



OKLAHOMA CITY COMMUNITY COLLEGE

**Oklahoma City Community College  
Campus Police Department  
Annual Security/Fire Safety Report 2013**

**Introduction:**

Under the authority of the President of Oklahoma City Community College (OCCC), the Executive Vice President will coordinate each year the campus initiative to compile data, review policies and prepare the Annual Security Report (ASR) pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics.

The Campus Security Act (Jeanne Clery Act) of 1990 and the Student-Right-To-Know Act (PL 101-542) were signed into law by President Bush on November 8, 1990. This federal legislation requires colleges and universities to collect campus crime statistics on specific crimes occurring on college and university campuses; report steps taken to establish a reliable system to warn students of immediate and/or continuing threats to their safety; how to report criminal acts; the authority of campus security or police departments; drug and alcohol policies; sex offense and offender policies and if applicable an annual fire safety report.

The due date of the ASR is October 1<sup>st</sup> of each year. The report contains information on crimes and incidents occurring during the previous calendar year. This information is published and notifications are sent via email prior to October 1<sup>st</sup> each year. This email provides a web link for all current students and staff at Oklahoma City Community College to review the Annual Security Report in compliance with the 1990 Campus Security Act and the Student-Right-To-Know Act (PL 101-542). Hard copies of the 2013 OCCC annual Security Report are also available at the Campus Police Department (1K8) in the Main Building.

The core components of the Campus Fire Safety Right-to-Know Act became federal law with the passage of the Higher Education Opportunity Act of 2008. These principal elements will prove crucial in helping campus fire officials gather the information they need to begin to gain a more accurate and defined picture of how fire affects campuses across the United States.

The new law requires colleges and universities that maintain on-campus housing to compile fire data, report the data to the federal government, and publish an annual fire safety report that gives students, parents and the public current information about fires in on-campus housing. Colleges are also required to maintain a fire log capturing specific information about fires that occur in on-campus housing. Hard copies of the 2012 OCCC annual Fire Report are also available at the Campus Police Department (1K8) in the main building.

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**Oklahoma City Community College  
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**Section: 1 - Crime Statistics Data**

<i>OffenseType</i>	<i>Year</i>	<i>On Campus</i>	<i>Res/Fac</i>	<i>Non-Campus</i>	<i>Public</i>	<i>Total</i>
<i>Aggravated Assault</i>	2010	0	0	0	0	0
	2011	0	0	1	0	1
	2012	1	0	0	0	1
<i>Arson</i>	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
<i>Burglary</i>	2010	4	0	0	0	4
	2011	0	0	1	0	1
	2012	3	0	0	0	3
<i>Forcible Sex Offenses</i>	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
<i>Motor Vehicle Theft</i>	2010	3	0	0	0	3
	2011	1	0	0	0	1
	2012	3	0	0	0	3
<i>Murder and Non-negligent Manslaughter</i>	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
<i>Negligent Manslaughter</i>	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
<i>Non-forcible Sex Offenses</i>	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
<i>Robbery</i>	2010	0	0	0	0	0
	2011	0	0	0	0	0

<i>Total</i>	2012	1	0	0	0	1
		16	0	2	0	18

## Section: 2 - Arrest and Referral Data

<i>Arrest</i>	<i>Year</i>	<i>On-Campus</i>	<i>Res/Fac</i>	<i>Non-Campus Buildings</i>	<i>Public Property</i>	<i>Total</i>
<i>Drug Violations</i>	2010	6	0	0	0	6
	2011	3	0	0	0	3
	2012	1	0	0	0	1
<i>Liquor Law Violations</i>	2010	3	0	0	0	3
	2011	0	0	0	0	0
	2012	0	0	0	0	0
<i>Weapons Violations</i>	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
<b>Totals</b>		<b>13</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>13</b>

<i>Referrals</i>	<i>Year</i>	<i>On-Campus</i>	<i>Res/Fac</i>	<i>Non-Campus Buildings</i>	<i>Public Property</i>	<i>Total</i>
<i>Drug Violations</i>	2010	1	0	0	0	1
	2011	0	0	0	0	0
	2012	0	0	0	0	0
<i>Liquor Law Violations</i>	2010	1	0	0	0	1
	2011	0	0	0	0	0
	2012	0	0	0	0	0
<i>Weapons Violations</i>	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0

<b>Totals</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>
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*The Crime Statistics published in the Annual Security Report on 10/01/13 have been amended and updated effective 10/28/13. Clarifications from Uniform Crime Reporting Manual and guidance from the Department of Education reduced the number of reported incidents of Burglary for 2012 calendar year from 13 to 3.*

**Section: 3 Hate Crimes by Location and Prejudice**

There were **no** criminal offenses listed above that were reported to the Oklahoma City Community College Campus Police Department or Oklahoma City Police Departments having occurred either; on-campus, in a non-campus building or property or adjacent public properties, manifesting evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity/national origin or disability during the 2010, 2011 or 2012 calendar years.

**Section: 4 - Policy Statements**

**Procedures for reporting crimes**

To report a crime or issue involving personal safety or security, you should contact the Campus Police Department at 682-7872, or by using any of the Emergency Call Boxes located in parking lots and common travel areas of campus. You may also use the emergency button on any campus telephone or any of the Emergency Red Boxes located in interior areas of the campus buildings.

Students, employees and patrons are encouraged to report to the Campus Police Department or the Oklahoma City Emergency Communications Center (911) any;

- Criminal activity
- Strange or suspicious persons, vehicles or articles.
- Persons in need of Medical assistance
- Structure or vehicle fires.

OCCC Campus Police or Armed Security personnel respond to all calls involving criminal activity occurring on campus properties. Assistance from the Oklahoma City Police Department is requested when appropriate. All criminal activity reported to the Campus Police will be documented in an incident report by either the OCCC Campus Police, the Oklahoma City Police Department or both. Crime Incident reports taken by OCCC Campus Police personnel are subject to the Open Records Statutes of Oklahoma in the category of Law Enforcement records.

Anyone with information about a crime should report the circumstance to the Campus Police Department, by phone (405-682-7872), internal campus phone using Ext. 7747 or in person at the Campus Police office in 1K8. Crime victims, despite how seemingly insignificant the crime, are encouraged to report incidents to the Campus Police Department. To report a crime, a victim or witness may do any of the following:

- Access a Dial-Direct Emergency call box (located inside most major entries).
- Dial extension **7747** or press the **Emergency Button** on any College telephone.
- Dial 911 from any College telephone.
- Dial 682-7872 from any telephone.
- Utilize an emergency Call Box located in all parking areas.
- Report the incident to any College employee.

An officer will immediately respond, and an official report will be taken with copies available to the victim upon request subject to the Oklahoma Open Records Act regulating Law Enforcement Records. Detained or arrested offenders will be handled through the state or municipal criminal justice system and/or the Oklahoma City Community College's Student Conduct Code violation process.

### **Voluntary Confidential Crime Reporting**

At this time the OCCC Campus Police Department does not have a means for reporting crimes confidentially. Students may utilize the Oklahoma City Police Department's "Crime Stopper Hotline" by dialing, (235-7300) to report a crime in confidence. Students may also report crimes through the Office of Student Life indicating the intent to remain unidentified to law enforcement officials.

### **Reporting the Annual Disclosure of Crime Statistics**

The Campus Police Department prepares the Annual Security Report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics. The full text of this report can be located on our web site at <http://www.occc.edu/Police/>. This report is prepared in cooperation with the local municipal law enforcement agency with jurisdiction surrounding and encompassing the OCCC main campus and off campus properties, as well as OCCC Student Support Services and Student Life.

Campus crime, arrest and referral statistics include those reported to the OCCC Campus Police Department, designated campus officials (including but not limited to directors, deans and departmental heads) and local law enforcement agencies.

Each year, an e-mail notification is made to all enrolled students providing the web site information necessary to access this report. Faculty and staff receive similar notification via email. Copies of the report may also be obtained at the Campus Police Department office located in the Main Building, Room 1K8, or by calling (405) 682-7872. All

prospective employees and prospective students will be notified of the availability of the Annual Security Report and may obtain a copy from the Campus Police Department.

## **Emergency Notification**

The OCCC Campus Police Department (OCCC CPD), the Office of Emergency Planning and Risk Management and Marketing and Public Relations (MPR) receive information from various internal and external sources concerning the safety of persons on or near campus facilities. If the OCCC CPD, Office of Emergency Planning and Risk Management or MPR confirms there is an emergency or dangerous situation posing an immediate threat to the health or safety of some or all members of the OCCC community, the Campus Police will without delay activate the automated elements of the Campus Alert Notification (CAN) and collaborate with Marketing and Public Relations to determine the content of a specific information message to be used to communicate the threat utilizing non automated elements of the Campus Alert Notification and text messaging, unless issuing an emergency notification will, in the judgment of first responders (including, but not limited to OCCC Campus Police, Oklahoma City Police, Oklahoma City Fire or Emergency Medical Services Authority (EMSA) compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

An “Emergency Notification” will be delivered by means of automated and manual elements of communication. Notification of the existence of an emergency and safety instructions will be delivered through the campus messaging system, e-mail, public address systems, bull horns, social media and personal direction from school officials. Students are encouraged to check their OCCC e-mail account routinely for alert messages. Students are also encouraged to sign up for text notification through the Campus Alert Notification system and Twitter alerts by visiting the OCCC Home Page at ([www.occc.edu](http://www.occc.edu)) and locating the link to “Emergency Announcements” at the bottom of the page.

## **Timely Warnings**

Should an ongoing or continuing criminal threat to OCCC students, faculty or staff arise either on or off campus, the Campus Police Department and Marketing and Public Relations will utilize appropriate components of the Campus Alert Notification system, e-mails, Facebook and Twitter to issue a “Timely Warning” as soon as pertinent information is available.

The OCCC Campus Police Department is responsible for issuing timely warnings. Timely warnings are issued for the following crime classifications: arson, burglary, aggravated assault, criminal homicide, motor vehicle theft, robbery and sex offenses which constitute an ongoing or continuing threat. Timely warnings may also be issued for other crimes as deemed necessary in the judgment of the Chief of the Campus Police Department or his/her designee.



Timely warnings will be issued by the Chief of Police or designee. The OCCC Campus Police Department works in conjunction with the Oklahoma City Police Department and other agencies to gather the necessary information to inform the campus community about crimes reported to them that may warrant timely warning

*Any student, employee or visitor with information warranting a timely warning should report the circumstance to the Campus Police Department by phone (405) 682-7872, internal extension 7747 or in person at the Police Dispatch Center in room 1K8 on the main campus.*

## **Emergency Response Exercises**

OCCC will conduct a minimum of three drills or exercises in each calendar year to prepare building occupants for an organized response to potential threats to their safety. A Shelter in Place, Severe Weather and one other selected drill will be exercised. Drills are organized and monitored by the Director of Emergency Planning and Risk Management and the OCCC Campus Police Department.

## **Access and Maintenance to Facilities**

Access to OCCC facilities is controlled by Administrative Procedure No. 3040.

### **ACCESS TO BUILDINGS AND FACILITIES DURING NON-OPERATIONAL HOURS**

- 1.0 Providing and maintaining access to buildings and facilities of Oklahoma City Community College (OCCC) is the responsibility of both the Facilities Management and Campus Police Departments. To provide for the security of the buildings and facilities, facilitate the efficient completion of maintenance and other special projects, conserve energy and minimize potential liability to the college, OCCC prohibits the presence of students, employees, contractors and visitors in OCCC buildings during non-operational hours, except as described below.
- 2.0 During non-operational hours all buildings are secured by the Campus Police Department. Access during non-operational hours is by key by Campus Police Department officer only. Some employees have authorization to utilize an issued key. These employees must advise the Campus Police Department of their presence in the building during non-operational hours. All others must gain non-operational hour access through direct contact with the Campus Police Department.

- 2.1 Individuals with keys seeking access will contact the Campus Police Department by utilizing a telephone or campus Call Box. They will provide the purpose for entering the building. They will also notify Campus Police when they have completed the purpose of their visit and have left the building.
  - 2.2 Individuals without authorized keys seeking access to the Main Campus Buildings must contact the Campus Police Department via the call boxes in the parking lot or 682-7872. They will advise the officer of the purpose of their visit, the entry they wish to utilize for access and provide identification. The Campus Police Department must be notified when the individual leaves the building.
  - 2.3 Individuals without keys seeking access to buildings not on the main campus will contact the Campus Police Department using a telephone or campus Call Box. Officers will arrange to meet them at the off campus building and verify their identification and reason for non-business hour access. Campus Police must be notified when the individual leaves the building.
  - 2.4 Contractors needing access to buildings during non-operational hours must have pre-approved authorization from the appropriate OCCC administration. Campus Police Department personnel will not allow any unauthorized access to contractors. Contractors will notify the Campus Police Department when their work is completed and when they leave the building.
  - 2.5 For building access during extended closing periods including, but not limited to, winter or spring break or events during non-business hours;
    - 2.5.1 Contractors must have pre-approved authorization from the appropriate Presidents' Cabinet member or designee.
    - 2.5.2 All employees must have pre-approved authorization from their President Cabinet member or designee. However, employees may request access to OCCC buildings from the Campus Police Department officer on duty for special circumstances requiring brief access, such as when the employee needs to retrieve work materials or other items from the employee's workspace.
- 3.0 The Campus Police Department will document all non-operational hour access provided to OCCC employees and contractors.

OCCC reserves the right to change operating hours and access procedures in the event of an emergency. Additionally, areas may be temporarily closed upon review by Facilities Management or the Campus Police Department. Examples of issues which may result in temporary closure or changes in operating schedules include, but are not limited to, loss of domestic water, loss of facilities electrical power, hazardous weather conditions or if it presents an unsafe environment.

## **Campus Police Department Authority and Jurisdiction**

The OCCC Campus Police officers have full police authority to apprehend and arrest within the statutory jurisdiction of the campus properties. OCCC Campus Armed Security Officers do not possess arrest authority beyond that of any citizen, however may detain persons suspected of criminal activity. All officers of the OCCC Campus Police Department may request identification from a person on campus and determine if they have lawful business at OCCC. Students and employees are required by policy to provide their OCCC identification when a school official requests it. Both Campus Police Officers and Armed Security officers have the authority to enforce the rules and policies of OCCC, including parking restrictions.

OCCC Campus Police or Armed Security personnel respond to all calls involving criminal activity occurring on campus properties. Assistance from the Oklahoma City Police Department is requested when appropriate. All criminal activity will be reported as an incident by either, the OCCC Campus Police, the Oklahoma City Police Department or both. Crime Incidents reports taken by the OCCC Campus Police Department are subject to the Open Records Statutes of Oklahoma in the category of Law Enforcement records to the extent permitted by federal law.

The safety and security of students, employees, and visitors is a primary concern of OCCC. The security of OCCC facilities is also of considerable concern in that secure facilities enhance the overall security of those utilizing them.

Access to the Campus Police Department to report criminal actions or emergencies on campus is provided at all times to all users of the OCCC campus through the use of:

- Campus telephones (each mapped and equipped with “Emergency Buttons”)
- Campus Call Boxes
- Red Emergency Call Boxes at all entrances and in all fire stairwells.
- Direct seven digit phone (682-7872)
- E-Mail
- In person to any Campus Police Officer or in room 1K8 of the Main Building.

OCCC is also located within the jurisdiction of the Oklahoma City Police Department (OCPD). OCPD can be contacted at any time from any campus phone or cell phone by dialing 911.

Students, employees and patrons are encouraged to report to the Campus Police Department or the Oklahoma City Emergency Communications Center (911) any;

- Criminal activity
- Strange or suspicious persons, vehicles or articles.
- Persons in need of Medical assistance
- Structure or vehicle fires.

## Emergency Response Notification Placard

Safety and Security Emergency Procedures

**Fire**

First notification will come from the fire alarm horns, sirens and strobes. The class should gather their belongings, exit the building using the nearest exit, and move to a parking lot. *Do not use elevators.* No alarm should be treated as a false alarm. Horns, sirens and strobes are only used for fire alarms.

**Fire (Special Considerations)**

If someone in your area is not physically capable of descending the stairwell please ensure that they remain in the "area of safe refuge" located just inside each upper-level enclosed fire stairwell. There are emergency phones located near each of these areas.

**Medical**

For all medical related issues push the "emergency" button located on each classroom phone. The phone will display your room number allowing for fast response to your location. All Campus Police personnel are trained in basic life support and will assist in guiding EMSA to your location. Treat all bodily fluids as if they were contaminated.

**Weather**

Tornado warnings that include OCCC will be sent directly to the classroom phone. The phone will *sound* an alarm and *display* a text message. The class should gather their belongings, move away from exterior glass and exits, and move to safer areas. These areas are noted in OCCC policy 3048. (For example, lower-level interior classrooms, restrooms and stairwells.) If the city/county sirens are sounding and OCCC is *not* in the warning area a message will be sent to the classroom phone advising this information.

**Bomb**

If you receive a bomb threat, document as much information as possible and push the "emergency" button on the phone. If the decision to evacuate is given, the phone will *sound* an alarm and *display* a text message. The class should gather their belongings, exit the building using the nearest exit, and move to an open grassy area. Please turn *off* all wireless devices. (Cell phones, radios, laptops and other portable devices.)

**Disturbance/Threats**

If someone is causing a disturbance in a classroom call security immediately. Push the "emergency" button located on each classroom phone. Distance yourself from that person, don't place yourself in the person's exit path and remove all potential weapons from the area. If we have an armed person or shooter on campus: Close and lock your hallway doors. Turn off the lights, shut the blinds or move away from exposed areas. Use desks, tables and other objects to provide protection. Updated information will be sent to the classroom phone.

→ Emergency Button  
→ Emergency Text Area

To contact Campus Police for emergencies from a campus telephone:  
**Push the Emergency Button on the classroom phone.**

To contact Campus Police using an off-campus telephone /cell phone:  
**Call 405-682-7872**

**OKLAHOMA CITY COMMUNITY COLLEGE**

## Programs to Inform about Campus Security Procedure and Practice

The Campus Police Department partners with Academic Affairs, Recruitment and Admissions, Community Development, Professional Development and Student Services to take advantage of all opportunities of access to students, employees and visitors to OCCC. The dissemination of Campus Security Procedures and Practices is a vital role of the Campus Police Department. The following activities are a sample of outreach strategies used by the Campus Police department.

- Emergency Preparedness Fair.
- New employee orientation.
- (Full-time and Adjunct) faculty training sessions.
- Employee Training Sessions.
- Online Training
- Faculty Division Meetings
- Classroom Presentations
- New Student Orientation
- The Leadership Council
- Brown Bag Presentations
- Handouts at Special vents

## **Crime Prevention Programs**

The prevention of crime on any properties utilized by the students, employees and patrons of OCCC is the prime objective of the Campus Police Department. The Campus Police Department is responsible for the immediate response to reported criminal acts occurring on campus properties. Fear of apprehension is one of the most significant concerns of offenders. Rapid response by police to reports of crimes in progress or having just occurred is an essential element of crime prevention. It is also an essential element in the investigation of crime.

The prevention of criminal activity on OCCC properties is a shared responsibility. It is essential for the Campus Police Department to involve students, employees and visitors in making OCCC a safe and secure campus. The Campus Police will facilitate this by actively involving itself in crime prevention and safety education opportunities provided by Academic Affairs, Student Affairs and Marketing and Public relations. The Campus Police Department utilizes the following opportunities and actions to prevent crime and facilitate response to emergencies.

- New student orientation.
- Student organization presentations.
- Media articles.
- Classroom crime prevention and emergency training.
- Classroom emergency posters for each classroom.
- Annual First Responder Day.
- Annual Emergency Drills.

## **Monitoring off campus criminal activity**

At this time the Oklahoma City Community College has no identified off-campus student locations related to student organizations or off-campus student housing. The OCCC Campus Police Department does not actively monitor criminal activity involving students occurring off campus. If information is brought to the department's attention then appropriate action will be taken in accordance with OCCC Student Handbook, Conduct Code Violation Number 15 that states: "Actions not committed on college property may also be subject to college disciplinary action in cases where a clear and distinct interest of the college is involved or affected. Sanctions will be applied only in response to actions which adversely affect the college community's pursuit of its educational objectives, violates or shows disregard for the rights of individuals within the college community, or damages property." This includes, but is not limited to, offenses related to the security and welfare of persons and/or property. The Student Handbook can be accessed at <http://www.occc.edu/handbook.html>

## **Disclosure of Findings to Victims of Violent Crimes or Non-Forcible Sex Offenses**

OCCC is responsible for providing procedures developed to protect the rights, health and safety of all students. Openness to victims of crimes of violence or non-forcible sex offenses with regard to findings of OCCC student disciplinary proceedings is part of this responsibility. A student who is the victim of a violent crime or non-forcible sex offense reported to any Campus Security Authority has access to the report of findings. OCCC will upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by OCCC against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

## **Section: 5 - Drug and Alcohol Policy**

### **Drug and Alcohol policy**

Oklahoma City Community College is in compliance with Public Law 101-226, the Drug-Free Schools and Community Act Amendments of 1989 and the Drug-Free Workplace Act of 1988. In support of the spirit and intent of these laws, Oklahoma City Community College maintains an alcohol-and drug-free campus and prohibits the use of alcohol and/or illicit drugs by students and employees on college property or as part of any college activity and also prohibits the use of tobacco anywhere on OCCC property. (Policy No. 1015 Tobacco-Free Environment)

The OCCC Campus Police Department strictly enforces all violations of state or local law with regard to alcohol and illegal drug violations within its jurisdiction. Violators are subject to OCCC disciplinary action, criminal prosecution, fine and imprisonment.

In compliance with the requirements under Section 120(a) through (d) of HEA, OCCC by email, informs all new student admissions about the loss of eligibility for Federal Title IV student financial assistance if convicted of possession or sale of illegal drugs during a period of enrollment in which the student received Title IV assistance.

OCCC also informs new students of requirements to regain eligibility by completing a qualified drug rehabilitation program.

## **Drug Educational Programs Provided On Campus**

The College provides all new credit-seeking students the opportunity to attend a new student orientation program which discusses, among other things, personal safety and is intended to promote the awareness of educational resources available regarding alcohol and drug abuse. The Office of Student Support Services and the Office of Student Life provide training and information sessions each semester to increase awareness and education to addiction-related topics. The sessions are open to all members of the OCCC Community. In addition, college employees have access to the Employee Assistance Program for assistance with alcohol or drug abuse and students have access an on-campus licensed professional counselor. The counselor will make referrals to community resources when needed or requested by the student. Additional educational materials related to alcohol and drug abuse are available to all individuals through the Office of Student Support Services.

## **Section: 6 – Complaints of Discrimination, Sexual Harassment, and Sexual Offenses**

### **Sexual Harassment**

All complaints of sexual harassment shall be made within one hundred eighty days (180) days of the conduct which is alleged to be sexual harassment. All complaints shall be in writing and shall state, at a minimum, the complainant's name, the complainant's address, the complainant's telephone number, the name and the title, if any, of the person alleged to have engaged in conduct that is defined as sexual harassment, and details of the conduct that is alleged to constitute sexual harassment, including but not limited to, dates, times, places, and witnesses, if any. All complaints shall be submitted to the Director of Equal Opportunity and Affirmative Action or the Vice President for Human Resources, unless the complaint is against the Vice President for Human Resources, in which case, the complaint shall be submitted to the President. For more information, please contact the Director of Equal Opportunity and Affirmative Action.

### **On-Campus Sexual Offenses**

Pursuant to, and in conjunction with, the College's Policy 1012, Administrative Procedure No. 5073, and Campus Police Department procedures (as amended from time to time), the following information is provided to meet the spirit, intent and requirements of Public Law 102-235 and its amendments to the Student Right to Know and Campus Security Act of 1990.

### **Statement of Position**

Oklahoma City Community College explicitly condemns any form of sexual assault of

or sex offense against any student or employee. The commission of sex offenses by a student or an employee may subject the student or the employee to disciplinary sanctions up to and including expulsion from the college or termination of employment. The college is committed to providing educational programs concerning sex offenses and to protecting the rights of persons subjected to sex offenses. Any accuser, as defined in this document, alleging an on-campus sex offense may elect to pursue the matter with local off-campus law enforcement agencies and the state criminal justice system, regardless of whether he/she elects to pursue the matter through the college's disciplinary procedures.

## **Definitions**

**Accused:** A student or an employee of the college who has been accused of committing an on-campus sex offense against a student and/or a student who has been accused of committing an on-campus sex offense against an employee.

**Accuser:** A student or an employee of the college who alleges that a student has committed an on-campus sex offense against him/her, or a student who alleges that an employee of the college has committed an on-campus sex offense against him/her

**Forcible Sex Offense:** Any sexual act directed forcibly against another person against that person's will or any sexual act directed non-forcibly against another person when the person is incapable of giving consent. This term includes forcible rape, forcible sodomy, sexual assault with an object and forcible fondling.

**Non-forcible Sex Offense:** Any unlawful, non-forcible sexual intercourse. This term includes incest and statutory rape.

## **Educational Programs Provided on Campus**

The college provides all new credit-seeking students the opportunity to attend a new student orientation program which discusses, among other things, personal safety and is intended to promote the awareness of rape, acquaintance rape and other sex offenses. In addition, at least one educational seminar is presented each year on personal safety and the prevention of sex offenses. Additional educational materials related to sexual assault and sex offenses are available to all individuals through Student Support Services.

## **Reporting and Disciplinary Procedures for Sex Offenses**

Any student or any employee who believes that a sex offense, either forcible or non-forcible as defined herein, has been committed against him/her by a student, or any student who believes that a sex offense, either forcible or non-forcible as defined herein, has been committed against him/her by an employee of the college is strongly encouraged to report the alleged sex offense. All reports of sex offenses shall be made to the Director of Student Life and/or Campus Police. If the complaint is against the Director of Student Life, the alleged sex offense shall be reported to the Vice President for Enrollment and Student Services. In this situation, the Vice President for Enrollment and Student Services shall perform all the obligations imposed by this



policy on the Director of Student Life.

Upon receiving a complaint of an alleged sex offense from an accuser, the Director of Student Life shall assist the student or employee in completing the appropriate documentation, either a Student Conduct Code Violation Form or a Student Grievance Form. When the Director of Student Life receives a completed Student Conduct Code Violation form or Student Grievance Form alleging that a sex offense has been committed, the applicable procedures will be implemented.

The accuser shall be informed by the Director of Student Life the manner by which the matter shall be investigated by the college.

Student complaints alleging a sex offense by a faculty or staff member will be addressed through the Student Grievance Procedures, as specified in this document, beginning with the filing of an official Student Grievance Form. Student and/or employee complaints alleging a sex offense by a student will be handled through the Student Conduct Code and Student Disciplinary Procedures. The Student Grievance Procedures and the Student Disciplinary Procedures shall be governed by the following additional procedures:

1. The accuser and the accused are entitled to the same opportunities to have others, including but not limited to legal counsel, present during campus disciplinary proceedings.
2. The accuser and the accused shall be notified of the outcome of the proceedings.
3. The accuser shall be permitted to be present during the disciplinary hearing (except during deliberations).
4. Both the accuser and the accused have the right to appeal the outcome of the hearing(s).

### **Notifying Proper Law Enforcement Authorities**

When a report of an alleged sex offense is made to the Director of Student Life, the accuser shall be informed about his/her option of notifying local off-campus law enforcement authorities. If the accuser requests the assistance of a college employee in notifying local law enforcement authorities, the requested college employee shall assist the accuser in notifying local law enforcement authorities concerning the alleged sex offense. The decision as to whether to notify local law enforcement and/ or to pursue the prosecution of the accused according to the laws of the State of Oklahoma shall be entirely the decision of the accuser. However, the accuser is advised to take the necessary steps in order to preserve the evidence which may be necessary to the proof of criminal sexual offense.

### **Services to Victims**

Student Support Services shall provide initial intake and referral to those accusers who request assistance and/or referral following an alleged sex offense. The accuser may be referred to a community organization providing counseling for rape and other sex

offenses; these organizations include Red Rock Behavioral Health Services, United Methodist Counseling Services, YWCA Rape Crisis Center, Oklahoma City Municipal Court Services-Victim's Assistance Program and Safeline. Additionally, a student accuser may request an adjustment in his/her academic schedule based upon the existing curricular offerings, and the college shall attempt to accommodate such adjustment if it is reasonably available. Employee accusers shall contact their supervisor in order to discuss any proposed adjustment; however, no employee shall be entitled to receive any adjustment.

## **Disciplinary Sanctions**

When the accused is a student, disciplinary sanctions may range from reprimands to expulsion as set forth in the section on Disciplinary Sanctions in the Student Handbook and in College Procedures. When the accused is an employee of the college, disciplinary sanctions may range from reprimands to termination and shall include, but not be limited to, written reprimand, requiring professional counseling, suspension from employment, administrative leave both with and without pay and termination or non-renewal.

## **Confidentiality of Records**

All records made or maintained as a result of the accusations of a sex offense shall remain confidential, except as required by law. The college is required to compile statistical information as to the number and types of sex offenses and reports of sex offenses shall be utilized for this purpose but shall not reveal confidential information. All meetings or hearings conducted as a result of an alleged sex offense shall be closed to the public, except as required by law.

## **Distribution**

This policy shall be included in the Annual Security Report promulgated by the college. The Campus Security Act of 1990 and the Student Right-To- Know Act (PL 101-542) were signed into law by President Bush on November 8, 1990. This federal legislation requires colleges and universities to collect campus crime statistics on specific crimes occurring on college and university campuses. The due date of the first report was September 1, 1992, and a report on campus crime statistics is due each October 1st for reporting incidents that occurred during the previous calendar year. This information is published and notifications are sent via email prior to October 1st each year. This email provides a web link for all current students and staff at Oklahoma City Community College to review the Annual Security Report in compliance with the 1990 Campus Security Act and the Student Right-To- Know Act (PL 101-542). Hard copies of the OCCC Annual Security Report are also available at the Campus Police Department (1K8) in the Main Building. You may access this report and associated campus security information and services at [www.occc.edu/security/right-to-know.pdf](http://www.occc.edu/security/right-to-know.pdf).

## **OCCC Administrative Policy No. 1012**

### **Respectful Educational and Working Environment – Gender-Based Misconduct, Including Sexual Harassment and Sexual Assault**

- 1.0 Oklahoma City Community College ("OCCC") takes effective steps designed to provide students, employees, and visitors educational and working environments free from Gender-based Misconduct, which includes but is not limited to Sexual Harassment and Sexual Violence, as defined herein. OCCC does not tolerate Gender-based Misconduct in any form. Through enforcement of this policy and education of its employees and students, OCCC seeks to prevent, correct and discipline behavior that violates this policy. OCCC encourages students, employees and visitors to promptly report any Gender-Based Misconduct to the Director of Equal Opportunity/Title IX Coordinator, a Deputy Title IX Coordinator or the Vice President for Human Resources.
- 2.0 **EMERGENCIES:** In the event of an emergency, including an incident of Sexual Assault or Sexual Violence, the complainant or any witness should report the incident immediately to the OCCC Campus Police Department by: pressing the Emergency Button on any college telephone; using a Dial-Direct Emergency Call Box located inside most major entries; using an Emergency call box located in all parking areas; dialing 911 from any college telephone; or dialing 682-7872 from any telephone.
- 3.0 **MANDATORY REFERRAL:** Persons who wish to initiate a Gender-based Misconduct Complaint should be referred to one of the Title IX Coordinators or Deputy Coordinators responsible for receiving or investigating such Complaints as designated below in section 5.0.
  - 3.1 Any OCCC employee who receives a complaint or otherwise learns of Gender-based Misconduct must contact the Title IX Coordinator or Deputy Coordinator.
  - 3.2 Any employee who receives a report or otherwise learns of Gender-based Misconduct involving students must contact the Title IX Coordinator within two (2) Working Days of acquiring information about the incident(s).
  - 3.3 Should the initial complaint of Gender-based Misconduct be received directly by the OCCC Campus Police Department, the Campus Police Department shall initiate law enforcement action as appropriate in addition to referring the Complainant and reporting the complaint to the Title IX Coordinator.
  - 3.4 A failure to so report and refer shall in and of itself constitute a violation of this policy and subject the employee to the same range of disciplinary actions.
- 4.0 **DEFINITIONS:**
  - 4.1 **Complainant:** The "Complainant" is an employee, student or visitor who informs the Director of Equal Opportunity/Title IX Coordinator, a Deputy Title IX Coordinator or the Vice President for Human Resources that the

- employee, student, or visitor believes he or she has been subjected to Gender-based Misconduct. "Complainant" does not include an OCCC supervisor, administrator, or official who reports Gender-based Misconduct that he or she has observed or a complaint he or she received from another individual where the reporting party has not been affected by the Gender-based Misconduct.
- 4.2 Respondent: The "Respondent" is the employee, student, or visitor who allegedly engaged in Gender-based Misconduct in violation of this policy.
  - 4.3 Retaliation: "Retaliation" means any action or failure to act with respect to an individual because of that individual's making a complaint or participating in the investigation of a complaint under this policy, where such action or failure to act would have the effect of dissuading a reasonable person from opposing conduct that violates this policy.
  - 4.4 Gender-based Misconduct: For purposes of this policy, "Gender-based Misconduct" comprises a broad range of behaviors focused on sex and/or gender discrimination that may or may not be sexual in nature. Sexual harassment, sexual assault, gender-based harassment, stalking, gender stereotyping and intimate partner violence are forms of Gender-based Misconduct under this policy.
    - 4.4.1 Gender-based Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship.
    - 4.4.2 Gender-based Misconduct can be committed by men or by women, and it can occur between people of the same or different gender.
    - 4.4.3 Verbal or physical conduct may violate this policy regardless of the level of authority of the individuals involved. The Respondent may be the supervisor of the individual who is sexually harassed or assaulted, a supervisor in another area, a co-worker, a subordinate, a faculty member, a student, or a non-employee;
    - 4.4.4 The Complainant does not have to be the specific person to whom the sexually harassing or Gender-based Misconduct is directed, but must be a person who was affected by the conduct.
    - 4.4.5 Prohibited Conduct: Examples of verbal or physical conduct prohibited by this policy include, but are not limited to, the following:
      - 4.4.5.1 Persistent unwelcome flirtation, advances, sexual or romantic attention, and/or propositions of a sexual nature;
      - 4.4.5.2 Inappropriate insults, humor, jokes, and/or anecdotes that belittle or demean an individual's or a group's gender, sexuality or sex;
      - 4.4.5.3 Gratuitous and unwelcome comments of a sexual nature about an individual's body or clothing or other lewd or sexually suggestive comments;
      - 4.4.5.4 Repeated unwelcome remarks about sexual activity and/or speculation about sexual experiences;

- 4.4.5.5 Unwarranted displays of sexually suggestive or sexually explicit objects or pictures, including but not limited to, email, websites, videos, downloads, screensavers, greeting cards, articles, books, magazines, catalogs, graffiti, or cartoons;
  - 4.4.5.6 Intentional unnecessary touching, such as patting, pinching, hugging, or repeated brushing against an individual's body;
  - 4.4.5.7 Suggestions that submission to or rejection of sexual advances will affect decisions regarding such matters as an individual's employment, work assignments or status, salary, academic standing, grades, receipt of financial aid, or letters or recommendation;
  - 4.4.5.8 Sexual Assault
  - 4.4.5.9 Pressure for or forced sexual activity
  - 4.4.5.10 Belittling remarks about a person's gender or belittling remarks about a person's sexual orientation or gender identity based in gender stereotyping.
  - 4.4.5.11 Sexually explicit profanity
  - 4.4.5.12 Use of email, the Internet, or other forms of digital media to facilitate any of the above referenced behaviors.
- 4.5 Sexual assault: For purposes of this policy,
- 4.5.1 "Sexual assault – nonconsensual sexual intercourse" - is any form of nonconsensual sexual intercourse, however slight, of another person's vagina or anus with any object or body part, or the mouth with a penis or sexual object; and
  - 4.5.2 "Sexual assault – nonconsensual sexual contact" – is any intentional sexual touching, however slight, with any body part or object without a person's consent. Sexual touching includes contact with the breasts, buttocks, groin, or touching another with any of these body parts, or making another person touch any of these body parts; or any intentional bodily contact in a sexual manner.
- 4.6 Sexual Harassment: For purposes of this policy, "Sexual Harassment" is defined as any unwelcome conduct of a sexual nature. It includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, non-verbal or physical conduct of a sexual nature, in the following context:
- 4.6.1 When submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment, education, or participation in an OCCC program or event;
  - 4.6.2 When submission to or rejection of such conduct by an individual is used as the basis for decisions affecting an individual's employment or academic standing, or participation in an OCCC program or event;

- 4.6.3 When such conduct is severe or pervasive, and has the purpose or effect of unreasonably interfering with a person's work or academic performance or creating an intimidating, hostile or offensive work or social environment;
    - 4.6.3.1 A single or isolated incident of Sexual Harassment may create a hostile environment if the incident is sufficiently severe. For instance, a single incident of rape is sufficiently severe to create a hostile environment.
  - 4.6.4 No specific intent to sexually harass an individual need be present for Sexual Harassment to occur; however, the verbal or physical conduct of a sexual nature must be unwelcome.
  - 4.6.5 Conduct may constitute Sexual Harassment in violation of this policy even in the absence of economic injury to or discharge of the individual who is sexually harassed.
  - 4.6.6 Sexual violence and sexual assault are forms of Sexual Harassment prohibited by Title IX.
- 4.7 Sexual Violence- "Sexual Violence" is a particularly pernicious form of Sexual Harassment. It is defined as physical sexual acts perpetrated against a person's will or where the person is incapable of giving consent due to the victim's use of drugs or alcohol or due to an intellectual or other disability. A number of different acts fall into the category of Sexual Violence including rape, sexual assault, sexual battery, and sexual coercion. Sexual Violence on campus, at college-related events, and against students or employees constitutes an emergency that will be reported to proper law enforcement authorities. At the Complainant's request, any report to law enforcement shall be made anonymously. OCCC will take appropriate remedial action against any individual found responsible for acts in violation of this policy. OCCC provides reporting options, an investigative and disciplinary process, and prevention training or other related services as appropriate. "Sexual Violence" includes, but is not limited to:
- 4.7.1 Rape as defined by 21 Okla. Stat. §1111.1; <http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=69602>
  - 4.7.2 Rape by instrumentation as defined by 21 Okla. Stat. §1111.1; <http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=69603>
  - 4.7.3 Forcible sodomy as defined by 21 Okla. Stat. §888; <http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=69419>
  - 4.7.4 Assault as defined by 21 Okla. Stat. §641 when committed in a sexual context, in furtherance of sexual demands, or based on sex or sex-stereotyping; <http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=69265>

- 4.7.5 Battery as defined by 21 Okla. Stat. §642 when committed in a sexual context, in furtherance of sexual demands, or because of a person's sex or sexual orientation;  
<http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=69266>
- 4.7.6 Aggravated assault and battery as defined by 21 Okla. Stat. §646 when committed in a sexual context, in furtherance of sexual demands, or based on sex or sex-stereotyping;  
<http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=69270>
- 4.7.7 Stalking as described by 21 Okla. Stat. §1173 when committed in a sexual context, in furtherance of sexual demands, or based on sex or sex-stereotyping;  
<http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=69647>
- 4.7.8 Sexual battery as defined by 21 Okla. Stat. §1123(B);  
<http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=469798>
- 4.7.9 Any sexual act involving a child as described in 21 Okla. Stat. 1123(A);  
<http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=469798>
- 4.7.10 Maliciously intimidating or harassing or attempting to maliciously intimidate or harass another person based on sex or sex-stereotyping; or
- 4.7.11 Inciting others or attempting to incite others to maliciously intimidate or harass another person based on sex or sex-stereotyping.
- 4.8 Title IX Coordinator: The "Title IX Coordinator" (which includes designees or Deputy Title IX Coordinators) is the person designated by OCCC to be primarily responsible for executing the college's response and investigation of Complaints pursuant to Title IX including Sexual Harassment, Sexual Assault and Gender-based Misconduct. The OCCC Title IX Coordinator and Deputy Title IX Coordinators are designated in section 5.0 below.
- 4.9 Student – The term "student" means all persons who
  - 4.9.1 Are enrolled in one or more courses for credit;
  - 4.9.2 Withdraw, transfer, or graduate after an alleged violation of this policy.
  - 4.9.3 Are not officially enrolled for a particular term but who have a continuing relationship with the College; or
  - 4.9.4 Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid.
- 4.10 Title IX: As it is used in this policy, Title IX means Title IX of the Education Amendments of 1972 (Title IX), 20 USC §1681 et seq., and its implementing regulations. Title IX prohibits discrimination on the basis of

sex in education program and activities operated by recipients of Federal financial assistance.

4.11 Working Day: "Working Day" means any day, excluding Saturdays and Sundays, which the College is open for business, even if classes are not in session.

5.0 DESIGNATION OF TITLE IX COORDINATORS:

5.1 The Title IX Coordinators designated below are charged with coordinating compliance with this policy and ensuring a timely and complete investigation and resolution of Complaints arising hereunder.

5.1.1 OCCC's Director of Equal Opportunity has been designated as the Title IX Coordinator. He or she coordinates the investigation and resolution of all Complaints of Gender-based Misconduct. Any complaint of Gender-based Misconduct, including Sexual Assault, may be directed to the Director of Equal Opportunity/Title IX Coordinator, at:

Regina Switzer, J.D.  
Director of Equal Opportunity  
Oklahoma City Community College (105-JMC)  
7777 S. May Avenue  
Oklahoma City, OK 73159  
regina.a.switzer@occc.edu  
(405) 682-7540

5.1.2 OCCC's Assistant Director of Student Life has been designated as the Deputy Title IX Coordinator for Complaints against credit students, as follows:

Chris Shelley, M.Ed.  
Assistant Director of Student Life  
Oklahoma City Community College (1H8-MB)  
405-682-1611 ext. 7683  
christopher.shelley@occc.edu

5.1.3 OCCC's Director of Employment has been designated as a Deputy Title IX Coordinator for Complaints against employees and visitors (including non-credit students):

Jana Legako, J.D., PHR  
Director of Employment & Employee Relations  
Oklahoma City Community College (104-JMC)  
7777 S. May Avenue  
Oklahoma City, OK 73159  
jlegako@occc.edu  
(405) 682-7850

5.2 Students may also direct any Complaint of Sexual Violence or Sexual Assault to the Vice President for Enrollment and Student Services or the Director of Student Life:

Marion Paden, Ed.D.  
Vice President for Enrollment and Student Services  
Oklahoma City Community College (1J1-MB)



7777 S. May Avenue  
Oklahoma City, OK 73159  
[mpaden@occc.edu](mailto:mpaden@occc.edu)  
(405) 682-7595

Erin Logan, M.Ed.  
Director of Student Life  
Oklahoma City Community College (1J2-MB)  
7777 S. May Avenue  
Oklahoma City, OK73159  
[elogan@occc.edu](mailto:elogan@occc.edu)  
(405) 682-7596

6.0 INITIATING A COMPLAINT:

6.1 Students, employees and visitors wishing to initiate a Complaint should contact the Title IX Coordinator and/or a Deputy Title IX Coordinator as designated in Section 5.0 above.

6.2 All complaints of Gender-based Misconduct should be made as soon as possible after the complained-of incident, but must be made no later than one hundred eighty days (180) after the complained of incident. Complaints received outside the 180 day time-frame shall be addressed to the extent possible, but the investigation may not conform to the procedure described herein.

6.3 After-hours or Holiday complaints:

6.3.1 In the event any individual wishes to initiate a complaint of Gender-based Misconduct, including but not limited to Sexual Violence, after regular office hours or when offices are closed, the individual may contact the OCCC Campus Police Department. The number is: 405-682-7872.

6.3.2 In the event of any emergency, including an incident of Sexual Assault or Sexual Violence, the individual making the complaint or any witness should report the incident using the Emergency Button on any college telephone, using a Direct-Dial Emergency Call Box (located inside most major entries), using an Emergency Call Box located in all parking areas, dialing 911 from a college telephone or dialing 682-7872 from any telephone.

6.3.3 In addition to taking law enforcement actions as appropriate, the Campus Police Department shall refer the individual to the Title IX Coordinator and shall report the complaint to the Title IX Coordinator.

7.0 COMPLAINT RESOLUTION: The Director of Equal Opportunity/Title IX Coordinator shall determine whether a complaint of Gender-based Misconduct will be resolved by formal or informal means. Where the Respondent is a student, the Director of Equal Opportunity/Title IX Coordinator will consult with the Vice

President for Enrollment (or his or her designee). Before beginning an investigation the Director of Equal Opportunity/Title IX Coordinator should obtain consent from the Complainant. Further, the investigator must inform the Complainant, the Respondent and any other participant in the investigation of the prohibition against Retaliation, as more fully set out in section 10.0.

- 7.1 **INFORMAL RESOLUTION:** The informal resolution process is appropriate where the complained-of conduct is not sufficiently serious or repetitive to rise to the level of unlawful Gender-based Misconduct. No formal investigation is conducted. Neither the Complainant nor the Respondent may have an attorney present during the informal resolution process. Informal Resolution is not an available option for resolution of a complaint of Sexual Violence.
  - 7.1.1 **Time Frame:** The Director of Equal Opportunity/Title IX Coordinator or Vice President for Human Resources has 20 Working Days in which to resolve the Gender-based Misconduct complaint using the informal resolution process, unless additional time is required due to unusual circumstances,.
  - 7.1.2 **Methods of informal resolution may include but are not limited to any or all of the following:**
    - 7.1.2.1 Explaining to the individual making the complaint that the complained-of conduct does not violate this policy and why;
    - 7.1.2.2 Explaining this policy to the complained-of individual and counseling the alleged offender on how his or her conduct might be perceived as violating the policy;
    - 7.1.2.3 Seeking voluntary modification of the complained-of behavior;
    - 7.1.2.4 Coaching the individual making the complaint on how to directly address an alleged offender;
    - 7.1.2.5 Coaching the supervisor on how to maintain a productive work environment;
    - 7.1.2.6 Requiring training for the alleged offender, the supervisor, the department/division and/or other work unit as appropriate.
  - 7.1.3 The informal resolution of complaints shall be documented, including a signed, written acceptance by the Complainant of the informal resolution of his or her complaint. Documentation shall be maintained by the Director of Equal Opportunity/Title IX Coordinator and kept separate from the personnel files or student files of the parties involved.
  - 7.1.4 At any time during the Informal Resolution process, the Director of Equal Opportunity or Vice President for Human Resources may invoke the formal resolution process.
- 7.2 **FORMAL RESOLUTION:** Formal resolution is appropriate where the complaint alleges a serious or repetitive violation of this policy, or where no resolution is reached through the informal resolution process. Neither

the Complainant nor the Respondent may have an attorney present during the formal resolution process.

- 7.2.1 Initiating the Formal Resolution Process: The Complainant must provide a written, detailed statement, identifying the complained-of individual, and describing the complained-of conduct, including but not limited to dates, times, places, and witnesses, if any.
- 7.2.2 Time Frame: The Formal Resolution Process, which includes the Investigation, Findings of Fact, and Recommended Determination shall be completed no later than 45 calendar days from the date the complaint is received from the Complainant, unless additional time is required based on unusual circumstances.
- 7.2.3 Investigation: The investigation of Complaints shall be performed by the Title IX Coordinator or a Deputy Title IX Coordinator.
  - 7.2.3.1 Where the Director of Equal Opportunity/Title IX Coordinator is the Respondent in a Complaint, the investigation shall be conducted by a Deputy Title IX Coordinator or the Vice President for Human Resources (or his/her designee). Where appropriate, the Vice President for Human Resources may appoint additional staff to serve on an investigation team. In the course of the investigation:
    - 7.2.3.2 The investigator provides a copy of the written Complaint to the Respondent. The Respondent has ten (10) calendar days in which to submit a signed, written response to the Complaint, unless more time is required due to unusual circumstances.
    - 7.2.3.3 The investigator interviews separately the Complainant and the Respondent as soon as reasonably possible.
    - 7.2.3.4 The investigator notifies the Complainant, the Respondent and all persons participating in the investigation of the prohibition against retaliation as set forth in section 10.0 below
    - 7.2.3.5 The investigator interviews any other persons considered to have information relevant to the complaint.
    - 7.2.3.6 The investigator gathers and reviews any documents and physical evidence related to the complaint.
    - 7.2.3.7 Where necessary and at any time during the investigation, the investigator may recommend temporary adjustments to the work or educational environment, or other interim measures pending conclusion of the investigation.
    - 7.2.3.8 The investigator shall maintain a thorough written record of the investigation.
    - 7.2.3.9 The investigation of complaints against visitors may differ from the investigation described herein based on the circumstances.
- 7.2.4 Investigator's Findings of Fact and Recommendations: Within a reasonable time after completing the investigation, the investigator

prepares a written report and provides it to the appropriate decision-maker.

7.2.4.1 The investigation will result in a written report that includes a statement of the allegations and issues, a summary of the information considered, findings of fact, and a recommendation by the investigator as to whether this policy has been violated. The investigator may make one of two recommendations to the appropriate decision-maker:

7.2.4.1.1 Substantiated: It is more likely than not that the allegation is true.

7.2.4.1.2 Unsubstantiated: It is more likely than not that the allegation, though made in good faith, is untrue. A recommendation of "Unsubstantiated" shall also be made where the information considered overall weighs equally on both sides.

7.2.4.2 The appropriate decision-maker is as follows:

7.2.4.2.1 Where the Respondent is an OCCC employee, the appropriate decision-maker is the Director, Department Head, or higher supervisor who has authority over the Respondent in the Respondent's direct line of supervision.

7.2.4.3 Where the Respondent is a student, the appropriate decision-maker is the Vice President for Enrollment and Student Services (or his or her designee).

7.2.4.4 Where the Respondent is a visitor, the appropriate decision-maker is the President's Cabinet member in whose area the visitor's relationship to OCCC arises.

7.2.5 Decision-Maker's Responsibility:

7.2.5.1 Within five (5) calendar days of receiving the written report, the appropriate decision-maker shall make a determination whether this policy has been violated.

7.2.5.2 Where the Respondent is a Student, the Vice President for Enrollment and Student Services (or his or her designee), follows Disciplinary Procedures for Students Enrolled in Credit Classes, Administrative Procedure No. 5032. The written report shall be deemed equivalent to an official complaint, and shall be deemed timely, under Administrative Procedure No. 5032, with all applicable substantive, procedural and appeal rights.

7.2.5.3 Where the Respondent is an employee, a non-credit student or other visitor, the appropriate decision-maker shall make one of the following determinations within 10 calendar days of receiving the findings of fact and recommendation from the investigator.

- 7.2.5.3.1 Return the written report to the investigator for additional investigation;
- 7.2.5.3.2 Determine the Complaint is unsubstantiated on finding that it is more likely than not that the complained-of conduct did not occur or that the complained-of conduct occurred but did not violate this policy. If the decision-maker determines the Complaint is unsubstantiated, the decision-maker shall make that determination in writing, and provide Complainant and Respondent, by hand delivery or other traceable means of delivery, a copy of the written determination, the written findings of fact and the procedure for appealing the determination.
- 7.2.5.3.3 Determine that the Complaint is substantiated by finding it is more likely than not that the conduct did occur and constituted a violation of this policy. If the decision-maker determines that this policy was violated, he or she shall:
  - 7.2.5.3.3.1 Make that determination in writing;
  - 7.2.5.3.3.2 Provide Complainant and Respondent, by hand delivery or other traceable means of delivery, a copy of the written determination, the written findings of fact and the procedure for appealing the determination; and
  - 7.2.5.3.3.3 Impose appropriate discipline, following consultation with the investigator and the Vice President for Human Resources.
- 7.2.5.3.4 If the discipline imposed is recommendation for termination of employment, demotion, or suspension without pay, the decision-maker shall follow Human Resources Policy No. 2020, Demotion, Disciplinary Loss of Pay, Suspension without Pay and Termination, if applicable.
- 7.2.6 The Formal Resolution process shall be documented in writing and retained by the Director of Equal Opportunity/Title IX Coordinator. Such documentation will be kept separate from the personnel files of the parties involved, except that any discipline imposed shall be maintained in the personnel file of the disciplined employee.
- 8.0 APPEALS: If either the Complainant or the Respondent is dissatisfied with the determination reached in the formal resolution process, he or she may appeal that determination as follows:

- 8.1 Appeals where the Respondent is a student must be requested pursuant to the procedures in Administrative Procedures No. 5032 and 5034. The Complainant and the Respondent shall have equal rights to appeal.
- 8.2 For all other appeals, the following procedure applies:
  - 8.2.1 The appeal must be in writing, directed to the Vice President for Human Resources and must state the grounds for the appeal. The written appeal must be received within ten (10) Working Days of the date of delivery of the written determination. The Complainant and the Respondent shall have equal right to appeal.
  - 8.2.2 The appeal may be made on substantive and/or procedural grounds.
  - 8.2.3 The Vice President for Human Resources shall direct the appeal to a neutral President's Cabinet member for review. For purposes of the appeal procedure, President's Cabinet member does not include the Executive Vice President.
  - 8.2.4 The President's Cabinet member responsible for the appeal shall thoroughly review the matter and issue a written decision within twenty (20) Working Days of the appeal receipt date.
  - 8.2.5 The President's Cabinet member may accept or reject the decision maker's findings of fact and determination, and may accept, modify or reject any discipline imposed.
  - 8.2.6 The President's Cabinet member's decision on appeal shall be the final institutional decision.
- 9.0 **CONFIDENTIALITY:** Complaints of Gender-based Misconduct and investigations into allegations of Gender-based Misconduct are kept confidential to the extent possible consistent with both the law and the need to come to a thorough and effective resolution of the complaint.
  - 9.1 If the Complainant requests confidentiality or asks that the complaint not be pursued, reasonable steps will be taken to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue the investigation.
  - 9.2 If a complainant insists that his or her name or other identifiable information not be disclosed to the Respondent, the Complainant will be informed that OCCC's ability to respond might be limited.
- 10.0 **RETALIATION PROHIBITED:** Any employee, student, or visitor who retaliates in any way against an individual who has initiated or participated in the resolution of a good faith complaint of Gender-based Misconduct is subject to discipline, up to and including termination of employment, suspension, or dismissal from OCCC. A student, employee or visitor who believes he or she has been subjected to Retaliation in violation of this policy shall report the Retaliation to the Title IX Coordinator or a Deputy Coordinator designated in section 5.0. A complaint of Retaliation will be investigated and resolved pursuant to the procedures set forth in section 7.0 of this policy.
- 11.0 **TIME FRAMES:** The time frames set forth herein shall be adhered to except in the event or unusual or complex circumstances. The reason for the extension must

be fully documents in writing. Any extension of time must be approved in writing by the Vice President for Human Resources.

12.0 FILING OF FALSE COMPLAINTS: Anyone who knowingly or intentionally files a false complaint under this policy is subject to discipline, up to and including termination of employment, suspension or dismissal from OCCC.

13.0 EFFECT ON PENDING DISCIPLINARY ACTIONS: Filing a Gender-based Misconduct or retaliation complaint will not prevent, delay or affect any non-retaliatory evaluation or discipline of the Complainant for conduct or performance deficiencies or for violation of OCCC policies and procedures.

Adopted as OCCC Administrative Procedure 2013: September 15, 1997

Revised and Renumbered: July 1, 2007

Revised: September 24, 2013

## **Section: 7- Registered Sex Offender**

Title 57 Prisons and Reformatories, Chapter 8B - Sex Offenders Registration Act, Section 583 - Procedure for Registration states that any person who becomes subject to the provisions of the Sex Offenders Registration Act on or after November 1, 1989, shall register, in person with the police or security department of any institution of higher learning within this state if the person:

(1) enrolls as a full-time or part-time student,

(2) is a full-time or part-time employee at an institution of higher learning, or

(3) resides or intends to reside or stay on any property owned or controlled by the institution of higher learning.

The OCCC Campus Police Department maintains the registers of the two following classifications of offenders required to register under the Oklahoma Sex Offenders Registration Act:

- Persons classified as numeric risk level one (1) or two (2) sex offender
- Persons classified as a habitual or aggravated sex offender

The registrations are open for public inspection upon request at the Campus Police Department in the Main Building, room 1K8.

## **Section: 8 - Missing Student**

Oklahoma City Community College does not have student residential housing capacity. Any report of a missing student or employee would be immediately referred to the Oklahoma City Police Department (OCPD). The OCCC Campus Police would cooperate with the investigation in coordination with OCPD.

## **Section: 9 - Fire Safety Report for 2012**

Currently the Oklahoma City Community College does not offer residential housing. There was 1 incident of fire related damage to OCCC properties to report for 2012.

There were seven (7) Fire alarms recorded for OCCC properties in 2012. The alarm log for 2012 can be found on the Campus Police Department homepage.

### **In 2010 OCCC formally adopted NIMS to handle all emergencies on campus:**

#### **Formal Adoption of NIMS for Oklahoma City Community College**

Administrator: **President of Oklahoma City Community College,**

**WHEREAS:** All K-12 schools and higher education institutions (HEIs) – urban, suburban, and rural; large and small – receiving federal preparedness monies through the U.S. Department of Education (ED), the U.S. Department of Homeland Security (DHS), and/or the U.S. Department of Health and Human Services (HHS) are required to support the implementation of the National Incident Management System (NIMS). Furthermore, many state and local jurisdictions are requiring schools to complete these activities to ensure greater communication between community partners and schools as well as to provide for more efficient responses to school-based incidents.

**WHEREAS:** All schools and HEIs are integral components of every community and its government, DHS and ED recommend all schools and HEIs – regardless of whether they are recipients of federal preparedness funds – should implement NIMS.

**WHEREAS:** The president, in Homeland Security Directive (HSPD)-5, directed the secretary of DHS to develop and administer NIMS, shall provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity.



**WHEREAS:** The collective input and guidance from all federal, state, local, tribal and higher education homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS.

**WHEREAS:** It is necessary and desirable that all federal, state, local and tribal emergency agencies work together with schools and HEIs to coordinate their efforts effectively and efficiently to provide the highest levels of incident management.

**WHEREAS:** To facilitate the most efficient and effective incident management, it is critical that HEIs and schools utilize standardized terminology and organizational structures; interoperable communications; consolidated action plans; unified command structures; uniform personnel qualification standards; uniform standards for planning, training and exercising; comprehensive resource management; and designated incident facilities during emergencies or disasters.

**WHEREAS:** The NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the ability to utilize federal funding to enhance institutional readiness, maintain first responder safety and streamline the incident management processes.

**WHEREAS:** The Incident Command System components of NIMS are already an integral part of various incident management activities throughout the local community, including current emergency management training programs.

**NOW, THEREFORE, BE IT RESOLVED** by the Administration of **Oklahoma City Community College** that NIMS is hereby established as the standard for incident management.



Dr. Paul Sechrist, President

**End of Report**