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. On March 7, 2013, the Campus Sexual Violence Elimination Act was passed as part of the Violence Against Women Reauthorization Act (VAWA) amending the Jeanne Clery Act reporting responsibilities.

The due date of the ASR is October 1st 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 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 2014 OCCC annual Security Report are also available at the Campus Police Department (1K8) in the Main Building.
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### Section: 1 - Crime Statistics Data (Reported by UCR Hierarchy Rules)

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<th>Offense Type</th>
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Section: 4 Hate Crimes by Location and Bias

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 bias based on race, religion, ethnicity, national origin, gender, sexual orientation, gender identity or disability during the 2011, 2012 or 2013 calendar years.

Section: 5 - 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 parking areas and Common 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**

Currently, the OCCC Campus Police Department does not have a means for receiving the reporting of crimes confidentially. Students wishing to report an incident to law enforcement confidentially may utilize the Oklahoma City Police Department’s “Crime Stopper Hotline” by dialing, (235-7300). 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](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 all OCCC Campus Security Authorities (CSA’s).

Campus crime, arrest and referral statistics include those reported to the OCCC Campus Police Department, designated OCCC Campus Security Authorities and local law enforcement agencies. OCCC cannot withhold, or subsequently remove, a reported crime from its crime statistics based on a decision by a court, coroner or other similar non-campus official. Clery Act reporting does not require initiating an investigation or disclosing identifying information about the victim.

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 Campus Police Department 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 initiate pre-determined emergency messages utilizing all campus telephones, active computers, message boards and internal and external public address warning systems. Marketing and Public Relations will without delay communicate to students and employees the emergency message by, text, email, Twitter, and Facebook utilizing the Campus Alert Notification System 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) 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.

OCCC must withhold as confidential the names and other identifying information of victims when providing timely warnings.

*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 Building Evacuation drill will be exercised.
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**

Sworn officers of the OCCC Campus Police Department have full police authority to apprehend and arrest within the statutory jurisdiction of the campus properties and those areas covered under the concurrent jurisdiction agreement with the City of Oklahoma City. 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.

All OCCC properties are 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 Diagram]

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/text: **Call 405-632-7872**

**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.

- 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
- Campus Community Safety Presentations

Crime Prevention Programs

The prevention of crime on any properties utilized by the students, employees and patrons of OCCC is strategic 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.
- Campus Community Safety Presentations.
- 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 www.occc.edu/handbook

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: 6 - 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 a strong position on the prevention of unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. Other than the specific areas described in Policy 3073 (Visual and Performing Arts Center Alcoholic Beverage Policy), OCCC maintains an alcohol-and drug-free campus
and prohibits the use of alcohol and/or illicit drugs by students and employees on any other 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 e-mail, 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: 7 – Complaints of Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Sexual Assault and Stalking**

**On-Campus Domestic Violence, Dating Violence, Sexual Assault and Stalking 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, and the 2013 Campus Sexual Violence Elimination Act, passed as part of the Violence Against Women Reauthorization Act (VAWA) amending the Jeanne Clery Act reporting responsibilities.
Statement of Position

Oklahoma City Community College explicitly prohibits the crimes of domestic violence, dating violence, sexual assault and stalking committed against any student employee or visitor. The commission of an act of domestic violence, dating violence, sexual assault or stalking 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 domestic violence, dating violence, sexual assault and stalking and to protecting the rights of persons subjected to these offenses. Any victim alleging a crime of domestic violence, dating violence, sexual assault or stalking occurring on-campus may elect to pursue the matter with on or 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.

Notifying Proper Law Enforcement Authorities

When a report of an alleged sexual assault is made to a Campus Security Authority, the victim shall be informed about his/her option of notifying proper 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 sexual assault. 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 informed of the necessary steps in order to preserve the evidence which may be necessary to the proof of criminal sexual assault.

OCCC Administrative Policy No. 1012

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

POLICY:
The College is committed to creating and maintaining a community where all persons who participate in College programs and activities can work and learn together in an atmosphere free from all forms of harassment, exploitation, or intimidation. The College condemns discrimination based on sex or gender, sexual harassment, sexual assault, sexual orientation discrimination, discrimination based on gender identity or expression, and sexual misconduct. Any such activity committed by a member of the College community may subject
the individual to College sanctions as well as civil and criminal penalties. Persons who have complaints alleging discrimination based upon sex or gender, which may include sexual harassment, sexual assault, sexual orientation discrimination, discrimination based on gender identity or gender expression, and sexual misconduct may file their complaints in writing with the College’s Director of Equal Opportunity/Title IX Coordinator or any Deputy Title IX Coordinator identified in section II below. The Director of Equal Opportunity/Title IX Coordinator will work in conjunction with Deputy Title IX Coordinators, investigators specifically trained in sexual misconduct, and appropriate staff persons to implement this policy. This policy covers unwelcome conduct of a sexual or gender-based nature, whether committed on-campus or off-campus, where the College has control over the complained of person or the context of the harassment. Consensual romantic relationships between members of the College community are subject to other College policies, but are investigated under this process and procedure. See OCCC Policy No. 2018.

2.0 EMERGENCIES: In the event you are a victim of or witness an act of sexual assault or any other crime of violence occurring on College properties, you should report the incident immediately to the OCCC Campus Police Department by: pressing the Emergency Button on any college telephone located in all classrooms and offices or emergency Red Phone located inside most major entries and stairwells, activating an Emergency Call Box located in all parking and outdoor common areas; or calling the OCCC Campus Police from any telephone by dialing 682-7872. Victims and witnesses of crime can also contact the Oklahoma City Emergency Communications Center by dialing 911.

3.0 DEFINITIONS

Offenses prohibited under the College’s policy include, but are not limited to sexual harassment, sex discrimination (including discrimination based on sexual orientation, gender identity or gender expression), non-consensual sexual intercourse (or attempts to commit same), non-consensual sexual contact (or attempts to commit same), sexual coercion and sexual exploitation (or attempts to commit the same) as well as domestic/dating violence and stalking when these offenses are sexual or gender based.

3.1 Gender: For purposes of this policy the term gender includes biological gender, sexual orientation, gender identity, and gender expression.

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

3.2.1 Pregnancy Discrimination:

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1.0 Definitions taken, in part, from the model policy of NCHERM: [www.ncherm.org](http://www.ncherm.org)
3.2.1.1 The College prohibits discrimination on the basis of pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom. Discrimination of the basis of pregnancy should be reported in accordance with this policy. Employees with questions regarding accommodations during pregnancy are encouraged to contact the ADA Coordinator in the Office of Human Resources at 405-682-7540. Students and visitors with questions regarding accommodations during pregnancy are encouraged to contact Student Support Services at 405-682-7520.

3.2.1.2 For complaints of pregnancy discrimination arising under this policy, please report to the Director of Equal Opportunity/Title IX Coordinator or a Deputy Title IX Coordinator.

3.3 Sexual Harassment:

3.3.1 Sexual harassment is a form of Sex Discrimination. Sexual harassment is unwelcome and discriminatory speech or conduct which is undertaken because of an individual’s gender or which is sexual in nature and is so severe, pervasive, or persistent, and is so objectively and subjectively offensive that it has the systematic effect of unreasonably interfering with or depriving someone of educational, institutional, or employment access, benefits, activities, or opportunities. Students, employees, and visitors who are subject to or who witness unwelcome conduct of a sexual nature are encouraged to report the incident(s).

3.3.1.1 Hostile Environment Sexual Harassment includes conduct that is sufficiently severe, pervasive, or persistent, and objectively and subjectively offensive that it alters the conditions of education or employment or institutional benefits of a reasonable person with the same characteristics of the victim of the harassing conduct. Whether conduct is harassing is based upon examining a totality of circumstances, including but not limited to: the frequency of the conduct; the nature and severity of the conduct; whether the conduct was physically threatening; whether the conduct was deliberate, repeated humiliation based upon sex; the effect of the conduct on the alleged victim’s mental or emotional state from the perspective of a reasonable person; whether the conduct was directed at more than one person; whether the conduct arose in the context of other discriminatory conduct; continued or repeated verbal abuse of a sexual nature, such as gratuitous suggestive comments and sexually explicit jokes; and whether the speech or
conduct deserves constitutional protections.

3.3.1.2 Quid Pro Quo Sexual Harassment exists when individuals in positions of authority over the complainant: make unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature and indicate, explicitly or implicitly, that the rejection of or failure to submit to such conduct will result in adverse educational or employment action or where participation in an educational program or institutional activity or benefit is conditioned upon the complainant’s submission to such activity.

3.3.1.3 Examples of Harassment: Not all workplace or educational conduct that may be described as “harassment” affects the terms, conditions, or privileges of employment or education. For example, a mere utterance of a gender-based epithet which creates offended feelings in an employee or student would not normally affect the terms and conditions of their employment or education. Examples of harassment that may affect terms or conditions of employment or education include but are not limited to:

- A professor insists that a student have sex with him or her in exchange for a good grade. This is harassment regardless of whether the student accedes to the request.
- A student repeatedly sends sexually oriented jokes around in an email list s/he created, even when asked to stop, causing one recipient to avoid the sender.
- Explicit sexual pictures are displayed on an exterior door, or on a computer monitor in a public place, shared workspace, or visible to others.
- Two supervisors frequently “rate” several employees’ bodies and sex appeal, commenting suggestively about their clothing and appearance within their earshot.
- A professor engages students in discussions in class about their past sexual experiences, yet the conversation is not in any way germane to the subject matter of the class.
- A student or employee widely spreads false stories about his or her sex life with his or her former partner to the former partner’s clear discomfort, making him or her a social pariah on campus.
3.4 Retaliation is any attempt to penalize or take an adverse employment, educational or institutional benefit action, including but not limited to making threats, intimidation, reprisals or other adverse action, against a person because of participation in a complaint or the investigation of discrimination, sexual harassment or sexual misconduct.

3.5 Sexual Violence means physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent. A number of acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual misconduct and sexual coercion.

3.5.1 Non-Consensual Sexual Intercourse is defined as any sexual intercourse or penetration of the anal, oral, vaginal, genital opening of the victim, including sexual intercourse or penetration by any part of a person’s body or by the use of an object, however slight, by one person to another without consent or against the victim’s will. This definition includes rape and sexual assault, sexual misconduct, and sexual violence.

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

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

3.5.4 Sexual Exploitation occurs when a person takes non-consensual, unjust or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior may not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

3.5.4.1 non-consensual video or audio-taping of any form of sexual activity;

3.5.4.2 going beyond the boundaries of consent (such as letting a person or people hide in the closet to watch you having consensual sex without your partner’s
knowledge or consent);
3.5.4.3 sexually-based stalking or bullying;
3.5.4.4 engaging in non-consensual voyeurism, such as observing
sexual acts or body parts of another from a secret
vantage point;
3.5.4.5 knowingly transmitting a sexually transmitted disease or
illness to another;
3.5.4.6 exposing one’s genitals in a non-consensual circumstance,
or inducing another to expose his or her genitals;
3.5.4.7 prostituting another person;
3.5.4.8 other forms of invasion of sexual privacy.

3.6 Other Misconduct: Other forms of misconduct when based on one’s
gender also constitute violations of this policy including:
3.6.1 threatening or causing physical harm, extreme verbal
abuse, or other conduct which threatens or endangers the
health or safety of any person;
3.6.2 Discrimination, defined as actions that deprive other
members of the community of educational or employment
access, benefits or opportunities on the basis of gender;
3.6.3 Harassment, defined as unwelcome and discriminatory
speech or conduct undertaken because of an individual’s
gender or that is sexual in nature that has the systematic effect
of unreasonably interfering with or depriving someone of
educational, institutional, or employment access, benefits,
activities, or opportunities.
3.6.4 Gender-based intimidation, defined as implied threats or
acts that cause an unreasonable fear of harm in another;
3.6.5 Gender-based hazing, defined as acts likely to cause
physical or psychological harm or social ostracism to any person
within the College community, when related to the admission,
initiation, pledging, joining or other group-affiliation activity.
3.6.6 Gender-based bullying, defined as repeated and/or severe
aggressive behavior likely to intimidate or intentionally hurt,
control or diminish another person, physically or mentally (that is
not speech or conduct otherwise protected by the First
Amendment);
3.6.7 Violence, including assault, battery or other physical
abuse between those in an intimate or dating or romantic
relationship with each other:
3.6.7.1 Dating violence is violence between individuals in the
following circumstances where the party is or has
been in a social relationship of a romantic or
intimate nature with the victim. The existence of such
a relationship shall be determined based on a consideration of the following factors the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

3.6.7.2 Domestic Violence under College policy means violence committed by a current or former spouse of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with or has cohabitated with the victim as a spouse; person similarly situated to a spouse of the victim under Oklahoma domestic or family violence laws; or any other violence against an adult or youth victim who is protected from that person’s acts under Oklahoma domestic or family violence laws.

3.6.8 Stalking, defined as repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the community or the safety of any of the immediate family members of the community.

3.7 Consent

3.7.1 Consent is the act of willingly agreeing to engage in sexual contact or conduct. Individuals who consent to sex must be able to understand what they are doing. Under this policy, “No” always means “No,” and the absence of “No” may not mean “Yes”.

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

3.7.3 Consent to one form of sexual activity does not imply consent to other forms of sexual activity.

3.7.4 Previous relationships or consent does not imply consent to future sexual acts.

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

3.7.6 In order to give effective consent, one must be of legal age and have the capacity to consent. Incapacity to consent may result from mental disability, intellectual disability, unconsciousness/sleep, age, or use of alcohol, drugs, medication, and/or other substances. Under this policy, consent cannot be given by someone who one knows is or who
(based on the circumstances) one reasonably should know to be mentally or physically incapacitated. Incapacitation is a state where someone cannot make rational, reasonable decisions because he or she lacks capacity to give knowing consent (e.g. to understand the “who, what, when, where, why or how” of their sexual interaction). Whether a person is incapacitated is a determination that will be made after the incident and in light of all facts available. Individuals reach incapacitation at different points and as a result of different stimuli and exhibit incapacity in different ways. Note that indications of consent are irrelevant if the initiator of sexual activity knows or should reasonably have known of the incapacity of the other person. Common signs of incapacitation include but are not limited to:
- awareness of the amount of alcohol, medication or drugs consumed by the other, or
- imbalance or stumbling, or
- slurred speech, or
- lack of consciousness or inability to control bodily functions or movements, or vomiting.

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

3.8 State Law Definitions
In accordance with the Violence Against Women Reauthorization Act of 2013, please be advised that the following definitions are applicable should you wish to pursue Oklahoma state criminal or civil actions. These definitions may differ from the College’s administrative policy definitions noted above. The College’s administrative system and disciplinary procedures are separate and distinct from those available to someone in a state civil or criminal action. Individuals may seek administrative remedies in accordance with this policy and also may seek state or federal civil or criminal remedies for the same incident through the applicable systems. The definitions set forth below are reviewed and verified annually; for a more frequently updated resource, please consult Oklahoma’s State Court Network site: www.oscn.net

3.8.1 Oklahoma Criminal Law Definition of Rape

**Oklahoma Penal Code, §21-1111:**
A. Rape is an act of sexual intercourse involving vaginal or anal penetration accomplished with a male or female who is not the spouse of the perpetrator and who may be of the same or the opposite sex as the perpetrator under any of the following circumstances:
1. Where the victim is under sixteen (16) years of age;
2. Where the victim is incapable through mental illness or any other unsoundness of mind, whether temporary or permanent, of giving legal consent;
3. Where force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person;
4. Where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privity of the accused as a means of forcing the victim to submit;
5. Where the victim is at the time unconscious of the nature of the act and this fact is known to the accused;
6. Where the victim submits to sexual intercourse under the belief that the person committing the act is a spouse, and this belief is induced by artifice, pretense, or concealment practiced by the accused or by the accused in collusion with the spouse with intent to induce that belief. In all cases of collusion between the accused and the spouse to accomplish such act, both the spouse and the accused, upon conviction, shall be deemed guilty of rape;
7. Where the victim is under the legal custody or supervision of a state agency, a federal agency, a county, a municipality or a political subdivision and engages in sexual intercourse with a state, federal, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim; or where the victim is at least sixteen (16) years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in sexual intercourse with a person who is eighteen (18) years of age or older and is an employee of the same school system.

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

3.8.2 Definition of Consent under Oklahoma Criminal Law

**Oklahoma Penal Code, §21-1114A**, provides lack of consent in rape cases where:
1. rape committed by a person over eighteen (18) years of age upon a person under fourteen (14) years of age; or
2. rape committed upon a person incapable through mental illness or any unsoundness of mind of giving legal consent regardless of the age of the person committing the crime; or
3. rape accomplished where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privity of the accused as a means of forcing the victim to submit; or
4. rape accomplished where the victim is at the time unconscious of the nature of the act and this fact is known to the accused; or
5. rape accomplished with any person by means of force, violence, or threats of force or violence accompanied by apparent power of execution regardless of the age of the person committing the crime; or instrumentation in the first degree regardless of the age of the person committing the crime; or
6. rape by instrumentation committed upon a person under fourteen (14) years of age.

3.8.3 Definition of Domestic/Dating Violence under Oklahoma Criminal Law

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

3.8.4 Definition of Stalking under Oklahoma Criminal Law

Oklahoma Penal Code, §21-1173, defines stalking as:
Any person who willfully, maliciously, and repeatedly follows or harasses another person in a manner that:
1. Would cause a reasonable person or a member of the immediate family of that person to feel frightened, intimidated, threatened, harassed, or molested; and
2. Actually causes the person being followed or harassed to feel terrorized, frightened, intimidated, threatened, harassed, or molested.
4.0 DESIGNATION OF TITLE IX COORDINATORS:
4.1 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. 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 Sexual Misconduct and other Gender-based Misconduct.

4.2 Any complaint of Sexual Misconduct or other Gender-based Misconduct, including sexual assault, may be directed to the Director of Equal Opportunity/Title IX Coordinator:
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

OCCC's Assistant Director of Student Life has been designated as the Deputy Title IX Coordinator for complaints against credit students:
Chris Shelley, M.Ed.
Assistant Director of Student Life
Oklahoma City Community College (1H8-MB)
7777 S. May Avenue
Oklahoma City, OK  73159
christopher.shelley@occc.edu
(405) 682-1161 ext. 7683

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 and Employee Relations
Oklahoma City Community College (104-JMC)
7777 S. May Avenue
Oklahoma City, OK  73159
jlegako@occc.edu
(405) 682-7850

5.0 RISK REDUCTION TIPS
Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to blame victims, and with recognition that only those who commit sexual misconduct are responsible for those actions, these suggestions may nevertheless help you reduce your risk of experiencing a non-consensual sexual act.

4.1 Make your relationship limits known as early as possible.
4.2 Be aware of your alcohol intake. Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a person intoxicated by alcohol or drugs as a sexual opportunity.

4.3 Take care of your friends or colleagues and ask that they take care of you.

4.4 Potential Aggressor:
If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you reduce your risk of being accused of sexual misconduct:
- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- Don’t make assumptions about consent; about someone’s sexual availability; about whether they are attracted to you; about how far you can go; or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity, then you do not have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading your partner. You must respect the timeline for sexual behaviors with which your partner is comfortable.
- Don’t take advantage of someone’s drunkenness or drugged state, even if they did it to themselves.
- Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don’t abuse that power.
- Understand that consent to one form of sexual behavior does not automatically imply consent to other forms of sexual behavior.
- Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

5.0 DUTY TO REPORT SEXUAL HARASSMENT, DISCRIMINATION, AND MISCONDUCT

5.1 Mandatory Reporting
All college employees are encouraged to report conduct that could constitute sexual misconduct or other gender-based misconduct to the Title IX Coordinator or Deputy Title IX Coordinator. With limited exceptions, Coordinators, Deans, Directors and above must report conduct that could constitute sexual misconduct or other gender-based misconduct to the Title IX Coordinator or Deputy Title IX Coordinator. Where potential complainants wish to remain anonymous, the college employee should consult with the Title IX coordinator before making the report in a “John/Jane Doe” format. However, licensed counselors who receive reports while engaged in such capacity may keep such reports confidential. Supervisors, managers and faculty members with
administrative duties or student supervisory duties are responsible for taking all appropriate action to prevent sexual misconduct, discrimination and harassment, to correct it when it occurs. The failure to report when required to do so may result in disciplinary action up to and including termination.

5.2 Confidential Reporting
Confidential reporting resources are available through the College’s counseling center:
- Student Support Services provides privileged counseling services—(405) 682-7520. Reports to the counselors are legally confidential and may not be revealed without consent except in limited statutory defined circumstances.

5.3 Reports Concerning Minors
5.3.1 Members of the College community should be aware that the College often has minors on its campus for a variety of reasons including field trips, campus tours, camps and credit courses.
5.3.2 OCCC policies addressing minors on campus are located at:
5.3.3 Should you have a reasonable suspicion of any abuse or neglect of a minor whether on College property or not, irrespective of whether you are a mandatory reporter for Title IX purposes, you have an independent obligation under Oklahoma state law to notify the Oklahoma Department of Human Services immediately (1-800-522-3511). Where the incident occurred on campus or involves a college related event, you must also call local law enforcement and/or OCCC Campus Police (405-682-7861). If any incidents also involve violations of the Sexual Misconduct, Discrimination and Harassment policy, you must contact DHS, OCCC Campus Police, and the College’s Title IX Coordinator (405-682-7540).

5.4 Title IX Coordinator
5.4.1 The Title IX Coordinator has primary responsibility for investigations, education and training associated with this Policy. For complaints concerning actions governed by this Policy, please contact: Director of Equal Opportunity/Title IX Coordinator, Regina Switzer at (405)682-7540; Deputy Title IX Coordinator, Chris Shelley at (405) 682-7523, or Deputy Title IX Coordinator, Jana Legako, at (405)682-7850.
5.4.2 The Title IX Coordinator, Deputy Title IX Coordinators, and any appointed investigators, will be specially trained in responding to matters involving allegations of Title IX sexual misconduct, including methods of investigation and as appropriate conducting
hearings, in a manner that protects the safety of complainants and promotes accountability while protecting the due process rights of all parties.

6.0 EDUCATION AND TRAINING, COUNSELING SERVICES AND INTERIM MEASURES

6.1 Students are required to complete Title IX training for students annually. Where students are also employees, they will be required to complete both the training for students and the training for employees. For students, the College offers the following training and services:

- Confidential counseling through the Office of Student Support Services (405) 682-7520 (Monday – Friday, 8:00 a.m. – 5:00 p.m.).
- Mandatory online training.
- In-person training for Active Bystander Intervention skills.
- On-going campus campaigns and information at a variety of events concerning the policy and appropriate behaviors, including Bystander Intervention.
- Informational website and brochures devoted to educating students at: www.OCCC.edu/sexualmisconduct

With respect to cases of sexual harassment and sexual misconduct, the College offers services to the victim and will engage in a discussion concerning appropriate interim measures, e.g., class and scheduling adjustments, no contact orders, blocking emails, referral to counseling services, etc.

6.2 All employees are required to complete Title IX training annually. Failure to have a certification of this required training may result in appropriate disciplinary action. Employees may be required to be recertified on demand. The College requires volunteers who will be providing volunteer services for ten (10) or more days within a calendar year to take Title IX training at least once during their career. For employees, the College offers the following training and services:

- Counseling through the Employee Assistance Program at (405) 840-0231.
- Mandatory online training for employees.
- In-Person training on sexual harassment/discrimination/violence and mandatory reporting through new employee orientations, Supervisory Series, and other periodic training opportunities and upon request.
- In-person training for Active Bystander Intervention skills.
- Ongoing campus campaigns and information at a variety of events, concerning the policy and appropriate behaviors, including Bystander Intervention.
- Informational website and brochures devoted to educating employees at: www.occc.edu/sexualmisconduct
- In-person training prevention workshops.
- With respect to cases of sexual harassment and sexual misconduct, the College offers services to the victim and will engage in a discussion
concerning appropriate interim measures, e.g. scheduling adjustments, no contact orders, blocking emails, referral to counseling services, etc.

6.3 Additional Resources Available to the College community:
- OCCC Campus Police Dept. (405) 682-7872
- Norman Rape Crisis Center - Women’s Resource Center (405) 701-5660 – confidential off-campus resource
- Norman Domestic Violence Crisis Line: (405) 701-5540 - provides confidential resources off campus.
- Heartline Health 1-800-273-CARE-provides referral and support.
- OKC Rape Crisis/YWCA (405) 943-7273 - provides confidential resources off campus.
- OKC Police Department- 911 for emergencies; (405) 231-2121- non-emergencies.
- Oklahoma Coalition Against Domestic Violence and Sexual Assault (405) 524-0700 – provides confidential resources off campus
- Oklahoma Safeline (800) 522-7233 - provides confidential resources off campus

6.4 Bystander Intervention
If you witness a policy violation, or behaviors that may lead to a policy violation, there are a variety of things you can do as a bystander:
- Divert the intended victim (e.g. “help me out of here; I don’t feel well”)
- Distract the alleged offender (e.g. “looks like your car is being towed”)
- Confront the alleged offender (e.g. “don’t speak to him or her in that manner)

7.0 INTENTIONALLY FALSE REPORTS
Individuals who make reports that are later found to have been intentionally false or made maliciously without regard for truth may be subject to disciplinary action up to and including termination or expulsion. This provision does not apply to reports made in good faith, even if the facts alleged in the report cannot be substantiated by an investigation.

8.0 FREE SPEECH AND ACADEMIC FREEDOM
Members of the College community enjoy significant free speech protections guaranteed by the First Amendment of the United States Constitution. However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or state anti-discrimination laws.

9.0 AVAILABILITY OF OTHER COMPLAINT PROCEDURES
In addition to seeking criminal charges through local law enforcement, members of the College community may also file complaints with the following entities irrespective of whether they choose to file a complaint under this procedure:
Office of Civil Rights:
Kansas City Field Office: OCR.KansasCity@ed.gov
1-816-268-0550
Washington D.C.: OCR@ed.gov
1-800-421-3481
Equal Employment Opportunity Commission:
Oklahoma City Field Office: 1-800-669-4000

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

State of Oklahoma Attorney General’s Office:
Office of Civil Rights Enforcement: 405-521-2029 or OCRE@oag.gov

10.0 INVESTIGATIVE PROCESS FOR INTERNAL COMPLAINTS UNDER THE SEXUAL MISCONDUCT DISCRIMINATION AND HARASSMENT POLICY

10.1 Who May Utilize this Procedure?
Complaints arising under College Policy No. 1012, Respectful Educational and Working Environment-Sexual Misconduct, Discrimination and Harassment including violations of Policy No. 2018, Consensual Relationships, must be filed with the Director of Equal Opportunity/Title IX Coordinator or Deputy Title IX Coordinator (“Title IX Coordinator”). This procedure is available to any person who, at the time of the acts complained of, was employed by Oklahoma City Community College, was an applicant for employment, was an applicant for admission to a College program, was enrolled as a student at the College or was a guest at a College event, and the College has control over either the alleged offender or the facility or context of the event (whether on or off campus). The Director of Equal Opportunity/Title IX Coordinator may, in his or her discretion, dismiss a grievance if he or she determines the person filing the complaint is not entitled to use this procedure.

10.2 Filing of Complaint

10.2.1 Persons who wish to file a complaint arising under College Policy No. 1012, Respectful Educational and Working Environment-Sexual Misconduct, Discrimination and Harassment, Policy No. 2018, Consensual Relationships, must file their complaints in writing, including email, with the Title IX Coordinator or any Deputy Title IX Coordinator designated by the College. Complainants who exercise their right to use this procedure agree to accept its conditions as outlined. Where multiple issues exist (e.g., sexual harassment and violation of due process or grade appeal), the complainant must specify all of the grounds of the complaint that the complainant should have reasonably known about at the time of filing.

10.2.2 A complaint filed under this procedure may normally not be filed under any other College procedure. Depending on the nature of the issues involved, the Title IX Coordinator will advise the complainant about the available procedure(s) to invoke (applicable
disciplinary policies and procedures, performance appraisal appeal).

10.2.3 Any party to the complaint, including the respondent and the complainant, may obtain the advice of any advisor or attorney at the party’s own expense. Advisors and attorneys may be present during any meetings or hearings, but only parties and the witnesses may participate directly in the process, not the advisors or attorneys.

10.2.4 Effect on Pending Disciplinary Actions: Filing a complaint under Policy No. 1012 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.

10.2.5 The Title IX Coordinator in consultation with the General Counsel may modify these procedures from time to time as deemed appropriate for compliance with federal, state and local law or applicable regulations or guidance.

10.3 Timing of Complaint

Generally, to aid in a proper investigation, complaints filed with the Title IX Coordinator should be filed within 365 calendar days of the act of alleged sexual discrimination, harassment or misconduct to facilitate the ability to gather facts and evidence. However, complaints about conduct occurring outside this time-frame will be reviewed as well. Individuals are counseled that claims filed after lengthy lapses in time may be more difficult to investigate. The Title IX Coordinator may reasonably extend this and all other time periods, and may, in his or her discretion, dismiss a grievance if the person is not entitled to use this procedure. Nothing herein should be construed to extend or restrict a person’s right to file charges, lawsuits or claims with any other agency, law enforcement, or court, and individuals are encouraged to ensure their rights have not expired through these other avenues. Further, to the extent the complainant’s allegations involve criminal activity, the Title IX Coordinator may refer such matters to local law enforcement.

10.4 Administrative Action

10.4.1 The College recognizes its obligation to address incidents of sexual misconduct, discrimination and harassment on campus when it becomes aware of its existence even if no complaints are filed; therefore, the College reserves the right to take appropriate remedial measures unilaterally under this procedure, including interim measures, including but not limited to issuing no-contact orders, modifying course-schedules, etc.

10.4.2 With respect to students, the Vice President for Student Support Services (or designee) or other appropriate persons in authority may take immediate administrative or disciplinary action deemed necessary for the welfare or safety of the College community.
10.4.3 With respect to employees, upon a determination at any stage in the investigation or complaint procedure that the continued performance of any party’s regular duties or College responsibilities would be inappropriate, the proper President’s Cabinet member may suspend or reassign said duties or responsibilities, place the individual on leave of absence, or terminate employment, pending the completion of the investigation or grievance procedure.

10.5 Withdrawal of Complaint

The complainant may withdraw the complaint at any point during the investigation; however, the Title IX Coordinator may determine in his or her discretion that the issues raised warrant further investigation despite the complainant’s desire to withdraw the complaint.

10.6 Rights of the Complainant and Respondent

In order to provide accessible, prompt, and equitable methods of investigation and resolution of incidents of sexual or other gender-based misconduct, the College has developed a process for investigation and adjudication of misconduct reports. Throughout this process, both the complainant and the respondent have the following rights:

- To respect, dignity, and sensitivity
- To appropriate support from the College
- To privacy to the extent possible consistent with applicable law and College policy
- To information about the College’s Sexual Misconduct Policy
- To the presence of an advisor throughout the process
- To participate or decline to participate in the investigation or any appeal process. However, a decision to refrain from participating in the process either wholly or in part will not prevent the process from proceeding with the information available.
- To prompt and thorough investigation of the allegations
- To adequate time to review documents in the office of the Title IX Coordinator following the investigation
- To adequate time to prepare
- To an opportunity to challenge an investigator or hearing panel member for possible conflicts of interest.
- To refrain from making incriminating statements
- To be free from retaliation for filing or participating in the investigation of a complaint
- To appeal the decision made by the Title IX Coordinator
- To notification in writing of the case resolution, including the outcome of any appeal
- To report the incident to law enforcement at any time
- To understand that information collected in the process may be subpoenaed in criminal or civil proceedings.
10.7 Privacy of Proceedings and Records

10.7.1 Students wishing to make legally confidential reports have the option of reporting sexual- and other gender-based misconduct matters to the College’s licensed counselors in the Office of Student Support Services. To the to the extent the complainant speaks to a licensed counselor acting in his or her counseling capacity, such communication is confidential and privileged, and may not be disclosed except where statutorily required.

10.7.2 Although College employees other than licensed counselors will maintain an individual’s privacy to the best of their ability, individuals should know that College employees (other than licensed counselors) may not be able to maintain legal confidentiality of the complainant, but will maintain the privacy of the parties as noted herein.

10.7.3 The College’s ability to investigate may be limited if a complainant insists his or her name not be disclosed to the respondent. The College must weigh such requests for privacy against its responsibility to provide a safe and nondiscriminatory environment. Title IX Coordinators, investigators and those involved with the investigation are individually charged to preserve privacy with respect to any matter investigated or heard. Failure to preserve privacy is considered a serious offense and may subject the offender to appropriate disciplinary action. Parties and witnesses are also admonished to maintain privacy with regard to these proceedings, and if they are College employees, failure to maintain said privacy may result in appropriate disciplinary action. Furthermore, federal law prohibits retaliation against those who file complaints, and the College will take responsive action if such retaliation occurs, up to and including termination and/or expulsion.

10.7.4 Except with respect to Policy No 2021, Resolution of Employment Grievances, Policy No. 2020, Demotion, Disciplinary Loss of Pay, Suspension and Termination, or any applicable Student Conduct Code procedure, all records involving complaints of sexual or other gender-based misconduct, upon disposition of a complaint, shall be transmitted to and maintained by the Title IX Coordinator as confidential records except to the extent disclosure is permissible or required by applicable law or College policy. It should be noted that under the Family Educational Rights and Privacy Act, final disciplinary actions as well as the rationale may be reported to the complainant, to the extent the sanctions directly relate to the complainant. The College will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against the individual 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 for the purposes of this paragraph.

10.8 Proceedings

10.8.1 Investigation

10.8.1.1 Upon receipt of a written complaint, the Title IX Coordinator will notify complainant of the receipt of the complaint. The Title IX Coordinator or any specially trained and duly authorized investigator is empowered to investigate the charge, to interview the parties and others, and to gather any evidence he or she deems pertinent. Generally, the Title IX Coordinator interviews the complainant and any relevant witnesses identified by the complainant or the Title IX Coordinator.

10.8.1.2 Once sufficient information is gathered, the Title IX Coordinator will then notify the respondent of the allegations. With permission from the complainant, the Title IX Coordinator shall advise the respondent of the identity of the complainant. Where a complainant does not wish to be identified, the extent of the investigation may be limited; however, some form of limited investigation will be attempted while maintaining confidentiality of the complainant’s identity. The Title IX Coordinator will interview the respondent and any witnesses the Title IX Coordinator or respondent identifies as relevant.

10.8.1.3 Additional evidence may be sought from any relevant party or witness, including but not limited to, documents, email communications, social media postings, text messages, etc. Parties are expected to cooperate and provide this information. Failure to cooperate with an investigation may result in separate disciplinary proceedings. Parties should be aware that as members of the College community, their expectation of privacy in College resources is limited, and the College may obtain information through the College’s resources and informational technology system with or without the individual’s cooperation.

10.8.1.4 The investigation and determination should be completed as soon as practicable, but in all cases within 60 calendar days of the filing of the complaint, unless the need for an extension is appropriately documented by the Title IX Coordinator and communicated to the parties.
10.8.1.5 Once the Title IX Coordinator, Deputy Title IX Coordinator, or authorized investigator has gathered the information, he or she shall discuss his or her findings, where appropriate, with the Title IX Coordinator or a Deputy Title IX Coordinator before making a final decision as to whether sufficient grounds exist to issue a determination of impropriety and/or to refer the matter to the appropriate administrative employee for discipline. It is the responsibility of the Title IX Coordinator after consultation with other staff specifically trained in responding to sexual misconduct, including the primary investigator (if different), to make the determination of whether sufficient grounds exist to issue a determination of impropriety and/or to refer the matter to the appropriate administrative official for discipline.

10.8.1.6 At all times throughout the proceedings, the complainant and the respondent shall have the same procedural and appellate rights.

10.8.2 Determination

After the joint Title IX consultation, the Title IX Coordinator shall render a determination based on the evidence as a whole, the totality of the circumstances, the credibility of the parties and witnesses, and the context in which the alleged incident(s) occurred, utilizing a preponderance of the evidence standard, i.e., the facts complained of are more likely true than not. Upon completion of the investigation, the Title IX Coordinator is authorized to make one or more of the following determinations:

10.8.2.1 Satisfactory Resolution - The matter is resolved to the satisfaction of all parties. Provided, however, there will be no direct mediation between the parties. If a resolution satisfactory to the parties is reached, the Title IX Coordinator may prepare a written statement or other applicable documentation indicating the nature of the resolution and any agreed upon remedial measures (e.g. Issuing a no contact order). At that time, the investigation and the record shall be closed and no appeal is available to any party.

10.8.2.2 Dismissal - The Title IX Coordinator finds that no policy violation occurred and dismisses the complaint, giving simultaneous written notice of the dismissal to each party involved. Within five (5) College business days of the date of the notice of dismissal, any party may ask the Title IX Coordinator or his or her designee to reconsider.
the determination. The request for reconsideration of the determination must be in writing, including email, and must indicate how and why the determination was inaccurate. If after reconsideration, the Title IX Coordinator determines that additional evidence not available at the time of the report would materially alter the determination, he or she may reopen the matter for additional investigation and report or may take appropriate action. If no request for reconsideration is received by the college within the five (5) College business-day period, the case is considered closed and the Title IX Coordinator’s determinations are final. All appropriate administrative employees and parties shall be notified in writing that the matter is closed.

10.8.2.3 Determination of Impropriety - The Director of Equal Opportunity/Title IX Coordinator makes a determination of impropriety and notifies the parties and appropriate administrative employees of the determination. The Title IX Coordinator may recommend disciplinary and remedial measures to be taken.

10.8.2.4

10.8.2.5 Referral to Vice President of Human Resources - In the case of a complaint against a faculty member or employee, the Title IX Coordinator in consultation with the Vice President of Human Resources, may determine that the evidence is sufficiently clear and serious, warranting the immediate commencement of discipline up to and including termination of employment, as provided in Policy No. 2020, Demotion, Disciplinary Loss of Pay, Suspension and Termination.

10.8.3 Notification of Outcome of the Proceedings

10.8.3.1 The Complainant and the Respondent will be notified simultaneously and in writing of the outcome of the proceeding, and by hand-delivery or by other traceable means provided a copy of the written determination and the procedures for appeal.

10.8.3.2 The Determination shall be documented in writing and retained by the 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.

10.8.4 Appeal of the Title IX Coordinator’s Determinations

10.8.4.1 Dismissals and Determinations of Impropriety against Students
Where the Title IX Coordinator dismisses a complaint against a student or determines that a student has violated this Policy No. 1012, he or she shall refer the determination and the matter to the Student Conduct process. Either party may appeal the determination, and any appeal of the determination shall be heard through the Student Conduct process. See OCCC Student Handbook, Section V.

10.8.4.2 Dismissals and Determinations of Impropriety against Employees and Faculty Members

i. Severe Sanctions

Where the Title IX Coordinator determines that a faculty member or an employee has violated Policy No. 1012 and based on consultations with the appropriate administrative officials, a severe sanction of dismissal or disciplinary suspension, loss of pay or demotion is imposed or recommended, either party may appeal through the procedures in Policy No. 2020, Demotion, Disciplinary Loss of Pay, Suspension and Termination.

ii. Other Than Severe Sanctions

Where the Title IX Coordinator dismisses a complaint against a faculty member or employee, or determines a faculty member or employee has violated the Sexual Misconduct Policy and based on consultations with the appropriate administrative official, a sanction less than dismissal or disciplinary suspension, loss of pay or demotion is recommended or imposed, either party may appeal the determination and recommended or imposed sanction through the process noted below.

10.8.4.3 Dismissals and Determinations of Impropriety against Third Parties

Where the Title IX Coordinator dismisses a complaint against a third party or determines that a third party has violated Policy No. 1012, the respondent or the complainant may request the Title IX Coordinator or his or her designee, in consultation with the appropriate President’s Cabinet member over the area, to reconsider the determinations. If after reconsideration, the officers determine a remand is warranted, the matter will be referred to the Title IX Coordinator for further investigation or modification. If the officers determine the sanctions are appropriate, the determinations shall be final and binding on the third party without further appeal.
10.8.5. Request for an Appeal through This Process

10.8.5.1 Where the matter is not referred to other College procedures for review and action (e.g., Student Conduct process or Policy No. 2020), and if the appeal is permissible as noted above, both the complainant and respondent have the right to appeal the determination and/or the sanction imposed. The appeal must be in writing and must be received by the Vice President for Human Resources within ten (10) College business days of the notification of the determination or sanction, whichever is being appealed.

10.8.5.2 The request for appeal must contain the particular facts upon which the appeal is based. Disagreement with the determinations or sanctions is not, by itself, grounds for appeal.

10.8.5.3 The Vice President for Human Resources or the College’s designee, shall provide a copy of the appeal request to the Title IX Coordinator, the original complainant or respondent, as appropriate; and shall request a written response from the Title IX Coordinator.

10.8.5.4 Generally, in an appeal under this section D.2, the Title IX Coordinator will be the Appellee, and the initial complainant or respondent shall be the Appellant or a witness in the appellate proceedings, respectively. In this type of appeal, all references to appellee in the appellate procedures shall refer to the Title IX Coordinator and/or relevant members of the College administration. Provided, however, all parties shall be entitled to all rights and procedures available to any party during the appellate process and shall be included in the definition of parties.

10.8.5.5 An alternative College official/employee may be identified by the administration to manage the appeals process if the Vice President for Human Resources is involved as the appellant, appellee or respondent along with the Title IX Coordinator.

10.8.6 Response to Request for Appeal

If an appeal is requested, the Title IX Coordinator’s written response to the request for a hearing must be sent to the Vice President for Human Resources or the College’s designee within five (5) College business days of receiving notice that an appeal has been requested. The Vice President for Human Resources’ staff shall provide a copy of the response to the party requesting the hearing. The non-appealing party shall also be notified of the appeal and may provide a written response within this timeline if he or she so desires.
10.8.7 Hearing Process

10.8.7.1 Within five (5) College business days following receipt of the written appeal, the Vice President for Human Resources’ staff or the College’s designee shall contact the parties informally.

10.8.7.2 Hearing Officer – Also within five (5) days of receiving the written appeal request, the Vice President for Human Resources shall direct the appeal to a neutral President’s Cabinet member for review. For purposes of this appeal procedure, the term “President’s Cabinet member” does not include the Executive Vice President.

10.8.7.3 The President’s Cabinet member responsible for the appeal shall thoroughly review the matter, including the appeal request, Title IX Coordinator’s response to the appeal, any response provided by the non-appealing party, and issue a written decision within twenty (20) College business days of the date the appeal is received by the College.

10.8.7.4 The President’s Cabinet member responsible for the appeal may accept or reject any findings of fact or determination made by the Title IX Coordinator, and may accept, modify or reject any sanction or discipline imposed. The decision of the President’s Cabinet member on appeal shall be the final institutional decision.

10.8.8 Standard of Review

At the appeal level, the appropriate standard of review is whether by a preponderance of the evidence, the report or its result is supported by any evidence, or substantially would have been altered by the new evidence that was not previously available.

11.0 RETALIATION PROHIBITED

Any employee, student, or visitor who retaliates in any way against any an individual who has initiated or participated in the investigation or resolution of a good faith complaint of a violation of Policy No. 1012 is subject to investigation and discipline under this policy. Any student, employee or visitor who believes he or she has been subjected to retaliation as a result of participating in the Title IX process shall report the suspected retaliatory activity to the Title IX Coordinator or Deputy Title IX Coordinators identified in Policy No. 1012.

12.0 TIME FRAME

The time frames set forth in this policy shall be adhered to except in the event of unusual or complex circumstances. The Director of Equal Employment/Title IX Coordinator has sole authority to extend the time limits established herein. Any extension of time and the reasons therefore must be documented in writing.
Section: 8- Registered Sex Offender/Violent Crime Offenders

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

Title 57 Chapter 8C – Mary Rippy Violent Crime Offenders Registration Act, Section 594 Registration Under the Mary Rippy Violent Crime Offenders Registration Act on or after November 1, 2004, shall register 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 registrations are open for public inspection upon request at the Campus Police Department in the Main Building, room 1K8.
Section: 9 - Missing Student

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

Section: 10 - Fire Safety Report for 2014

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 2013.

There were seven (15) Fire alarms recorded for OCCC properties in 2013. The alarm log for 2013 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