

**2008 Annual Security Report
and
Related Policies**

Butler Community College

Public Safety Department

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and Related Policies
Butler Community College - Public Safety Department**

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**2008 Annual Security Report and Related Policies
Butler Community College
Public Safety Department**

Foreward

Campus security and safety are important issues in postsecondary education today. Providing students nationwide with a safe environment in which to learn and keeping students, parents and employees well informed about campus security are goals that have been voiced by many groups. These goals were advanced by the *Crime Awareness and Campus Security Act of 1990*. The U.S. Department of Education (ED) is committed to ensuring that postsecondary institutions are in full compliance with this act, and that the enforcement of the act remains a priority.

Compliance with this act, now known as the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, or *Clery Act*, (1998) provides students and families, as higher education consumers, with the information they need to make informed decisions. Interested parties may access the purpose and requirements of this act on-line by going to the following website: www.ed.gov/admins/lead/safety/campus.html.

In accordance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990 (amended 1998)*, Butler Community College prepares an Annual Security Report. This report includes general safety and security information, College policies related to investigation of incidents, selected crime statistics and other information of interest to students, faculty, staff, prospective students and prospective employees.

This report may be obtained via the main Butler Community College web site (butlercc.edu). Paper copies can also be obtained from the various College registration sites, Human Resources and the College Public Safety Department.

Butler Community College is committed to maintaining a safe and secure campus for all students, faculty, staff and visitors who comprise our thriving and diverse community. This report is provided for the benefit of our community members, prospective students and prospective employees.

The Division of Student Services, Department of Public Safety (formerly named Safety and Security Department), Department of Facilities Management, Department of Information Services, Department of Residence Life, Athletic Department and others work year-round to implement and maintain security and safety initiatives. Partnerships with city, county, state and federal governments and organizations play an important role in keeping Butler Community College campuses safe.

We encourage you to review this report and contact us if you have any questions, comments or suggestions. This report is prepared for the College community by the Butler Community College Public Safety Department (formerly named Safety and Security Department), (316) 321-7657.

General Information

Under authority of the President of Butler Community College, the Director of Public Safety or his/her designee, will coordinate each year the campus initiative to compile data, review policies and prepare the annual security report pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and other applicable laws and regulations. In addition to working with appropriate campus offices and individuals, the College will work with local law enforcement agencies to collect appropriate criminal statistical data for inclusion in the report. The College will produce a final report for publication via the Butler Community College web site and paper copies as may be appropriate.

Notification of the availability of the report will be made to all currently enrolled students, faculty and staff members. Notification will be made to each individual by electronic means or via individual mailings. The final report will be available to all interested persons, including prospective students and prospective employees via the Butler Community College internet web site (<http://www.butlercc.edu>) by October 1st of each year. Paper copies of the report can be obtained at College Registration sites, Human Resources or the Public Safety Department.

Requirements of the Clery Act

1. Policy Disclosure

Butler Community College is required to provide the campus community and the public with accurate statements of its current policies and practices regarding:

- Procedures for students and others to report criminal actions or other emergencies occurring on campus;
- Security of and access to campus facilities; and
- Campus law enforcement.

2. Records Collection and Retention

Butler Community College is required to keep some campus records and to request records from law enforcement agencies.

- We keep records of crimes reported to campus security authorities.
- We must also make a reasonable good-faith effort to obtain certain crime statistics from appropriate law enforcement agencies to include in an annual security report and the Web-based report to ED. [Local police statistics cite 34 CFR 668.46(c)(9)]
- We are required to keep a daily crime log that must be open to public inspection. [Crime log cite 34 CFR 668.46(f)]

3. Information Disclosure / Dissemination

We are required to provide campus community members with information necessary to make informed decisions about their safety, and disseminate information in several ways. We will:

- Provide a “timely warning” of any *Clery Act* crime that might represent an ongoing threat to the safety of students or employees; [Timely warning cite 34 CFR 668.46(e)]
- Provide access to our crime log at our office or on our website;
- Publish an annual security report and distribute it to all current students and employees, and inform prospective students and employees about the content and availability of the report; [Annual security report cite 34 CFR 668.46(b)]
- Inform the campus community where to obtain information about registered sex offenders; and
- Submit our institution’s annual crime statistics to the U.S. Department of Education through its Web-based data collection system. [Annual submission cite 34 CFR 668.41(e)(5)]

The *Clery Act* requires institutions to disclose three general categories of crime statistics:

1. Types of Offenses:

Criminal Homicide, including:

- a) **Murder and Non-Negligent Manslaughter; and**
- b) **Negligent Manslaughter;**

Sex Offenses including:

- a) **forcible, and b) non-forcible;**

Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson.

2. **Hate Crimes—Disclose whether any of the above- mentioned offenses, or any other crimes involving bodily injury, were hate crimes; and**

3. **Arrests and Referrals for Disciplinary Action for illegal weapons possession and violation of drug and liquor laws.**

Reportable Crimes - Definitions

Murder and Non-Negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another.

Negligent Manslaughter is defined as the killing of another person through gross negligence.

Sex Offenses—Forcible is defined as any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. There are four types of forcible sex offenses:

- **Forcible Rape** is the carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females.
- **Forcible Sodomy** is oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual Assault With an Object** is the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Forcible Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity. Forcible fondling includes "indecent liberties" and "child molesting."

Sex Offenses—Non-forcible are incidents of unlawful, non-forcible sexual intercourse. Only two types of offenses are included in this definition:

- **Incest** is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is non-forcible sexual intercourse with a person who is under the statutory age of consent. If force was used or threatened, or the victim was incapable of giving consent because of his/her youth, or temporary or permanent mental impairment, the offense should be classified as forcible rape, not statutory rape.

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

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

Burglary is the unlawful entry of a structure to commit a felony or a theft. The UCR classifies offenses locally known as Burglary (any degree); unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts at these offenses as Burglary.

Motor vehicle theft is the theft or attempted theft of a motor vehicle.

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

Hate Crime. An institution must include, by geographic location and by category of prejudice, any of the aforementioned offenses, and any other crime involving bodily injury reported to local police agencies or to a campus security authority, that manifests evidence that the victim was intentionally selected because of the perpetrator's bias.

Arrests or Disciplinary Referrals for Illegal Weapons Possession and Substance Law Violations

In addition to disclosing statistics for the aforementioned offenses, the Clery Act requires institutions to disclose both the number of arrests and the number of persons referred for disciplinary action for:

1. Illegal weapons possession;
2. Drug law violations; and
3. Liquor law violations.

Arrest for Clery Act purposes is defined as persons processed by arrest, citation or summons.

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

Illegal Weapons Possession is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Include in this classification: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above

Drug Law Violations. This is defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance.

Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics—manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

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

Responsible Security Authorities Identified

The Clery Act mandates that institutions must disclose statistics both for crimes reported to local police agencies and crimes reported to campus security authorities. The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many individuals, and students in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals.

The Clery Act regulations define a campus security authority as:

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

The function of a campus security authority is to report to the appropriate law enforcement personnel, either campus police or local police, or to an official or office designated by the institution, those allegations of Clery Act crimes that he or she concludes are made in good faith. A campus security authority is not responsible for determining authoritatively whether a crime took place—that is the function of law enforcement personnel.

Certain individuals who have significant responsibility for student and campus activities are exempted from disclosing information: [Campus security authority exemptions cite 34 CFR 668.46(a) definitions]

- Pastoral counselor. 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.
- Professional counselor. A person whose official responsibilities include 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 applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution.

Butler Community College Policy Statement – Disclosure of Crime Statistics

The Department of Public Safety prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on the main website. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and alternate sites, the Division of Student Services, Department of Residence Life, and the Judicial Affairs Officer.

Campus crime, arrest and referral statistics include those reported to the Department of Public Safety, designated campus officials (including but not limited to directors, deans, department heads, judicial affairs, advisors to students/student organizations, athletic coaches), and local law enforcement agencies. Kansas Statute requires prompt, mandatory reporting to the local law enforcement agency by health care practitioners (such as those at College Health Services) when they provide medical services to a person they know or reasonably suspects is suffering from wounds inflicted by a firearm or is a result of assaultive or abusive conduct.

College counselors inform their clients of the procedures to report crime to the Department of Public Safety on a voluntary or confidential basis, should they feel it is in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

Each year, an e-mail notification is made to all college stakeholders that provides the web site to access this report. Additionally, an annual notification is included in the student newspaper, The Lantern. Copies of the report may also be obtained at the Department of Public Safety office located in Building 1100, all course registration sites, and the Human Resources office in the 900 Building.

Availability of Annual Security Report

Butler Community College Policy Statement – Availability of Annual Security Report

The Butler Community College Annual Security Report includes statistics for the previous three years concerning reported crimes that occurred on-campus; in certain off-campus buildings or property owned or controlled by the College; and on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault, and other matters. You can obtain a copy of this report by contacting the Vice President for Student Services, the Director of Public Safety, the Director of Human Resources, or by accessing the Butler Community College website located at: butlercc.edu

Timely Warnings

In order to keep the campus community informed about safety and security issues on an ongoing basis, the Clery Act mandates that an institution must alert the campus community of certain crimes in a manner that is timely and will aid in the prevention of similar crimes. These crimes must include all Clery Act crimes that are:

- Reported to campus security authorities or local police agencies; and
- Are considered by the institution to represent a serious or continuing threat to students and employees.

A 2008 amendment to the Clery Act directs that a timely warning be given to the campus community within 30 minutes of an incident that affects the safety of the campus community.

The warning should be issued as soon as the pertinent information is available because the intent of a timely warning is to alert the campus community of continuing threats especially concerning safety, thereby enabling community members to protect themselves.

Butler Community College Policy Statement – Timely Warnings

In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Public Safety, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued through: the Connect – Ed Emergency notification system (voice recordings to stakeholder cell phones, office phones and home phones, text messages to stakeholder cell phones, e-mails to stakeholder e-mail accounts), the campus public address system, and a posting on the College website. In such instances, a copy of the notice is posted in each residence hall. Anyone with information warranting a timely warning should report the circumstances to the Public Safety Department at 316-321-7657, or in person at the Public Safety Office located in the 1100 Building. Tornado shelter areas are identified in the Campus Safety and Security Handbook.

Reporting Criminal Offenses

The act of reporting a criminal offense is necessary to ensure the protection and rights of victims, help bring about the resolution of the criminal offense, and to introduce the criminal offense to both review by campus authorities and law enforcement authorities. It is the responsibility of all College stakeholders to report any criminal offense they are aware of either as a victim, witness or receiver of information in a timely manner.

Public Safety incident reports indicating violation of College rules, regulations and policies by students are forwarded to the Dean of Students office for review and potential action by the Office of Student Judicial Services.

Butler Community College Policy Statement – Reporting Criminal Offenses**To report a crime:**

- For a Violent Crime in Progress or Medical Emergency Call 911, then:
- El Dorado Campus - Call Public Safety at 316-321-7657 using phone or campus emergency “blue light” phones, or emergency call boxes in residence halls.
- Andover Campus - Call Public Safety at 316-218-6112
- Other Sites Call 911 or Site Director’s Office

For a Non-Violent Crime in Progress or a Discovered Crime:

- Call Public Safety at 316-321-7657 or as directed above.

Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the residence halls should be reported. In addition you may report a crime to the following areas:

1. Vice President for Student Services	322-3297	Bldg. 600
2. Vice President for Academic Affairs	322-3110	Bldg. 900
3. Vice President of Finance	322-3103	Bldg. 900
4. Chief Information Officer	322-3133	Bldg. 200
5. Chief Information Security Officer	322-6363	Bldg. 200
6. Director, Human Resources	322-3152	Bldg. 900
7. Director of College Health	323-6929	Bldg. 1100
8. Dean of Students	323-3353	Bldg. 1000
9. Director of Residence Life	322-3353	Bldg. 1300
10. Dean Community Learning Centers	218-6213	Bldg. 6000
11. Dean Behavioral Sciences	322-3129	Bldg. 1500
12. Dean Humanities, Fine Arts	322-3328	Bldg. 700
13. Athletic Director	322-3201	Bldg. 500
14. Mental Health Services	322-3162	Bldg. 1100

For off-campus options you may refer to all resources listed above.

Voluntary Confidential Reporting**Butler Community College Policy Statement – Voluntary Confidential Reporting**

If you are the victim of a crime and do not want to pursue action within the Butler Community College System or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Director or a designee of the Public Safety Department can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College can keep accurate records of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus

community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

Limited Voluntary Confidential Reporting

Butler Community College Policy Statement – Limited Voluntary Confidential Reporting

The Butler Community College Public Safety Department and all local law enforcement agencies encourages anyone who is the victim or witness to any crime to promptly report the incident. Because police reports are public records under state law, law enforcement agencies cannot hold reports of crime in confidence.

Security and Access to Facilities

Butler Community College Policy Statement – Security and Access to Facilities

During business hours, the College (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests, and invitees. During non business hours access to all College facilities is by key or proximity card if issued, or by admittance via the Public Safety Department or Residence Life staff. In the case of periods of extended closing, the College will admit only those with prior written approval to all facilities.

Residence halls are secured 24 hours a day. Over extended breaks, the doors of all halls will be secured around the clock. Some facilities may have individual hours, which may vary at different times of the year. Examples are the Athletic Complex, Hubbard Center and Nixon Library. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility.

If and when a problem area is identified that poses a compromise to the safety and security of College stakeholders, the Public Safety Department will meet with other College departments to identify the correct solution and resolve the problem.

Campus Law Enforcement

Butler Community College Policy Statement, Law Enforcement

Butler Community College Public Safety Officers have the authority to request identification and to determine whether individuals have lawful business at Butler Community College. Public Safety Officers have the authority to issue parking tickets, which are billed to financial accounts of students, faculty, and staff. Public Safety Officers have the authority to enforce College rules, regulations and policies, to investigate violations of them, and report the investigative findings to both authorized College officials and Law Enforcement. Felony and misdemeanor criminal incidents are reported to local Law Enforcement. Public Safety Officers may detain suspects in a criminal incident, but do not possess Kansas Law Enforcement Officer powers of arrest. Criminal incidents are referred to the local police who have jurisdiction on the campus. The Butler Community College Public Safety Department maintains a highly professional working relationship with the El Dorado Police Department, Andover Police Department, Rose Hill Police Department, Butler County Sheriff's Department and other Law Enforcement Agencies that have jurisdiction where other College sites are located. All crime

victims and witnesses are strongly encouraged to immediately report the crime to campus Safety and Security Office and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics. The El Dorado campus is staffed by trained Public Safety Officers around the clock; the Andover campus is also staffed by Officers while facilities are open.

Butler Community College Policy Statement Addressing Counselors for Confidential Reporting

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Pastoral Counselors” and Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. The rulemaking committee defines counselors as:

Pastoral Counselor

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

Professional Counselor

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

Security Awareness Programs

Butler Community College Policy Statement – Security Awareness Programs

During orientation in a course entitled “Student Connect”, students are informed of services offered by the Public Safety Department. Media is posted in residence halls outlining ways to maintain personal safety and residence hall security. Additional media relating to Sexual Assault, Alcohol and Drug Abuse is also placed in residence halls. A Public Safety, Security, and Parking and Traffic Regulations pamphlet is distributed at all College sites. Residence hall tenants also receive Safety and Security information in their residence hall handbooks. Similar information is presented to new employees. Crime Prevention Programs and Sexual Assault Prevention Programs are offered upon request or when deemed necessary.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. When time is of the essence, information is released to the university community through security alerts posted prominently throughout campus, through computer memos sent over the university's electronic mail system and a voice mail broadcasting system.

The El Dorado campus Public Safety Office is open 24 hours a day throughout the year, and Officers are always on duty. They perform patrol throughout residence halls and the campus, respond to emergencies, alarms and all calls for services, perform investigations and provide

other needed services. The Andover campus Public Safety Officers are on duty when the campus is open for business, and provide similar services. Video surveillance capabilities are utilized at both the El Dorado and Andover campuses.

Crime Prevention Programs

Butler Community College Policy Statement – Crime Prevention Programs

During orientation in a course entitled “Student Connect”, students are informed of services offered by the Public Safety Department. Media is posted in residence halls outlining ways to maintain personal safety and residence hall security. Additional media relating to Sexual Assault, Alcohol and Drug Abuse, Theft and Assault prevention is also placed in residence halls. A Public Safety, Security, Parking and Traffic Regulations, Personal Safety, Sexual Assault and Crime Prevention pamphlet is distributed at all College sites. Residence hall tenants also receive Safety and Security information in their residence hall handbooks. Similar information is presented to new employees. Crime Prevention Programs and Sexual Assault Prevention Programs are offered upon request or when deemed necessary. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. Students are also encouraged to contact Public Safety for security escorts after dark.

Criminal Activity Off Campus

Butler Community College Policy Statement – Criminal Activity Off Campus

When a Butler Community College student is involved in an off-campus offense within the El Dorado or Andover city limits, Public Safety Officers may assist with the investigation in cooperation with local agencies when requested. Local Law Enforcement routinely works and communicates with campus officers on any serious incidents occurring on-campus or in the immediate neighborhood and business areas surrounding campus. Butler Community College operates no off-campus housing or off-campus student organization facilities. Butler Public Safety Officers have direct radio communications with Butler County 911 Dispatch to facilitate rapid response in any emergency situation.

Alcoholic Beverages

Butler Community College Policy Statement on Alcoholic Beverages

The possession, sale or the furnishing of alcohol on any Butler Community College campus is prohibited. Laws regarding the possession, sale, consumption or furnishing of alcohol is controlled by the State and local statutes. However, the enforcement of alcohol laws on-campus is the primary responsibility of the Public Safety Department. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the Butler Community College Alcohol Policy for anyone to consume or possess alcohol in any public or private area of campus. Any College student or employees violating alcohol policies may be subject to sanctions by the College. If students violating alcohol policies remain enrolled, they must attend alcohol abuse counseling and an alcohol abuse education course.

Illegal Drugs

Butler Community College Policy Statement – Illegal Drugs

The possession, sale, manufacture or distribution of any controlled substance is illegal under local, state and in some instances federal laws, and against College rules, regulations and policies. These policies are strictly enforced by the Public Safety Department, and such laws are strictly enforced by local Law Enforcement. Violators are subject to College disciplinary action, criminal prosecution, fine and imprisonment. If students violating illegal drug policies remain enrolled, they must attend drug abuse counseling and a drug abuse education course.

Alcohol and Substance Abuse Information

Butler Community College Policy Statement – Alcohol and Substance Abuse Education Prevention Programs

The College has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services, referrals and college disciplinary actions.

If a student has been found in violation of the College's alcohol and drug policies, they must report to the College Mental Health Counselor for assessment and counseling. The Mental Health Counselor may also refer them to an Alcohol and Drug Abuse awareness course, which must be completed. This course is instructed by a certified Alcohol and Drug Abuse counselor.

In addition, employees who self report a problem or are involved in a noted incident while at work will be referred for services through the Employee Assistance Program by Human Resources.

The State of Kansas sets 21 as the minimum age to purchase, possess or consume any alcoholic beverage.

Sex Offenses

The FBI's National Incident-Based Reporting System (NIBRS) edition of the Uniform Crime Report (UCR) defines a sex offense in general as any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

Butler Community College Policy Statement – Sex Offenses

Sexual Assault Prevention and Response

The College educates the student community about sexual assaults and date rape through mandatory freshman orientations each fall. The Public Safety Department offers sexual assault education and information programs to College students and employees upon request. Literature on date rape education, risk reduction, and College response is available through the College Mental Health Counselor, Director of Residence Life, and the Public Safety Department.

If you are a victim of a sexual assault at this institution, your first priority should be to get to a place of safety. The Public Safety Department strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to 911, then a call to Public Safety at 321-7657 (El Dorado), 218-6112 (Andover).

Making a report will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from any College Authority or Law Enforcement Officer. Making a report will ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim, provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam), and assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

When a sexual assault victim contacts Public Safety, local Law Enforcement will be notified as well. The College President, Vice President for Student Services, Director of Residence Life and the College Mental Health Counselor will be also be informed. The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system and the College, or only the latter. The College Mental Health Counselor will guide the victim through the available options and support the victim in his or her decisions. Various counseling options are available from the College through the College Mental Health Counselor, College Health Services, and the Employee Assistance Program. Counseling and support services outside the College can be obtained through the Women's Crisis Center and local Law Enforcement agencies.

College disciplinary proceedings are detailed in complete documentation of the due process procedure available in the Dean of Student's office, or on the Student Life Web page at: butlercc.edu. Both the victim and accused will be informed of the outcome of the hearing. A student found guilty of violating the College sexual misconduct policy could be criminally prosecuted in the state courts and may be suspended or expelled from the College for the first offense. Student victims have the option to change their academic and/or on-campus living situations after an alleged sexual assault, if such changes are reasonably available.

Registered Sex Offenders on Campus

Upon release from prison, individuals convicted of sex crimes are required to register with law enforcement agencies (under laws referred to as "Megan's Laws"). If registered sex offenders are enrolled at, or employed at a postsecondary institution, the offenders must also provide this information to the state. The information is then provided by the state to campus police departments or to other law enforcement authorities in the jurisdiction where the institution is located.

Butler Community College Policy Statement – Sexual Offender Registration

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 federal law requires state law enforcement agencies (in Kansas, it is the Kansas Bureau of Investigation) to provide Butler Community College with a list of registered sex offenders who have indicated that they are either enrolled, employed or carrying on a vocation at Butler Community College. This list is provided to the Vice President for Student Services.

Any faculty member, activity sponsor, the Director of Public Safety or the Director of Residence Life who has a registered sex offender enrolled in his/her classes, residence halls, or activities will be notified by confidential mail. Those persons will not release this information to anyone. Should faculty members or activity sponsors have any questions about the student, he/she should contact the Vice President for Student Services.

A list of all registered sex offenders in Kansas is available from the Kansas Bureau of Investigation at: http://www.accesskansas.org/kbi/offender_registry/ Butler of Andover, Butler of El Dorado and Butler of Rose Hill are located in Butler County; Butler of Marion is located in Marion County; and Butler of McConnell is located in Sedgwick County.

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. This statement is provided in compliance with the Campus Sex Crimes Prevention Act of 2000 and the Kansas Offender Registration Act (KORA) of 2003, KSA 22-4902.

Harassment and Violence

Butler Community College Policy Statement – Harassment and Violence

It is the policy of Butler Community College to maintain a learning and working environment that is free from racial, religious, sexual, national origin, age, and / or disability harassment or violence. Butler Community College prohibits any of these or other forms of harassment. The College prohibits harassment or violence against a student or employee because the person opposed unlawful discrimination and / or participated in an investigation or complaint concerning unlawful discrimination. For purposes of this policy, these prohibitions also apply to Butler Community College Trustees, agents, volunteers, contractors, or persons subject to the supervision and control of Butler Community College.

It is a violation of College policy for any student, faculty member, staff member, administrator, or other employee to harass any student, faculty member, administrator or other College personnel because of that person's race, color, religion, sex, national origin, age, disability, and / or any other status protected by federal, state, or local law.

Procedure for Handling Complaint

1. Any person who believes she or he has been the victim of harassment or violence by a student, faculty member, administrator or other College personnel of Butler Community College because of the aforementioned acts should report the conduct to the President of the College or to the Director of Human Resources.

Any person with knowledge or belief of conduct which may constitute harassment or violence should report the alleged conduct immediately to her or his supervisor or to the Director of Human Resources.

2. Within two (2) working days of the initial complaint the President or Director of Human Resources shall designate an officer of the College who shall be responsible for investigating the complaint (such officer shall not be the party accused with having committed the alleged harassment and / or violence).
3. A written statement from the Complainant shall be obtained by the designated officer within two (2) working days of their designation and request Complainant have no contact with the alleged offender pending the investigation. The officer will then immediately contact the alleged offender, inform the person of the basis of the complaint and provide the person an opportunity to respond. The investigator shall specifically request that individual have no contact with the Complainant pending the investigation. That individual will then have two (2) working days from the date of notification to make a written response to the designated officer.
4. Upon receipt of the response, the designated officer shall report in writing to the President the findings of the investigation, and shall notify the Complainant and alleged offender of said findings in writing within fourteen (14) working days of the appointment. The President shall review the written findings to determine if violation of the policy has occurred. Upon completion of the review and determination by the President, both the Complainant and the alleged offender shall be notified separately in person and in writing by the President of the decision within seven (7) working days of receiving the report. The Complainant and alleged offender shall be notified if the President is unable to meet with them in person within seven (7) working days and a meeting will be scheduled as soon as possible. The President will meet separately with the individuals and will address any questions concerning the determination or resolution with the individuals during this meeting.

Procedure for Appealing a Decision or Finding

1. The individual, in accordance with the College policy or the Master Agreement, whichever applies, may appeal any disciplinary actions resulting from this procedure.
2. In the event the Complainant is dissatisfied with the President's decision, the Complainant may appeal in writing to the Board of Trustees within five (5) working days of the receipt of the President's decision.
3. As the procedure for handling complaints is initiated and completed, all involved parties will be expected to respect the sensitive nature of the matter and to protect the confidentiality of those involved in the investigation. The College will respect the privacy of all involved, consistent with the College's legal obligations to investigate and to take appropriate action.

4. Butler Community College will act to investigate all complaints, either formal or informal, verbal and written and to discipline or take appropriate action against any offender who has violated this policy.

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5. The College will discipline or take appropriate action against any student, faculty member, administrator or other College personnel who retaliates against any person who reports harassment or violence under this policy.

Clery Act Crime Reporting Disclosure

Criminal Offenses – On Campus

For each of the following criminal offenses, enter the number of occurrences that took place <u>On campus</u> .			
Criminal offense	Total occurrences On campus		
	2005	2006	2007
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Negligent manslaughter</u>	0	0	0
c. <u>Sex offenses – Forcible</u>	0	0	1
d. <u>Sex offenses – Non-forcible (Include only incest and statutory rape)</u>	0	0	0
e. <u>Robbery</u>	0	0	0
f. <u>Aggravated assault</u>	0	4	0
g. <u>Burglary</u>	8	9	5
h. <u>Motor vehicle theft</u>	0	0	0
i. <u>Arson (Only include fires that are investigated by law enforcement and determined to be arson.)</u>	0	0	0

Criminal Offenses – On Campus – Residence Halls

Of those criminal offenses reported to have occurred <u>On campus</u> , enter the number occurring in residence halls.			
Criminal offense	Total occurrences On campus in residence halls		
	2005	2006	2007
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Negligent manslaughter</u>	0	0	0
c. <u>Sex offenses - Forcible</u>	0	0	1
d. <u>Sex offenses - Non-forcible (Include only incest and statutory rape)</u>	0	0	0
e. <u>Robbery</u>	0	0	0
f. <u>Aggravated assault</u>	0	1	0
g. <u>Burglary</u>	7	2	3
h. <u>Motor vehicle theft</u>	0	0	0
i. <u>Arson (Only include fires that are investigated by law enforcement and determined to be arson.)</u>	0	0	0

Criminal Offenses – Public Property

For each of the following criminal offenses, enter the number of occurrences reported to have occurred on Public Property.

Criminal offense	Total occurrences on Public Property		
	2005	2006	2007
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Negligent manslaughter</u>	0	0	0
c. <u>Sex offenses - Forcible</u>	0	0	0
d. <u>Sex offenses - Non-forcible</u> (Include only incest and statutory rape)	0	0	0
e. <u>Robbery</u>	0	0	0
f. <u>Aggravated assault</u>	0	0	0
g. <u>Burglary</u>	0	1	0
h. <u>Motor vehicle theft</u>	0	0	0
i. <u>Arson</u> (Only include fires that are investigated by law enforcement and determined to be arson.)	0	0	0

Hate Crimes - On campus

For the criminal offenses listed below, enter the number that were reported to have occurred on campus that manifested evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity/national origin or disability.

Note: Your institution is required to disclose data on hate crimes by category of prejudice in your Annual Security Report. For purposes of this data collection, only the total number of hate crimes is required.

Criminal offense	Occurrences of Hate crimes		
	2005	2006	2007
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Negligent manslaughter</u>	0	0	0
c. <u>Sex offenses - Forcible</u>	0	0	0
d. <u>Sex offenses - Non-forcible</u> (Include only incest and statutory rape)	0	0	0
e. <u>Robbery</u>	0	0	0
f. <u>Aggravated assault</u>	0	0	0
g. <u>Burglary</u>	0	0	0
h. <u>Motor vehicle theft</u>	0	0	0
i. <u>Arson</u> (Only include fires that are investigated by law enforcement and determined to be arson.)	0	0	0
j. <u>Any other crime involving bodily injury</u>	0	0	0

Hate Crimes - On campus - Residence Halls

For the criminal offenses listed below, enter the number that were reported to have occurred in dormitories or other residential facilities for students on campus that manifested evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity/national origin or disability.

Note: Your institution is required to disclose data on hate crimes by category of prejudice in your Annual Security Report. For purposes of this data collection, only the total number of hate crimes is required.

Criminal offense	Occurrences of Hate crimes		
	2005	2006	2007
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Negligent manslaughter</u>	0	0	0
c. <u>Sex offenses - Forcible</u>	0	0	0
d. <u>Sex offenses - Non-forcible</u> (Include only incest and statutory rape)	0	0	0
e. <u>Robbery</u>	0	0	0
f. <u>Aggravated assault</u>	0	0	0
g. <u>Burglary</u>	0	0	0
h. <u>Motor vehicle theft</u>	0	0	0
i. <u>Arson</u> (Only include fires that are investigated by law enforcement and determined to be arson.)	0	0	0
j. <u>Any other crime involving bodily injury</u>	0	0	0

Hate Crimes - Public Property

For the criminal offenses listed below, enter the number that were reported to have occurred on public property that manifested evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity/national origin or disability.

Note: Your institution is required to disclose data on hate crimes by category of prejudice in your Annual Security Report. For purposes of this data collection, only the total number of hate crimes is required.

Criminal offense	Occurrences of Hate crimes		
	2005	2006	2007
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Negligent manslaughter</u>	0	0	0
c. <u>Sex offenses - Forcible</u>	0	0	0
d. <u>Sex offenses - Non-forcible</u> (Include only incest and statutory rape)	0	0	0
e. <u>Robbery</u>	0	0	0
f. <u>Aggravated assault</u>	0	0	0
g. <u>Burglary</u>	0	0	0
h. <u>Motor vehicle theft</u>	0	0	0
i. <u>Arson</u> (Only include fires that are investigated by law enforcement and determined to be arson.)	0	0	0
j. <u>Any other crime involving bodily injury</u>	0	0	0

Arrests - On campus

Enter the number of arrests for each of the following crimes occurring <u>On campus</u> .			
Crime	Number of Arrests		
	2005	2006	2007
a. <u>Illegal weapons possession</u>	0	0	0
b. <u>Drug law violations</u>	1	0	1
c. <u>Liquor law violations</u>	0	0	0

Arrests - On campus - Residence Halls

Of those arrests that took place <u>On campus</u> , enter the number occurring in residence halls for each of the following crimes.			
Crime	Number of Arrests in residence halls.		
	2005	2006	2007
a. <u>Illegal weapons possession</u>	0	0	0
b. <u>Drug law violations</u>	1	0	1
c. <u>Liquor law violations</u>	0	0	0

Disciplinary Actions - On campus

Enter the number of persons referred for Disciplinary Action for each of the following law violations. Do not include disciplinary actions that were strictly for school policy violations.			
Crime	Number of persons referred for Disciplinary Action		
	2005	2006	2007
a. <u>Illegal weapons possession</u>	0	0	0
b. <u>Drug law violations</u>	0	0	1
c. <u>Liquor law violations</u>	3	3	14

Arrests - Public Property

Enter the number of arrests for each of the following crimes occurring on <u>Public Property</u> .			
Do NOT include drunkenness or driving under the influence in Liquor law violations.			
Crime	Number of Arrests		
	2005	2006	2007
a. <u>Illegal weapons possession</u>	0	0	0
b. <u>Drug law violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

Disciplinary Actions - Public Property

Enter the number of persons referred for Disciplinary Action for each of the following law violations. Do not include disciplinary actions that were strictly for school policy violations.			
Crime	Number of persons referred for Disciplinary Action		
	2005	2006	2007
a. <u>Illegal weapons possession</u>	0	0	0
b. <u>Drug law violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0