator determines that there is no reasonable cause to believe that policy has been violated, the process will end unless the reporting party requests that the Title IX Coordinator makes an extraordinary determination to re-open the investigation or to forward the matter for a hearing. This decision lies in the sole discretion of the Title IX Coordinator.

2.4 Interim Remedies/Actions

The Title IX Coordinator may implement interim measures or provide interim remedies intended to address the short-term effects of harassment, discrimination, and/or retaliation, i.e., to redress harm to the reporting party and the community and to prevent further violations.

These remedies may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the community
- Altering the housing situation of the responding party (resident student or resident employee) or the reporting party, if desired
- Altering work arrangements for employees (including student employees, if applicable)
- Providing campus escorts
- Providing transportation accommodations
- Implementing contact limitations between the parties
- Offering adjustments to academic deadlines, course schedules, etc.

Oklahoma City University may interim suspend a student, employee, or organization pending the completion of ERP investigation and procedures, particularly when in the judgment of the Title IX Coordinator the safety or well-being of any member(s) of the campus community may be jeopardized by the presence on-campus of the responding party or the ongoing activity of a student organization whose behavior is in question. In all cases in which an interim suspension is imposed, the student, employee, or student organization will be given the option to meet with the Title IX Coordinator prior to such suspension being imposed, or as soon thereafter as reasonably possible, to show cause why the suspension should not be implemented. The Title IX Coordinator or designee has sole discretion to implement or stay an

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interim suspension and to determine its conditions and duration. Violation of an interim suspension under this policy will be grounds for expulsion or termination. During an interim suspension or administrative leave, a student or employee may be denied access to Oklahoma City University housing and/or Oklahoma City University campus/facilities/events. As determined by the Title IX Coordinator or designee, this restriction can include classes and/or all other University activities or privileges for which the student or employee might otherwise be eligible. At the discretion of the Title IX Coordinator or designee, alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding party.

The institution will maintain as confidential any interim actions or protective measures, provided confidentiality does not impair the institution's ability to provide the interim actions or protective measures.

2.5 Investigation

Once the decision is made to commence a formal investigation, the Title IX Coordinator may appoint ERP pool member(s) or an external third-party investigator to assist the Title IX investigator in conducting the investigation (typically using a team of two investigators), usually within two (2) days of determining that an investigation should proceed. Investigations are completed expeditiously, normally within ten (10) days, though some investigations take weeks or even months, depending on the nature, extent and complexity of the allegations, number and availability of witnesses, police involvement, University closures, etc.

Oklahoma City University may undertake a short delay in its investigation (several days to weeks, to allow evidence collection) when criminal charges on the basis of the same behaviors that invoke this process are being investigated. The University will promptly resume its investigation and resolution processes once notified by law enforcement that the initial evidence collection process is complete. Oklahoma City University action will not typically be altered or precluded on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

All investigations will be thorough, reliable, impartial, prompt, and fair.

Investigations entail interviews with all relevant parties and witnesses, obtaining available evidence and identifying sources of expert information, as necessary.

The investigator(s) will typically take the following steps, if not already completed (not necessarily in order):

- In coordination with campus partners (e.g. the Title IX Coordinator), initiate or assist with any necessary remedial actions;
- Determine the identity and contact information of the reporting party;

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- Identify all policies allegedly violated;
- Assist the Title IX Coordinator with an immediate preliminary inquiry to determine if there is reasonable cause to believe the responding party has violated policy.
- If there is insufficient evidence to support reasonable cause, the inquiry should be closed with no further action;
- Meet with the reporting party to finalize their statement and/or with any follow-up questions after speaking with the reporting party or witnesses;
- Prepare the notice of allegations on the basis of the preliminary inquiry;
- Commence a thorough, reliable, and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended timeframe, and order of interviews for all witnesses and the responding party;
- If possible, provide written notification to the parties prior to their interviews that they may have the assistance of a ERP pool member or other advisor of their choosing present for all meetings attended by the advisee;
- Provide the parties with a written description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures and a statement of the potential sanctions/responsive actions that could result;
- Prior to the conclusion of the investigation, provide the reporting party and the responding party with a list of witnesses whose information will be used to render a finding;
- Allow each party the opportunity to suggest questions they wish the investigators to ask of the other party and witnesses.
- Provide the parties with all relevant evidence to be used in rendering a determination and provide each with a full and fair opportunity to address that evidence prior to a finding being rendered;
- Complete the investigation promptly, and without unreasonable deviation from the intended timeline;
- Provide regular updates to the reporting party and to the responding party, as appropriate, throughout the investigation;
- Once the report is complete, the report is made available to the parties for their review and comment. The investigators may incorporate feedback from the parties as appropriate;
- Recommend to the Title IX Coordinator a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not);
- Investigators and/or the Title IX Coordinator finalize and present the findings to the responding party, who may accept the findings, accept the findings in part and reject them in part, or may reject all findings;
- Share the findings and update the reporting party on the status of the investigation and responding party's decision on the finding, without undue delay.

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At any point during the investigation, if it is determined there is no reasonable cause to believe that University policy has been violated, the Title IX Coordinator has authority to terminate the investigation and end resolution proceedings.

Third-party witnesses are expected to cooperate with and participate in any Oklahoma City University investigation and the Equity Resolution Process. Any witness who declines to participate in or cooperate with an investigation will not be permitted to offer evidence or testimony later in a hearing (if a hearing is held). Failure of a witness to cooperate with and/or participate in the investigation or Equity Resolution Process constitutes a violation of policy and may be subject to discipline. Witnesses may provide written statements in lieu of interviews during the investigation and may be interviewed remotely by phone, Skype (or similar technology), if they cannot be interviewed in person or if the investigators determine that timeliness or efficiency dictate a need for remote interviewing. Parties who elect not to participate in the investigation or to withhold information from the investigation will not have the opportunity to offer evidence during the hearing and/or appeal stages of the process if it could have been offered during the investigation. Failure to offer evidence prior to an appeal does not constitute grounds for appeal on the basis of new evidence.

No audio or video recording of any kind is permitted during investigation meetings or other ERP proceedings.

2.6 Advisors

Each party is allowed to have an advisor of their choice present with them for all ERP meetings and proceedings, from intake through to final determination. The parties may select whomever they wish to serve as their advisor as long as the advisor is eligible and available, and usually not otherwise involved in the resolution process, such as serving as a witness. The advisor may be a friend, mentor, family member, attorney or any other supporter a party chooses to advise them. The parties may choose advisors from inside or outside the campus community. The Title IX Coordinator or designee will also offer to assign a trained ERP pool member to work as an advisor/advocate for any party. The parties may choose their advisor from the ERP pool, choose a non-trained advisor from outside the pool if preferred or proceed without an advisor.

The parties may be accompanied by their advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Oklahoma City University cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not, or cannot afford an attorney, the University is not obligated to provide one.

All advisors are subject to the same campus rules, whether they are attorneys or not. Advisors may not address campus officials in a meeting or interview unless

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invited to. The advisor may not make a presentation or represent the reporting party or the responding party during any meeting or proceeding and may not speak on behalf of the party they are advising to the investigators or hearing panelists. The parties are expected to ask and respond to questions on their own behalf, without representation by their advisor. Advisors may confer quietly with their advisees or in writing as necessary, as long as they do not disrupt the process. For longer or more involved discussions, the parties and their advisors should ask for breaks or step out of meetings to allow for private conversation. Advisors will typically be given an opportunity to meet in advance of any interview or meeting with the administrative officials conducting that interview or meeting. This pre-meeting will allow advisors to clarify any questions about the process they may have and allows the University an opportunity to clarify the role of the advisor in the ERP. Advisors are expected to refrain from interference with the investigation and resolution. Any advisor who steps out of their role will be provided with a single warning. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the advisor will be asked to leave the meeting. When an advisor is removed from a meeting, that meeting will typically continue without the advisor present. Subsequently, the Title IX Coordinator will determine whether the advisor may be reinstated or may be replaced by a different advisor.

Parties may wish to share documentation related to the allegations with their advisor. The University provides a consent form that authorizes such sharing. The parties must complete this form before the University is able to share records with an advisor, though parties may share the information directly with their advisor if they wish. Advisors are expected to maintain the privacy of any records or information shared with them. These records may not be shared with 3rd parties, disclosed publicly, or used for purposes not explicitly authorized by the University. Oklahoma City University may seek to restrict the role of any advisor who does not respect the sensitive nature of the process or who fails to abide by the University's privacy expectations.

Oklahoma City University expects an advisor to adjust their schedule to allow them to attend University meetings when scheduled. Oklahoma City University does not typically change scheduled meetings to accommodate an advisor's inability to attend. The University will, however, make reasonable provisions to allow an advisor who cannot attend in person to attend a meeting by telephone, video and/or virtual meeting technologies as may be convenient and available.

A party may elect to change advisors during the process and is not locked into using the same advisor throughout the ERP. The parties must advise the investigators of the identity of their advisor at least one (1) day before the date of their first meeting with investigators (or as soon as possible if a more expeditious meeting is necessary or desired). The parties must provide timely notice to investigators if they change advisors at any time.

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2.7 Conflict Resolution and Informal Resolution

Proceedings are private. All persons present at any time during the hearing are expected to maintain the privacy of the proceedings in accord with university policy. While the contents of the hearing are private, the parties have discretion to share their own experiences if they so choose and should discuss doing so with their advisors.

a. Conflict Resolution

Conflict Resolution is often used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the formal hearing process to resolve conflicts. The Title IX Coordinator will determine if conflict resolution is appropriate, based on the willingness of the parties, the nature of the conduct at issue and the susceptibility of the conduct to conflict resolution. In a conflict resolution meeting, a trained administrator will facilitate a dialogue with the parties to an effective resolution, if possible. Sanctions are not possible as the result of a conflict resolution process, though the parties may agree to appropriate remedies. The Title IX Coordinator will keep records of any resolution that is reached, and failure to abide by the accord can result in appropriate responsive actions.

Conflict Resolution will not be the primary resolution mechanism used to address reports of violent behavior of any kind or in other cases of serious violations of policy, though it may be made available after the formal process is completed should the parties and the Title IX Coordinator believe that it could be beneficial. Mediation will not be used in cases of sexual violence. It is not necessary to pursue conflict resolution first in order to pursue Informal or Formal Resolution, and either party participating in Conflict Resolution can stop that process at any time and request a shift to either Informal or Formal Resolution.

b. Informal Resolution: Resolution Without a Hearing Panel

Informal Resolution can be pursued for any behavior that falls within the Nondiscrimination Policy at any time during the process. This option may be used when:

- A responding party admits responsibility for all or part of the alleged policy violations at any point in the process;
- When the investigation reaches a finding that the parties accept;
- When both parties elect to resolve the allegation using the Informal Resolution process and the Title IX Coordinator assents.

In Informal Resolution, the investigator has the authority to address all collateral misconduct, meaning that they hear all allegations of discrimination, harassment, and retaliation, but also may address any additional alleged policy violations that have occurred in concert with the discrimination, harassment or retaliation, even though those collateral allegations may not specifically fall within the Nondiscrimination Policy. Accordingly, investigations should be conducted with as wide a scope as necessary.

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Any evidence that the investigator believes is relevant and credible may be considered, including history and pattern evidence. The investigator may exclude irrelevant or immaterial evidence and may choose to disregard evidence lacking in credibility, or that is improperly prejudicial.

Unless the investigator determines it is appropriate, the investigation and the finding will not consider: (1) incidents not directly related to the possible violation, unless they show a pattern, (2) the sexual history of the reporting party (though there may be a limited exception made in regards to the sexual history between the parties), (3) or the character of the reporting party. While previous conduct violations by the responding party are not generally admissible as information about the present allegation, the investigators may consider information about previous good faith allegations and/or findings to consider as evidence of pattern and/or predatory conduct.

The investigator(s) will not meet with character witnesses, but investigators will accept up to two (2) letters supporting the character of each of the parties. The investigator(s) will base their determination(s) using a preponderance of the evidence standard, i.e., whether it is more likely than not that the responding party violated policy as alleged.

Typically, within ten (10) days of the close of an investigation which determines that a responding party is in violation of policy, the Title IX Coordinator or the investigator(s) or both will meet with the responding party to explain the finding(s) of the investigation. Once informed, the responding party may choose to admit responsibility for all or part of the alleged policy violations. If the responding party admits responsibility, in whole or in part, the Title IX Coordinator will render a determination that the individual is in violation of University policy for the admitted conduct, and will normally proceed to convene a formal hearing on any remaining disputed violations.

If the responding party admits to the violation(s), the Title IX Coordinator, in consultation as appropriate, will determine an appropriate sanction or responsive action. If the sanction/responsive action is accepted by both the reporting party and responding party, the Title IX Coordinator will implement the finding and sanction, and act promptly and effectively to stop the harassment or discrimination, prevent its recurrence and remedy the effects of the discriminatory conduct. No appeal is permitted.

If either party rejects the sanction/responsive action, a formal hearing will be held on the sanction/responsive action only, according to the Formal Resolution procedures below.

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If alleged misconduct is resolved at this stage, the Title IX Coordinator will inform the parties of the final determination within three (3) days of the resolution, without significant time delay between notifications. Notification will be made in writing and may be delivered by one or more of the following methods: in person; mailed to the local or permanent address of the parties as indicated in official University records or emailed to the parties' University-issued email account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered. The notification of outcome will specify the finding on each alleged policy violation, any sanctions that may result which University is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the University is permitted to share under state or federal law. The notice will also include information on when the results are considered by the University to be final, any changes that occur prior to finalization, and any appeals options that are available.

At any point during the Informal Resolution process, including at its conclusion, either party may request that the matter be referred to the Formal Resolution Process for presentation before a hearing panel.

c. Formal Resolution: Resolution with a Hearing Panel

For all contested allegations that are not resolved through either Conflict Resolution or Informal Resolution, the Title IX Coordinator will initiate a formal hearing panel within ten (10) days of the conclusion of the investigation, barring unusual circumstances.

2.8 Formal Hearing Panel Procedures

a. Hearing Panels

The Title IX Coordinator will refer the investigation findings to one of the non-voting panel Chairs depending on whether the responding party is an employee or a student. The Chair will impanel three members (or five members if either party is a faculty member) from the available pool to the hearing panel, none of whom have been previously involved with the allegation. An alternate will sit in throughout the process if needed or at the discretion of the Chair. Those who served as investigators will be witnesses in the hearing of the allegation and therefore may not serve as hearing panel members. Those who are serving the parties as advisors, if any, are not eligible to serve as panelists. If any party to the complaint is a faculty member, the majority of the hearing panel shall be full-time faculty members who have received current training on Title IX investigation and compliance. The panel will meet at a time determined by the Chair.

b. Notice of Hearing

At least five (5) days prior to the hearing, or as far in advance as is reasonably possible if an accelerated hearing is scheduled with the consent of the parties, the Chair will send a letter to the parties with the following information. Once mailed,

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emailed and/or received in-person, notice will be presumptively delivered. The letter will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities. If any party does not appear at the scheduled hearing, the hearing will be held in their absence. For compelling reasons, the Chair may reschedule the hearing.
- Notification that the parties may have the assistance of a trained ERP pool member (not otherwise participating in the investigation or hearing) or other advisor of their choosing at the hearing (See Section 2.6: “Advisors” above).

Hearings for possible violations that occur near or after the end of an academic term and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by Oklahoma City University and to remain within the sixty (60) day goal for resolution.

c. Hearing Procedures

Hearing panels will be conducted in private. Hearings (except for deliberations) are recorded for purposes of review in the event of an appeal. The parties may not record the proceedings, and no other unauthorized recordings are permitted. Panel members, the parties, and appropriate administrative officers of Oklahoma City University will be allowed to listen to the recording in a location determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

The panel has the authority to hear all collateral misconduct, meaning that it hears all allegations of discrimination, harassment, and retaliation, but also may hear any additional alleged policy violations that have occurred in concert with the discrimination, harassment or retaliation, even though those collateral allegations may not specifically fall within the panel’s jurisdiction. Accordingly, investigations should be conducted with as wide a scope as necessary.

Participants will include the non-voting Chair, the members of the panel, the investigator(s) who conducted the investigation, the reporting party, responding party (or three (3) organizational representatives where an organization is charged), advisors to the parties and any called witnesses.

Pre-Hearing

The Chair will provide the names of witnesses who will be participating in the hearing, all pertinent documentary evidence, and the investigation report to the parties at least five (5) days prior to the hearing. Any witness scheduled to participate in the hearing must have been interviewed first by investigators (or have

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proffered a written statement) unless all parties consent to the participation of that witness in the hearing. In addition, the parties will be given a list of the names of each of the hearing panel members at least two (2) days in advance of the hearing. All objections to any panelist must be raised in writing to the Chair no later than two (2) days prior to the hearing. Hearing panel members will only be unseated if the Chair concludes that their bias precludes an impartial hearing of the allegation. The panelists will be given a list of the names of each party and their witnesses at least five (5) days in advance of the hearing. Any panelist or Chair who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties and all witnesses in advance of the hearing.

The Chair, in consultation with the parties and investigators, may decide in advance of the hearing that certain witnesses do not need to be physically present if their testimony can be adequately summarized by the investigator(s) in the investigation report or during the hearing. All parties will have ample opportunity to present facts and arguments in full and question all present witnesses during the hearing, though direct questioning including formal cross-examination is not permitted between the parties. All questions of the parties intended for the other party shall be submitted to the Chair for the Chair to ask the questions on each party's behalf. The Chair shall have discretion to determine if the questions are appropriate and relevant to the case. Prepared questions should be submitted to the Chair at least two (2) days prior to the hearing. Additional questions may be submitted during the hearing as appropriate. If alternative attendance or questioning mechanisms are desired, such as the reporting party not wanting to be in the same room as the responding party for the hearing (screens, Skype, etc.), the parties should request them from the Chair at least two (2) days prior to the hearing. In the case of documented disabilities for which accommodations in the process are necessary, the University will make reasonable accommodations for the parties when requested in advance.

Investigator Presents the Report

Once the procedures are explained, and the participants are introduced, the investigator will present the report of the investigation first, and be subject to questioning by the parties and the panel. The investigator(s) will be present during the entire hearing process, but will only be present during deliberations at the request of the Chair. The findings of the investigation are not binding on the panel, though any undisputed conclusions of the investigation report will not be revisited, except as necessary to determine sanctions/responsive actions. Once the investigator(s) present their report and are questioned, the panel will permit the parties to provide relevant information in turn and permit questioning of the investigator by the parties. The panel will then permit all witnesses to provide relevant information and the panel, and the parties will each be allowed to ask questions of the witnesses. Questions are usually directed to the parties and witnesses through the panel at the discretion of the Chair. There will be no observers in the hearing. The Chair may allow witnesses who have relevant

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information to appear at a portion of the hearing in order to respond to specific questions from the panel or the parties involved, and then be excused.

Evidence Presented at the Hearing

Formal rules of evidence do not apply. Any evidence that the panel believes is relevant and credible may be considered, including history and pattern evidence. The Chair will address any evidentiary concerns prior to and/or during the hearing, may exclude irrelevant or immaterial evidence and may ask the panel to disregard evidence lacking in credibility or that is improperly prejudicial. The Chair will determine all questions of procedure and evidence. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

Unless the Chair determines it is appropriate, no one will present information or raise questions concerning: (1) incidents not directly related to the possible violation, unless they show a pattern, (2) the sexual history of the reporting party (though there may be a limited exception made in regards to the sexual history between the parties), (3) or the character of the reporting party. While previous conduct violations by the responding party are not generally admissible as information about the present allegation, the investigators will supply the panel with information about previous good faith allegations and/or findings to consider as evidence of pattern and/or predatory conduct.

The panel does not hear from character witnesses but will accept up to two (2) letters supporting the character of each of the parties.

In hearings involving more than one responding party or in which two (2) or more reporting parties have accused the same individual of substantially similar conduct, the standard procedure will be to hear the allegations jointly; however, depending on the facts or nature of the allegations, the Title IX Coordinator may permit the hearing pertinent to each responding party to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each responding party.

Proceedings are private. All persons present at any time during the hearing are expected to maintain the privacy of the proceedings in accord with Oklahoma City University policy. While the contents of the hearing are private, the parties have discretion to share their own experiences if they so choose, and should discuss doing so with their advisors.

Alternative Testimony Options

For sexual misconduct reports, and other reports of a sensitive nature, the reporting party will be offered alternative testimony options, such as placing a privacy screen in the hearing room, or testifying outside the physical presence of the responding party, such as by Skype or phone. While these options are intended to help make the

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reporting party more comfortable, they are not intended to work to the disadvantage of the responding party.

d. Deliberation and Decisions

The hearing panel and the non-voting Chair will deliberate in closed session to determine whether the responding party is responsible or not responsible for the policy violation(s) in question. The panel will base its determination(s) on a preponderance of the evidence (i.e., whether it is more likely than not that the responding party committed each alleged violation). If a responding party or organization is found responsible by a majority of the panel, the panel will recommend appropriate sanctions.

The Chair will prepare a written deliberation report and deliver it to the Title IX Coordinator, detailing the recommended finding, the information cited by the panel in support of its recommendation and any information the hearing panel excluded from its consideration and why. The report should conclude with any recommended sanctions. This report should not exceed two (2) pages in length and must be submitted to the Title IX Coordinator within two (2) days of the end of deliberations unless the Title IX Coordinator grants an extension.

The Title IX Coordinator will finalize the recommendations and will inform the parties of the final determination – both the finding(s) and applicable sanction(s) within three (3) days of the hearing, without significant time delay between notifications. Notification will be made in writing and may be delivered by one or more of the following methods: in person; mailed to the local or permanent address of the parties as indicated in official University records, or emailed to the parties' University-issued email account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered. The notification of outcome will specify the finding on each alleged policy violation, any sanctions that may result which the University is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent Oklahoma City University is permitted to share under state or federal law. The notice will also include information on when the results are considered by the University to be final, any changes that occur prior to finalization and any appeals options that are available.

e. Sanctions

The hearing panel assigned to the resolution will recommend sanctions or responsive actions to the Title IX Coordinator. Factors considered when

determining a sanction/responsive action may include:

- The nature, severity of, and circumstances surrounding the violation
- An individual's disciplinary history
- Previous allegations or allegations involving similar conduct
- Any other information deemed relevant by the hearing panel

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- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the reporting party and/or the community

i. Student Sanctions

The following are the usual sanctions that may be imposed upon students or organizations singly or in combination:

- **Warning:** A formal statement that the behavior was unacceptable and a warning that further infractions of any University policy, procedure or directive will result in more severe sanctions/responsive actions.
- **Probation:** A written reprimand for violation of the Nondiscrimination Policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any University policy, procedure or directive within a specified period of time. Terms of the probation will be specified and may include denial of specified social privileges, exclusion from co-curricular activities, non-contact orders, and/or other measures deemed appropriate.
- **Suspension:** Termination of student status for a definite period of time not to exceed two years, and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure at Oklahoma City University. This sanction may be noted as a Disciplinary Suspension on the student's official transcript, at the discretion of the Title IX Coordinator.
- **Expulsion:** Permanent termination of student status, revocation of rights to be on campus for any reason or attend Oklahoma City University-sponsored events. This sanction will be noted as a Disciplinary Expulsion on the student's official transcript.
- **Withholding Diploma:** Oklahoma City University may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending, or as a sanction if the student is found responsible for an alleged violation.
- **Revocation of Degree:** Oklahoma City University reserves the right to revoke a degree awarded from Oklahoma City University for fraud, misrepresentation or other violation of Oklahoma City University policies, procedures or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- **Organizational Sanctions:** Deactivation, de-recognition, loss of all privileges (including University registration), for a specified period of time.
- **Other Actions:** In addition to or in place of the above sanctions, Oklahoma City University may assign any other sanctions as deemed appropriate.

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ii. Employee Sanctions

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation may include:

- Warning – Verbal or Written
- Performance Improvement/Management Process
- Required Counseling
- Required Training or Education
- Probation
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Administrative Leave with pay
- Administrative Leave without pay
- Termination
- Other Actions: In addition to or in place of the above sanctions, Oklahoma City University may assign any other sanctions as deemed appropriate.

f. Withdrawal or Resignation While Charges Pending

Students: Oklahoma City University does not permit a student to withdraw if that student has an allegation pending for violation of the Nondiscrimination Policy. Should a student decide to leave and/or not participate in the ERP, the process will nonetheless proceed in the student's absence to a reasonable resolution and that student will not be permitted to return to Oklahoma City University unless all sanctions have been satisfied. The student will not have access to an academic transcript until the allegations have been resolved.

Employees: Should an employee resign with unresolved allegations pending, the records of the Title IX Coordinator will reflect that status, and any University responses to future inquiries regarding employment references for that individual will indicate the former employee is ineligible for rehire.

g. Appeals

All requests for appeal consideration must be submitted in writing to the Title IX Coordinator within ten (10) days of the delivery of the written finding of the hearing panel. Any party may appeal the findings, and/or sanctions only under the grounds described, below.

- A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.).
- To consider new evidence, unknown or unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.

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- The sanctions imposed fall outside the range of sanctions Oklahoma City University has designated for this offense and the cumulative record of the responding party.

A three or five member appeals panel chosen from the ERP pool will be designated by the Title IX Coordinator from those who have not been involved in the process previously.

The appeals panel will review the appeal request(s). The original finding and sanction/responsive actions will stand if the appeal is not timely or is not based on the grounds listed above, and such a decision is final. The party requesting appeal must show that the grounds for an appeal request have been met, and the other party or parties may show the grounds have not been met, or that additional grounds are met. The original finding and sanction are presumed to have been decided reasonably and appropriately. When any party requests an appeal, the Title IX Coordinator will share the appeal request with the other party(ies), who may file a response within three (3) days and/or bring their own appeal on separate grounds within the original timeframe. If new grounds are raised, the original appealing party will be permitted to submit a written response to these new grounds within three (3) days. Any response or appeal request will be shared with each party.

Where the appeals panel finds that at least one of the grounds is met by at least one party, additional principles governing the hearing of appeals will include the following:

- Decisions by the Appeals panel are to be deferential to the original decision, making changes to the finding only where there is clear error and to the sanction/responsive action only if there is a compelling justification to do so.
- Appeals are not intended to be full re-hearings (de novo) of the allegation. In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal. An appeal is not an opportunity for appeals panelists to substitute their judgment for that of the original hearing panel merely because they disagree with its finding and/or sanctions.
- Appeals granted based on new evidence should normally be remanded to the original hearing panel or investigators for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, heard by the three-member appeals panel.
- Sanctions imposed as the result of the Formal or Informal Resolution processes are implemented immediately unless the Title IX Coordinator or designee stays their implementation in extraordinary circumstances, pending the outcome of the appeal.

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- For students: Graduation, study abroad, internships/ externships, etc. do NOT in and of themselves constitute exigent circumstances, and students may not be able to participate in those activities during their appeal.
- The Title IX Coordinator will confer with the appeals panel, incorporate the results of any remanded grounds, and render a written decision on the appeal to all parties within three (3) days from hearing of the appeal or remand.
- All parties should be informed of whether the grounds for an appeal are accepted and the results of the appeal decision or remand.
- Where appeals result in no change to the finding or sanction, that decision is final. Where an appeal results in a new finding or sanction, that finding or sanction can be appealed one final time on the grounds listed above, and in accordance with these procedures.
- All parties will be informed in writing within three (3) days of the outcome of the Appeals Panel, without significant time delay between notifications, and in accordance with the standards for notice of outcome as defined above.
- In rare cases where a procedural or substantive error cannot be cured by the original hearing panel (as in cases of bias), the appeals panel may recommend a new hearing with a new hearing panel. The results of a remand to a hearing panel cannot be appealed. The results of a new hearing can be appealed, once, on any of the three applicable grounds for appeals.
- In cases where the appeal results in reinstatement to Oklahoma City University or resumption of privileges, all reasonable attempts will be made to restore the responding party to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

h. Long-Term Remedies/Actions

Following the conclusion of the ERP and in addition to any sanctions implemented, the Title IX Coordinator may utilize long-term remedies or actions to stop the harassment or discrimination, remedy its effects and prevent their reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the community
- Permanently altering the housing situation of the responding party (resident student or resident employee (or the reporting party, if desired))
- Permanently altering work arrangements for employees
- Providing campus escorts
- Climate surveys
- Policy modification
- Providing transportation accommodations
- Implementing long-term contact limitations between the parties
- Offering adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, long-term remedies may also be provided even when the responding party is found not responsible.

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The University will maintain as confidential any long-term remedies/actions or protective measures, provided confidentiality does not impair the University's ability to provide the actions or protective measures.

h. Failure to Complete Sanctions/Comply with Interim and Long-term Remedies/Responsive Actions

All responding parties are expected to comply with conduct sanctions, responsive actions and corrective actions within the timeframe specified by the Title IX Coordinator. Failure to abide by these conduct sanctions, responsive actions and corrective actions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions/responsive/corrective actions and/or suspension, expulsion, and/or termination from Oklahoma City University and may be noted on a student's official transcript. A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

j. Records

In implementing this policy, records of all allegations, investigations, resolutions, and hearings will be kept by the Title IX Coordinator indefinitely in the Title IX Coordinator database.

k. Statement of the Rights of the Parties

Statement of the Reporting Party's rights:

- The right to investigation and appropriate resolution of all credible allegations of sexual misconduct or discrimination made in good faith to Oklahoma City University officials;
- The right to be informed in advance of any public release of information regarding the incident;
- The right not to have any personally identifiable information released to the public, without their consent;
- The right to be treated with respect by Oklahoma City University officials;
- The right to have Oklahoma City University policies and procedures followed without material deviation;
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence;
- The right not to be discouraged by Oklahoma City University officials from reporting sexual misconduct or discrimination to both on-campus and off-campus authorities;
- The right to be informed by Oklahoma City University officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by campus authorities in notifying such authorities, if the reporting party so chooses. This also includes the right not to be pressured to report, as well;

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- The right to have reports of sexual misconduct responded to promptly and with sensitivity by campus law enforcement and other campus officials;
- The right to be notified of available counseling, mental health, victim advocacy, health, legal assistance, student financial aid, visa and immigration assistance, or other student services, both on campus and in the community;
- The right to a campus no contact order (or a trespass order against a non-affiliated third party) when someone has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the reporting party or others;
- The right to notification of and options for, and available assistance in, changing academic and living situations after an alleged sexual misconduct incident, if so requested by the reporting party and if such changes are reasonably available (no formal report, or investigation, campus or criminal, need occur before this option is available). Accommodations may include:
 - Change of an on-campus student's housing to a different on-campus location;
 - Assistance from University support staff in completing the relocation;
 - Transportation accommodations;
 - Arranging to dissolve a housing contract and pro-rating a refund;
 - Exam (paper, assignment) rescheduling;
 - Taking an incomplete in a class;
 - Transferring class sections;
 - Temporary withdrawal;
 - Alternative course completion options.
- The right to have Oklahoma City University maintain such accommodations for as long as is necessary, and for protective measures to remain confidential, provided confidentiality does not impair the institution's ability to provide the accommodations or protective measures;
- The right to be fully informed of campus policies and procedures as well as the nature and extent of all alleged violations contained within the report;
- The right to ask the investigators to identify and question relevant witnesses, including expert witnesses;
- The right to review all documentary evidence available regarding the report, subject to the privacy limitations imposed by state and federal law, at least 48 hours prior to the hearing;
- The right to be informed of the names of all witnesses who will be called to give testimony, at least two (2) days prior to the hearing, except in cases where a witness's identity will not be revealed to the responding party for compelling safety reasons (this does not include the name of the reporting party, which will always be revealed);
- The right not to have irrelevant prior sexual history admitted as evidence;
- The right to regular updates on the status of the investigation and/or resolution;
- The right to have reports heard by hearing and appeals officers who have received at least eight hours of annual sexual misconduct training;

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- The right to a panel that is not single-sex in its composition, if a panel is used;
- The right to preservation of privacy, to the extent possible and permitted by law;
- The right to meetings, interviews and/or hearings that are closed to the public;
- The right to petition that any Oklahoma City University representative in the process be recused on the basis of demonstrated bias and/or conflict of interest;
- The right to bring a victim advocate or advisor of the reporting party's choosing to all phases of the investigation and resolution proceeding;
- The right to provide evidence by means other than being in the same room with the responding party;
- The right to have the university compel the participation of student, faculty and staff witnesses, and the opportunity (if desired) to ask questions, directly or indirectly, of all present witnesses [including the responding party], and the right to challenge documentary evidence;
- The right to be present for all testimony given and evidence presented during any resolution-related hearing;
- The right to submit an impact statement in person or in writing to the hearing officers following determination of responsibility, but prior to sanctioning;
- The right to be promptly informed of the outcome and sanction of the resolution process in writing, without undue delay between the notifications to the parties;
- The right to be informed in writing of when a decision by Oklahoma City University is considered final, any changes to the sanction to occur before the decision is finalized, to be informed of the right to appeal the finding and sanction of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by Oklahoma City University.

Statement of the Responding Party's rights:

- The right to investigation and appropriate resolution of all credible reports of sexual misconduct and/or discrimination made in good faith to Oklahoma City University administrators;
- The right to be informed in advance, when possible, of any public release of information regarding the report;
- The right to be treated with respect by Oklahoma City University officials;
- The right to have Oklahoma City University policies and procedures followed without material deviation;
- The right to be informed of and have access to campus resources for medical, health, counseling, and advisory services;
- The right to timely written notice of all alleged violations, including the nature of the violation(s), the applicable policies and procedures and possible sanctions;
- The right to a hearing on the report, including timely notice of the hearing date, and adequate time for preparation;
- The right to review all documentary evidence available regarding the report, subject to the privacy limitations imposed by state and federal law, at least two (2) days prior to the hearing;

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- The right to be informed of the names of all witnesses who will be called to give testimony, at least two (2) days prior to the hearing, except in cases where a witness's identity will not be revealed to the responding party for compelling safety reasons (this does not include the name of the reporting party, which will always be revealed);
- The right not to have irrelevant prior sexual history admitted as evidence in a campus resolution process;
- The right to have reports heard by hearing and appeals officers who have received at least eight hours of annual training;
- The right to petition that any Oklahoma City University representative be recused from the resolution process on the basis of demonstrated bias and/or conflict of interest;
- The right to a panel that is not single-sex in its composition, if a panel is used;
- The right to meetings, interviews, and hearings that are closed to the public;
- The right to have Oklahoma City University compel the participation of student, faculty and staff witnesses, and the opportunity to ask questions, directly or indirectly, of all present witnesses, and the right to challenge documentary evidence;
- The right to have an advisor of their choice to accompany and assist in the campus resolution process;
- The right to a fundamentally fair resolution, as defined in these procedures;
- The right to submit an impact statement in person or in writing to the hearing officers board following any determination of responsibility, but prior to sanctioning;
- The right to a decision based solely on the evidence presented during the resolution process. Such evidence shall be credible, relevant, based in fact, and without prejudice;
- The right to be promptly informed of the outcome and sanction of the resolution process in writing, without undue delay between the notifications to the parties;
- The right to be informed in writing of when a decision of the Oklahoma City University is considered final, any changes to the sanction to occur before the decision is finalized, to be informed of the right to appeal the finding and/or sanction of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by Oklahoma City University.

2.9 Disabilities Accommodation in the Equity Resolution Process

Oklahoma City University is committed to providing qualified students, employees or others with disabilities with reasonable accommodations and support needed to ensure equal access to the Equity Resolution Process at Oklahoma City University. Anyone needing such accommodations or support should contact the Disability Services Coordinator, who will review the request and, in consultation with the person requesting the accommodation, and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation.

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2.10 Revision

These policies and procedures will be reviewed regularly and updated as needed by the Title IX Coordinator. Oklahoma City University reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect. The Title IX Coordinator may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules, etc. The Title IX Coordinator may also vary procedures materially with notice (on the institutional website, with appropriate date of effect identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and procedure.

Procedures in effect at the time of the resolution will apply to resolution of incidents, regardless of when the incident occurred. Policy in effect at the time of the offense will apply even if the policy is changed subsequently but prior to resolution unless the parties consent to be bound by the current policy. If government regulations change in a way that impacts this document, this document will be construed to comply with government regulations in their most recent form. This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such codes generally.

This policy and procedure was approved and implemented on October XX, 2016.
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Missing Students

Oklahoma City University considers the safety of our students to be essential to the creation and maintenance of an environment where learning is encouraged and supported. The purpose of this policy is to establish procedures to guide the University's response to reports of missing resident students in accordance with the requirements of the Higher Education Opportunity Act of 2008.

Each Oklahoma City University student who is eighteen (18) years of age or older or who is legally emancipated has the opportunity to voluntarily identify an individual or individuals for the University to contact whenever circumstances indicate that the student may be missing or otherwise endangered. To designate "confidential emergency contacts," students may log-in to their Blue Link account and click on "my personal information" and then "add new emergency contact" students may then add a second contact in addition to parents or guardians. To indicate the contact is confidential, please select the item "confidential missing person" in the drop-down box designating relationship.

Only university officials with access to student contact information will have access to this information. In the event the student is under 18 years of age and is not emancipated, the University will make any missing student notification directly to the custodial parent(s) or guardian(s).

If a member of the university community has reason to believe that a student who resides on-campus is missing, he or she should immediately notify the OCUPD at 405-208-5911 or 405-208-5001 or the Vice President for Student Affairs at 405-208-7900. Upon receiving information that a student cannot be located and may be missing, OCUPD officers and the Vice President of Student Affairs will coordinate an investigation which may include the following:

- Conduct welfare check into the student's on-campus room, if applicable.
- Call the student's cell phone of record.
- Call known contacts (parents, guardians, coaches, roommates and friends).
- Review student's known social media accounts and university email.
- Call the student's confidential emergency contact if one has been registered.
- Contact employers and associates, if known.
- Contact instructors to ascertain the student's recent class attendance.
- If applicable, OCUPD will attempt to locate the student's vehicle.

If the student cannot be located after reasonable efforts, OCUPD will notify the Oklahoma City Police Department no later than 24 hours after the student has been reported missing. Following notification of the appropriate law enforcement authority the University will cooperate in the investigation and offer assistance to locate a missing person.

Fire Safety Report

The Higher Education Opportunity Act requires academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus housing statistics. These requirements are separate from the Clery Act requirements. However, to reduce administrative burden and to make it easier for students, faculty, staff, and parents to find the information, the regulations for data collection and dissemination will be published in the Annual Safety Report.

Statistical Report

Fire Statistics	2019		2020		2021	
	Fires	Cause/Value	Fires	Cause/Value	Fires	Cause/Value
Fires	0	N/A	0	N/A	0	N/A
Deaths Related to Fire	0	N/A	0	N/A	0	N/A
Injuries Related to Fire	0	N/A	0	N/A	0	N/A
Property Value Damage	0	N/A	0	N/A	0	N/A

University Owned/Controlled Student Housing

Oklahoma City University operates 6 residence halls and 1 apartment complex which are all covered by a fire alarm system that is monitored 24 hours per day, seven days per week.

- **Walker Hall** – central fire panel with auto dialer reporting to the 24-hour staffed campus police department, heat and smoke sensors, 2nd floor sprinklers, fire extinguishers on every floor, audible and visual fire alarms, air handler automatic shut-off.
- **United Methodist Hall** – central fire panel with auto dialer, whole building sprinklers, fire extinguishers on every floor, heat/smoke combination sensors, automatic fire doors.
- **Smith Hall** – Central fire panel with auto dialer, smoke and heat detectors, audible alarm, each level has fire extinguishers.
- **Banning Hall** – Central fire panel with auto dialer, smoke and heat detectors, audible alarm, each level has fire extinguishers
- **Draper Hall** - Central fire panel with auto dialer, smoke and heat detectors, audible alarm, each level has fire extinguishers.

Fire Safety Report

- **Harris Hall** - Central fire panel with auto dialer, smoke and heat detectors, audible alarm, each level has fire extinguishers
- **Cokesbury Court** - Sprinklers, smoke detectors, audible alarm, each level has fire extinguishers

OCUPD officers and residence hall staff participate in fire training annually. In addition, a program that covers emergency and evacuation procedures is reviewed regularly with the occupants and staff of each residence hall. Fire drills are conducted twice each year in accordance with the National Fire Protection Life Safety Code.

Specific Fire Prevention-Related Policies

It is the policy of Oklahoma City University to provide a campus environment that is free from potential fire hazards. Residence hall regulations prohibit the possession and use of portable heaters, any appliance with open elements, crock pots, electric string lighting candles, and incense. Any open burning must be approved and supervised by the Housing Director or designee.

Specific Fire Safety and Evacuation Procedures

Fire drills are initiated each semester by the OCU Police Department for all residence halls and campus classroom buildings at random. An all-campus emergency drill is held once each semester.

Emergency drills will be performed periodically in each building. The OCU Risk Manager, the Chief of the OCU Police and the OKC Fire department will plan building evacuation drills. A list of drills will be maintained each year. Exact dates will be determined and the appropriate personnel will be notified several days before the drill. Oklahoma City University has adopted Universal Emergency Procedures and conducts the following drills:

- Evacuation (for use when conditions outside are safer than inside; fire)
- Reverse Evacuation (for use when conditions inside are safer than outside)
- Severe Weather Safe Area (for use in severe weather emergencies; tornados)
- Shelter in Place (for use in active shooter; chemical spills,)
- Lockdown (for use to protect building occupants from potential dangers inside of outside of the building)
- Drop, Cover and Hold (for use in earthquake, or other imminent danger to buildings or immediate surroundings)

Emergency Shelter & Evacuation Locations

BUILDING		ASSEMBLY LOCATION
Aduddell Fitness Center	1	McDaniel Visitor Parking
*Banning Hall (residence hall)	2	Activities Lawn
*Bishop Smith Chapel	3	Lawn west of Chapel
Children's Center for the Arts	4	Lawn north of Children's Center
*Clara Jones Administration	5	Centennial Lawn
Cokesbury Court Apartments	2	Activities Lawn
CR Sutton Baseball Complex	6	Parking lot west of baseball field
*Dawson-Loeffler	7	Entrance to baseball field
*Draper Hall	8	Parking lot south of Draper Hall
*Dulaney Browne Library	9	Clock Tower
*Freede Wellness Center	10	Parking lot north of Freede
*Gaylord Building / Ann Lacy School of Dance Management	11	Quad Lawn
*Gold Star Building	12	Walkway east of Gold Star
*Harris Hall	8	Parking lot south of Draper Hall
OCU Police Department	13	Parking lot east of Lacy Admissions
*Kirkpatrick Fine Arts Building	14	Lawn east of Kirkpatrick Fine Arts
Knight Wrestling Facility	-	Parking lot to west of building
Kramer School of Nursing East	15	West plaza, Meinders School
Kramer School of Nursing West	16	Parking lot south of Nursing
Lacy Visitor & Admissions Center	13	Parking lot east of building
McDaniel University Center	9	Clock Tower
Meinders School of Business	15	West plaza, Meinders School
*Methodist Residence Hall	2	Activities Lawn
Norick Arts Center	17	Parking lot west of Norick Arts
Panhellenic Quad	21	Parking lot east of Quad
Physical Plant	19	Parking lot south of Freede
*Sarkeys Math & Science Center	2	Activities Lawn
*Smith Hall (residence hall)	2	Sarkeys Pavilion
University Health Center	18	Parking lot South of Nursing
Walker Center	17	Parking lot west of Norick Arts
*Walker Hall (residence hall)	20	Basement of Chapel
*Wanda Bass Music Center	15	West plaza, Meinders School
Wilson House	4	North side of Children's Center
*OCU LAW SCHOOL	-	North & South Parking Lots

- BUILDING HAS A DESIGNATED TORNADO SHELTER AREA (highlighted in red)

Emergency Medical Response

A medical emergency is defined as sudden onset of loss of consciousness, shortness of breath, acute change in behavior such as confusion, uncontrolled bleeding, acute pain or complaint of chest pain. If any person on campus is complaining of any of these, call 911 from an on campus phone (or 405-208-5911 by cell) immediately. Do not hesitate. Take action, even if in doubt. Start CPR if the person is not breathing and has no pulse. Have someone get the nearest AED immediately. The OCU Police Department will come to your location to assist you and help local emergency responders find your location. Response time for EMSA or Oklahoma City Fire Department may be as little as 3 to 5 minutes.

It is absolutely free for community emergency responders to come to the University. There is no charge or penalty to the University. Ambulance personnel will provide minor injury care at no charge if the patient is not experiencing a medical emergency. If the person is unconscious, having difficulty breathing or chest pain, is bleeding profusely, is in severe pain or is medically unstable, the paramedics will assess, stabilize and transport the person to a local hospital. The patient is charged only if transported to a hospital.

Locations of Defibrillators

- Sarkeys Math and Science Center – Lower floor near restrooms and stairway
- Gold Star Memorial Building – West wall across from Circulation Desk
- Student Health clinic – Clinic Lobby
- Freede – west hallway across from check-in desk
- Freede – athletic training room
- Meinders School of Business (2) – First floor near elevator and third floor north access wing)
- Administration Bldg. - North hallway first floor near water fountain
- Ann Lacy School of Dance and Arts Management – Main level, mid-hall, near door to stairway
- McDaniel University Center – Main level, on wall outside cafeteria
- Dulaney-Browne library – North wall behind circulation desk
- Loeffler – Main level, next to women’s restroom
- Physical Plant – in engineering office
- Kramer School of Nursing – Main hallway, near entry
- Walker Center – First floor, near room 151
- Bishop W. Angie Smith Chapel – Main level, near chapel office
- Wanda L. Bass Music Center – First floor, near family restroom
- Ann Lacy Visitor’s Center – First floor, near reception desk
- United Methodist Residence Hall (4) – On each level, east end, near fire extinguisher
- Smith Residence Hall (1) – Lounge, first level, near fire extinguisher
- Banning Residence Hall (1)- Lounge, first level, near fire extinguisher
- Walker Residence Hall (2) – First floor, across from reception desk and Fourth Floor, near RA quarters
- Aduddell Workout Center next to United Methodist Hall – across from check-in desk
- OCU Law School – 3rd floor outside Student Services and 5th floor near NE stairwell