

EMPORIA STATE  
UNIVERSITY™



## 2024 Annual Security & Fire Safety Report



This report contains statistics for 2021, 2022, and 2023 calendar years in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

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Dear Emporia State University Community:

I am pleased to introduce the Emporia State University *2024 Annual Security and Fire Safety Report*. This report is prepared by the Emergency Manager and reviewed by the departments of Police & Safety, Residential Life, University Facilities, Student Wellness, Human Resources, Legal Services, the Title IX Coordinator, and the Dean of Students. Not only does this report comply with the *Jeanne Clery Disclosure of Campus Policy and Campus Crime Statistics Act* but is also part of our ongoing effort to inform you of the safety programs and services available and the best practices to assist you in maintaining safety and the security of others.

The safety and well-being of our students, faculty, staff, and visitors are paramount. A strong law enforcement presence, an aware, informed, alert campus community, and a commitment to reporting suspicious activities and using common sense when carrying out daily activities are the best protections against campus crime.

Emporia State University works diligently to reduce risk and the potential for crime. Safety and security are a shared responsibility, and we expect all current and prospective community members to contribute to the safety and security of our campus.

If you have any questions or suggestions regarding this publication, please contact the Emergency Manager at (620) 341-5089.

Best wishes,

Cory Falldine  
Chief Operating Officer  
Executive Vice President

# Emporia State University Annual Security & Fire Safety Report

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## Emporia State University Campus Resources

Category	Resource	Contact Information
<b>Emporia State University Police (On Campus)</b>	Emergency	911
	Non-Emergency	(620) 341-5337
<b>Student Wellness</b>	Student Health Services Room 250 Southeast Morse Hall	(620) 341-5222
	Counseling Center Room 250 Southeast Morse Hall	(620) 341-5222
<b>Additional Campus Offices</b>	Title IX Coordinator	(620) 341-5518
	Enrollment Management and Student Success & Dean of Students	(620) 341-5269
	Residential Life	(620) 341-5264
	Diversity and Inclusion	(620) 341-5551
	Emergency Management	(620) 341-5089
	Financial Aid, Scholarships & Veteran Services	(620) 341-5457
	Student Accessibility & Support Services	(620) 341-6637
	The Healthy Relationships and Interpersonal Violence Education (THRIVE)	(620) 341-5222
	Alcohol and Drug Abuse Prevention (ADAP)	(620) 341-5222

## Emporia Community Resources

Category	Resource	Contact Information
<b>Local Law Enforcement (Off Campus)</b>	Emergency	911
	Emporia Police Department	(620) 343-4200
	Lyon County Sheriff's Department	(620) 341-3250
	Lyon County Crime Stoppers	(620) 342-2273
<b>Fire Department</b>	Emergency	911
	Non-Emergency	(620) 343-4230
<b>Crosswinds Counseling and Wellness</b>	24/7 Availability	(620) 343-2211
	Toll Free	(800) 279-3645
<b>SOS Crisis Services</b>	24/7 Availability	(620) 342-1870
	Toll Free	(800) 825-1295
<b>Additional Resources</b>	Newman Regional Health (hospital)	(620) 343-6800
	CareArc (public health)	(620) 342-4864
	Kansas Domestic/Community Abuse	(800) 922-5330
	National Suicide Prevention Lifeline	988 or (800) 273-8255
	Poison Control Center	(800) 222-1222

## The *Clery Act*

The *Clery Act*, passed in 1991, requires colleges and universities to report crime statistics, campus security information, and campus safety and security policies. Its purpose is to inform students and their families about campus safety.

The Act has been amended several times, including in 1998 when it was renamed the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.” These amendments have expanded the types of crimes that must be reported, including hate crimes and certain offenses related to violence against women.

The *Clery Act* requires institutions to disclose crime statistics for the following offenses:

- Murder/Non- Negligent Manslaughter
- Negligent Manslaughter
- Sexual Assault (Rape, Fondling, Incest, Statutory Rape)
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Hate crimes, which are any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, Destruction/Damage/Vandalism of Property committed against a person or property, which is motivated by bias
- Arrests and Disciplinary Referrals for Illegal Weapons Possession and Drug and Liquor Laws.

The *Clery Act* also requires Violence Against Women Act (VAWA) offenses to be reported. These offenses include:

- Domestic Violence
- Dating Violence
- Stalking

## Compliance with the *Clery Act*

Emporia State University enrolls approximately 4,600 students and employs approximately 770 full-time and part-time faculty and staff members. Approximately 600 students reside in four residence hall complexes on the main campus. Emporia State University is committed to ensuring a safe and secure campus environment. To comply with the *Clery Act*, we:

1. **Collect, Classify, and Count Crime Statistics:** We collect and report crime statistics for the past three years, including incidents that occur: on-campus; in on-campus student housing; in public areas on or near campus; and in designated non-campus properties (e.g., fraternities/sororities, distance learning sites). We also report liquor and drug violations and illegal weapons possession if they result in a disciplinary referral or arrest.
2. **Disseminate an ASR:** We publish and distribute an Annual Security Report to current and prospective students and employees by October 1<sup>st</sup> of each year. This report includes crime statistics for the past three years, campus safety policies, crime prevention programs, and procedures for reporting and investigation sexual offenses.
3. **Issue Timely Warnings and Emergency Notifications:** We utilize a robust emergency notification



system to promptly inform the campus community of crimes or emergency situations that pose a threat to their safety.

4. **Maintain a Daily Crime Log:** We maintain a detailed crime log that is accessible to the public. These logs are kept for seven years and are available upon request at the Emporia State University Police & Safety building.
5. **Disclose Missing Student Procedures:** We provide information about our procedures for notifying students and their families in the event of a missing student that resides in an on-campus student housing facility.
6. **Maintain Fire Safety Records:** We maintain fire safety records related to any on-campus student housing facilities. This includes maintaining a fire log that is accessible to the public and publishing an Annual Fire Safety Report containing policy statements and fire statistics associated with each on-campus student housing facility.
7. **Provide Compliance Training:** We provide regular training to campus officials to ensure their understanding of *Clery Act* requirements and their responsibilities.
8. **Submit Required Reports:** We submit the collected crime and fire statistics to the U.S. Department of Education each fall.

## The Annual Security and Fire Safety Report

This Annual Security and Fire Safety Report is designed to provide you with essential information that will help you stay safe and make informed choices while on campus. This report covers key areas such as crime prevention programs, fire safety procedures, law enforcement authority, crime reporting policies and disciplinary procedures. It also contains crime and fire statistics.

We encourage you to review this report thoroughly. You can find it online at <https://www.emporia.edu/right2know/>. Requests for printed copies and any questions regarding this report should be directed to the Office of Emergency Management, telephone (620) 341-5089, or e-mail at [jmillber@emporia.edu](mailto:jmillber@emporia.edu). Each year, an e-mail notification is made to all enrolled students, faculty and employees, which provides the website address and a direct link to the Annual Security and Fire Safety Report. Additionally, we distribute information on how to obtain the Annual Security Report to any applicant considered for enrollment or employment.

## Procedures Used for Collecting, Compiling and Reporting Crime Statistics

The Annual Security Report is prepared by the Emergency Manager and in cooperation with local law enforcement agencies surrounding the Emporia State University main campus and non-campus locations. On an annual basis, the Emergency Manager will contact the appropriate law enforcement agencies having jurisdiction over non-campus properties owned or controlled by the University to obtain crime statistics for inclusion in the Annual Security Report. Crime statistic information includes those reported to ESU Police & Safety, designated Campus Security Authorities and local law enforcement agencies.

# Emporia State University Police & Safety Department

## Overview

Emporia State University Police & Safety is a full-service law enforcement agency dedicated to providing a safe and secure campus environment. Our officers are available 24/7 to respond to emergencies and address crime-related issues. Our officers are trained and certified by the Kansas Law Enforcement Training Center (KLETC) and undergo continuing education and ongoing professional development to ensure they are equipped to handle various law enforcement situations.

All students, faculty, staff, and guests should report any criminal activity, accidents, suspicious persons, suspicious activity, or emergencies by calling 911 or Emporia State University Police & Safety at (620) 341-5337. Individuals may also report incidents in person by visiting the Emporia State University Police & Safety office located near the northeast corner of Welch Stadium.

## **Arrest and Jurisdictional Authority**

University police officers receive their law enforcement authority from *Kansas Statutes Annotated (K.S.A.) 76-726*. Our officers are certified law enforcement officers in the state of Kansas and have full power of arrest. Kansas law (*K.S.A. 76-726 and 22-2401a*) provides for jurisdictional authority of university police officers to include property owned or operated by the University, endowment association, alumni association, athletic association, or recognized student organizations. It also allows for jurisdictional authority on streets, property, and highways immediately adjacent to campus and within Emporia when officers are following up on crimes committed on campus.

## **Relationships with Other Police Departments**

Emporia State University Police & Safety works closely with local law enforcement agencies, including the Emporia Police Department, Lyon County Sheriff's Office, Kansas Highway Patrol and various other state and federal law enforcement agencies. These partnerships allow us to share information and intelligence related to crime and safety matters; request immediate assistance through a shared radio communication system; collaborate on joint investigations, particularly those involving off-campus student activities or crimes that cross jurisdictional boundaries; coordinate emergency responses; and leverage resources and expertise to enhance campus safety.

Additionally, the Emporia Police Department monitors and records criminal activity on public property surrounding campus, including fraternities and sororities, and provides this information to the University for inclusion in its crime statistics. The University and the Emporia Police Department also have a written memorandum of understanding relating to jurisdiction, coordination of investigations in cases involving sexual violence (including rape, sexual assault, non-consensual sodomy, sexual battery, domestic violence, and stalking), sharing crime statistics, and coordinating emergency notifications and timely warnings. Students in off-campus situations involving alcohol/drug offenses or other criminal activities may be referred to the campus judicial program.

## **Daily Crime Log**

Emporia State University Police & Safety maintains a daily crime log. The log is available for public viewing at the ESU Police & Safety office, located near the northeast corner of Welch Stadium. This daily log documents police activity and all crimes reported to Emporia State University Police & Safety. Information is recorded by date and time and includes general location as well as complaint disposition. Crime logs are typically updated daily, with weekend activity logs posted on Monday mornings.

## **Reporting Crimes or Emergencies**

## Accurate and Timely Reporting of Criminal Offenses

Prompt and accurate reporting of crimes and public safety incidents is crucial for ensuring a timely response and effective community safety measures. By reporting incidents to ESU Police & Safety, you help us maintain accurate crime statistics and provide timely warnings and emergency notifications when necessary. We encourage all members of the campus community, including students, faculty, staff, and guests to report any suspicious behavior or potential criminal activity to ESU Police & Safety, immediately.

All emergencies should be reported by calling 911. To report non-emergency crimes or suspicious activity, contact Emporia State University Police & Safety at (620) 341-5337. Dispatchers are available 24/7 to assist you.

In response to a call, our officers will take the necessary action, which may include dispatching an officer to the scene or request that you come to the Police & Safety Office to file an incident report. The ESU Police & Safety building is located on the northeast side of Welch Stadium, between HPER and the east side of the stadium.

If you live off campus and need emergency assistance dial 911. For non-emergency needs within the City of Emporia, please contact (620) 343-4200. For non-emergency needs in Lyon County dial (620) 341-3205 for the Lyon County Sheriff's Office.

## Blue Light Phones

Emporia State University has 12 emergency blue light phones located throughout campus. These phones are easily identifiable by their blue lights and the word "EMERGENCY" written on them. If you need immediate assistance, locate a blue light phone and press the activation button. You will be connected directly to a dispatcher at the Lyon County Emergency Communication Center.

## Reporting of Suspicious Activity

The campus community is urged to be aware and report any suspicious behavior or possible criminal activity to ESU Police & Safety immediately. If you witness a suspicious incident, stay calm and be observant. Gather as much information as possible. Note descriptions of individuals, activities, and any relevant details. Clear and accurate information provided to emergency responders can significantly contribute to the successful resolution of an incident.

## Campus Security Authorities

While reporting directly to law enforcement is preferred, individuals may also report crimes to a Campus Security Authority (CSA). All CSAs are required to submit reportable offenses to the Clery Compliance Coordinator and/or Emporia State Police & Safety for the purpose of making Timely Warning notifications, for inclusion in the annual statistical disclosure and inclusion in the daily crime log. The following is a list of CSAs:

- Dean of Students (620-341-5269)
- Professional staff Center for Student Involvement (620-341-5481)
- Director for Fraternity and Sorority Life (620-341-5481)
- Director of Residential Life (620-341-5264)
- Residential Life Staff or Student Resident Advisor or Assistant (RA on-duty 24/7 phone Towers (620-794-0706) Schallenkamp/Abigail (620-794-2648)
- Individuals who monitor access to residence halls or buildings that are owned by recognized student organizations

## Emporia State University Annual Security & Fire Safety Report

- Director or Student Health and Wellness (when functioning in an administrative capacity)
- Director of Counseling (when functioning in an administrative capacity)
- Medical providers in Student Health Services (620-341-5222)
- Director of Athletics, Coaches, and Trainers (620-341-5350)
- Senior Associate Athletic Director(s) (620-341-5354)
- Title IX Coordinator (620-341-5518)
- All University Police Officers
- Advisors to recognized student groups

CSAs receive training and guidance on their responsibilities, which includes how to report crimes to the Clery Compliance Coordinator. This ensures that CSAs are aware of their obligations and can effectively fulfill their role in maintaining campus safety.

Campus professional counselors are encouraged to inform their clients about the option of reporting crimes voluntarily. While not required, this can help contribute to accurate crime statistics. Emporia State University does not employ campus pastoral counselors.

Medical providers who act in their professional capacity as healthcare providers are considered CSAs and are required to report crimes for inclusion in the annual disclosure of crime statistics.

## Confidential Reporting

Emporia State University encourages all victims or witnesses of crimes to promptly report incidents to ESU Police & Safety. While we strive to maintain confidentiality for all reports, we do not have a specific procedure for voluntary, confidential reporting of crimes. There may be instances where information must be shared with appropriate departments or agencies to address investigative needs or safety concerns. However, all reasonable steps will be taken to protect the privacy of individuals involved in reported incidents. We will take reasonable steps to avoid disclosing personally identifying information in public records, as required by the *Clery Act* and the *Violence Against Women Act*. Please note that information reported to ESU Police & Safety is treated as confidential during the investigative phase, except as required by law. It is important to understand that police reports are subject to the Kansas Open Records Act, and ESU Police cannot hold all reports in confidence.

Victims of crime may seek confidential support and counseling from Counseling Services. Counselors in these offices are not CSAs and are not required to report crimes to ESU Police. This allows victims to discuss their experiences in a safe and confidential space without fear of further reporting or disclosure. While the University is not required to issue Timely Warnings for crimes reported to counselors, they may choose to include aggregated statistics in the Annual Security Report.

## Campus Notifications

### RAVE Mobile Safety

Emporia State University has partnered with Rave Mobile Safety to provide a comprehensive emergency notification system. This system allows us to send text, voice, and email messages to students, staff and faculty members. Additionally, emergency announcements can be simultaneously posted on social media platforms like Facebook, Twitter, and Emporia State RSS feeds.

All students, staff and faculty members are automatically enrolled in the Rave Mobile Safety platform. To update your information or to see more information please visit <https://www.getrave.com/login/emporia> and log in with your ESU credentials.

## Timely Warning

Emporia State University Police & Safety actively monitor crime patterns and trends within and around the University to identify potential safety threats. If a Clery reportable crime occurs on Clery-defined geography that poses an ongoing or continuing threat to the University community, a Timely Warning will be issued. This decision is made jointly by ESU Police & Safety and the Emergency Notification Team.

Timely Warnings notify the campus community of potentially dangerous criminal situations, providing students, faculty and staff with the information and time necessary to take appropriate safety measures to help prevent similar incidents. These warnings are issued as soon as possible after relevant information becomes available.

We carefully evaluate all *Clery Act* crimes that occur within the University's Clery Geography to determine if a Timely Warning is necessary. This decision is made on a case-by-case basis, considering factors such as the nature of the crime, the ongoing danger to the campus community, and the potential risk of compromising law enforcement efforts. Timely Warnings will include the following information, when available: the type of crime, the date, time and general location of the incident, a description of the suspect if available, how to report similar incidents and safety and prevention tips. Timely Warnings will be distributed promptly through communication channels that are likely to reach the entire campus community, including: campus-wide email, the emergency notification system (text messages, voicemails), the University website and social media platforms.

The University is not obligated to issue a Timely Warning for crimes reported to a pastoral or professional counselor. Depending on the specific situation, consultation with the Vice President of the affected area and University General Counsel may be necessary. When issuing any Timely Warning, Emporia State University will always protect the anonymity of victims.

## Emergency Notification

Emporia State University believes that prompt and accurate emergency notifications are essential for ensuring the safety of our campus. In accordance with the *Clery Act*, the Emergency Notification Team will issue immediate emergency notifications upon the confirmation of a significant emergency or dangerous situation that poses a threat to the health or safety of the campus community. Situations that require an emergency notification may not necessarily be criminal in nature. Examples of situations that may lead to an emergency notification include active shooter situations, severe weather events, fires, or hazardous material spills. If, in the judgment of the Emergency Notification Team, notifying the campus would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, an emergency notification may be delayed.

Before issuing an emergency notification, the University must confirm the existence of a significant emergency. Depending on the type of emergency, this confirmation can come from various sources, including ESU Police Officers, campus community members or partner agencies. Due to the urgency of emergency notifications, the decision to initiate the Rave Alert system will be determined as quickly and thoroughly as possible. Emergency notifications will be disseminated through a variety of channels, including campus-wide email, text messages, phone calls, outdoor sirens, the University website and social media platforms. Once the emergency is resolved, an "all-clear" notification will be issued through appropriate channels.

# Emergency Response and Evacuation Procedures

## Campus Emergency Response

Emporia State University's comprehensive Emergency Operations Plan (EOP) outlines our approach to preparing for, responding to and recovering from a wide range campus emergencies or disasters. Regular training, review, and updates ensure the EOP's effectiveness.

Key Components of the EOP:

- **Developed by the Critical Incident Planning Group (CIPG):** The CIPG, along with its subcommittees, collaborates with departments across the University to create and update emergency protocols in response to evolving threats.
- **All-Hazards Approach:** The EOP follows the National Incident Management System (NIMS) framework to address emergencies of all types and sizes in a structured yet flexible manner.
- **FEMA's Five Phases of Emergency Management:** The plan incorporates all five phases of emergency management outlined by the Federal Emergency Management Agency (FEMA): prevention, mitigation, preparedness, response, and recovery.
- **Command Structure and Emergency Levels:** The EOP defines a clear command structure and establishes three emergency levels (minor, major, and severe) with corresponding response protocols and resource allocation.
- **Emergency Communication:** During emergencies requiring official communication, emergency notifications will be disseminated through email, text messages, the University webpage, and official social media accounts. Follow-up messages will also be provided through these channels as needed.

The University conducts regular emergency drills and exercises to test the effectiveness of its emergency response and evacuation plans. These tests may include drills, tabletop exercises, functional exercises and full-scale exercises and may be announced or unannounced. In conjunction with each test, the University publicizes relevant emergency response and evacuation plans through various channels, such as emails, announcements and the University's website. This ensures that the University community is familiar with a range of emergency response and evacuation procedures. After each test, the University conducts a thorough evaluation to identify areas for improvement, including debriefing sessions to discuss strengths, weaknesses and lessons learned, implementing corrective actions to address identified deficiencies, and maintaining detailed records of all tests and evaluations. These records also document a description of the test, the date and time of the test, and whether the test was announced or unannounced.

For more details, please refer to the EOP: <https://www.emporia.edu/documents/866/emergency-operations-plan.pdf>

## Evacuation Procedures

Circumstances requiring evacuation include, but are not limited to fire, hazardous materials release, and workplace violence. Emergency evacuation routes should be clearly marked throughout each building. When an emergency occurs or the building-wide alarm sounds, all individuals should evacuate the building through the nearest exit and proceed to the nearest safe shelter or assembly point. Staff and faculty members are responsible for assisting students, patrons, visitors and individuals with disabilities, ensuring everyone evacuates safely. Do not return to the building until the 'all clear' is given.

## Tornado Procedures

When a tornado warning is issued for the City of Emporia, all classes and university activities will be immediately suspended. To ensure the safety of everyone on campus, all individuals should seek shelter immediately and remain there for the duration of the warning. During a tornado warning, tornado sirens will sound throughout the city and the RAVE Alert system will send notifications to all Emporia State University users. If you hear a siren or receive a RAVE Alert, follow these steps:

1. Locate a designated tornado shelter
2. Proceed to the shelter calmly and quickly
3. Follow the instructions of emergency personnel

If you cannot locate a designated tornado shelter, seek refuge in a small interior room on the lowest level. Stay away from windows and doors. Remember, even if you don't hear a siren, it's important to take a tornado warning seriously and be prepared to shelter in place if necessary.

To ensure they are operating correctly, tornado sirens are tested every Monday at noon and the RAVE Alert system is tested quarterly.

## Understanding Tornado Alerts

**Tornado watch:** A tornado watch means that conditions are favorable for tornadoes to develop in the area. You should monitor weather reports and be prepared to take shelter if a warning is issued.

**Tornado warning:** A tornado warning means that a tornado has been sighted or is indicated by radar. You should seek shelter immediately.

## Designated Tornado Sheltering Locations

**Abigail Morse Hall:** Storm room on Garden Level floor.

**Art Annex, Compound, and Welch Stadium:** Physical Education (HPER) Building basement hallways away from windows.

**Beach Hall:** Lower hallways away from windows.

**Cremer Hall:** Lower hallway area (north/south hallway) away from windows.

**ESU Police & Safety:** Inner hallway away from windows.

**HPER:** Basement hallways away from windows. Do not use the gym.

**King Hall:** Lower floor area, rooms west of the hallway, basement area located under the stage. Stay away from windows.

**Kossover Tennis Complex:** HPER building, if time allows. Coaches' office, if necessary, away from windows.

**Memorial Union:** Basement hallways away from windows.

**Plumb Hall:** Lower hallway area away from windows.

**Prophet Aquatic Research & Outreach Center (PAROC):** Restrooms north of PAROC or HPER building

**Roosevelt Hall:** Use the north/south hallway area away from windows.

**Ross Reservation Trailer and Classrooms:** Use above ground tornado shelter.

**Schallenkamp Hall:** Community bathrooms on 1<sup>st</sup> floor in east and north wings. The hallway on 1<sup>st</sup> floor of south wing.

**Science Hall:** Lower hallway area (north/south hallway) away from windows.

**South Morse Hall:** Lower hallway in South Morse Hall.

**Stormont Maintenance Center:** Bay #9, east of shops away from windows.

**Student Recreation Center:** Restrooms away from windows.

**Towers Complex:** Lower hallways in all buildings as well as work and utility areas.

**Visser Hall:** Lower hallway area (north/south hallway) away from windows.

**White Library:** Downstairs from the lobby to the lower area away from windows.

## Missing Student Policy and Procedures

If a member of the University community believes that a resident of on-campus student housing may be missing, they should immediately notify ESU Police & Safety at (620) 341-5337. ESU Police & Safety will generate a missing person report and initiate an investigation. ESU Police & Safety will also immediately notify Residential Life staff of the missing person report. This notification will initiate missing person procedures. In the event Residential Life staff is notified directly by a community member that a resident is missing, they will immediately notify ESU Police & Safety.

Any resident can designate a confidential contact who will be notified if the resident is determined to be missing for a period of more than 24 hours. Before contacting the confidential contact, Residential Life will coordinate with ESU Police & Safety. Confidential contacts will only be disclosed to law enforcement during a missing person investigation.

Residents under the age of 18 who are not emancipated must provide contact information for a custodial parent or legal guardian. This custodial parent or legal guardian will be notified within 24 hours of the resident being determined missing. Additionally, if the student listed a confidential contact, that person will also be contacted within 24 hours.

### Residential Life Staff Procedures

- Upon receipt of a missing person report, Residential Life professional staff will immediately notify ESU Police & Safety, then coordinate with ESU Police & Safety to establish contact with the resident and determine length of time the resident has been missing.
- Contact efforts are as follows. If contact is made, the missing person procedure is terminated.
  - Go to resident room to see if the resident is present, attempt to establish contact via phone, attempt to establish contact via email, check recent card access, call the ID Office to check meal plan usage, then attempt to establish contact via written letter at room. Residential Life staff will maintain a timeline, showing attempted communications and procedures followed.
  - Resident Assistant must notify Residential Life Professional Staff immediately after



receiving missing person report.

- Appropriate Emporia State University administrators will be notified once the missing person report has been filed.
- Communication with designated contact person(s).
  - A University Official will notify the resident's Missing Persons Contact. If the missing person contact person cannot be reached, they will contact the Emergency Contact Person.
  - If the resident is under 18 years of age, A University Official will notify the resident's custodial parent or legal guardian.
- ESU Police & Safety will notify other appropriate law enforcement agencies within 24 hours.

## Resident Notification Procedures

1. Notification to the missing resident's confidential contact will be made within 24 hours.
2. Notification to the emergency contact for under the age of 18, and the resident is not emancipated, will be the custodial parent or legal guardian and any other confidential contact within 24 hours. Contact will be mandatory if a resident is determined to be missing.
3. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, ESU Police & Safety will inform additional law enforcement agencies that the resident has gone missing within 24 hours.

## Security and Access

### Campus Facilities and Grounds

Emporia State University is a public institution and, apart from restricted areas, is accessible to the public during normal building hours. After normal building hours, access is permitted only with proper authorization and identification. Buildings will be secured according to schedules developed by the responsible department.

Residence halls are secured 24 hours a day. All residence hall doors require card access or override keys.

University Facilities is responsible for maintaining campus buildings and grounds. They regularly inspect facilities, promptly address safety and security issues, and respond to reports of hazards like broken windows and locks. Efficient bright LED lighting has been installed throughout campus outdoor areas. For concerns about the physical safety of campus facilities and grounds, contact University Facilities, Monday through Friday, 8:00 a.m. to 5:00 p.m., at (620) 341-5331.

To protect the safety and welfare of the campus community, all persons on University property may be asked to identify themselves if behaving in a suspicious or threatening manner. Identification may include name, address, and relationship to the University. Individuals may be asked to provide proof of identification, which is subject to verification. If any person refuses to identify themselves or provide proof of authorization or they are determined to have no legitimate reason to be on campus, they may be asked to leave and may be removed from the property. ESU Police & Safety is available to assist with this request. Suspicious or threatening behavior should be reported to ESU Police & Safety. For emergencies call 911 or ESU Police & Safety at (620) 341-5337 for non-emergencies.

### Residence Halls

The Emporia State University Department of Residential Life is committed to providing a safe and secure living environment in our residence halls. We prioritize student safety and have implemented various measures to

ensure a secure environment. Students are made aware of safety concerns and prevention tips through floor meetings, building signs, and email communication. Additionally, residence halls are secured 24 hours a day, with all doors accessible only by card access or override keys.

Each residence hall complex is supervised by a Residential Life Professional Staff member. Additionally, each floor has a Resident Assistant (RA), who is an upper-level student trained in safety and security procedures. Topics covered in training include enforcing residence hall safety and security policies as well as being aware of potential safety hazards and concerns. To assist with any problems, the Department of Residential Life provides an "on-duty" Professional Staff Member for the entire system and an "on-duty" RA for each complex every night and on weekends.

For convenience and safety, every residence hall student is issued a room key and a coded Student ID card. Exterior doors of all residential complexes are always locked, requiring residents to use their Student ID cards for access. To ensure the safety of all residents, no doors in the halls are to be propped open at any time.

While we have implemented many safeguards, each student must do their part to assure a safe and secure environment by adhering to the safety related policies and procedures.

## **Video Technology for Safety and Security**

Emporia State University is committed to protecting the safety and property of the university community while respecting the privacy rights of all individuals. Video surveillance technology plays a vital role in our security efforts. Video technologies are used to deter crime, enhance overall security measures and may be used to assist with investigatory activities.

University security cameras are not monitored continuously under normal conditions. However, they may be monitored for legitimate safety and security purposes that include, but are not limited to, the following: high-risk areas, restricted access areas/locations, in response to an alarm, special events, and specific investigations. Access to this system, including real time monitoring and the viewing of recorded images, is restricted to ESU Police & Safety authorized personnel, unless access is otherwise required by law.

# **Security Awareness and Crime Prevention Programs**

## **Security Awareness Programs**

Emporia State University is committed to fostering a safe and secure campus environment. To support this goal, we encourage all members of the campus community to take proactive steps to protect themselves and their belongings. Throughout the academic year, ESU Police & Safety, the Department of Student Wellness, Residential Life, and Associated Student Government collaborate to offer a variety of educational programs focused on safety and security. These programs cover a variety of topics including personal safety awareness, sexual assault awareness and prevention education, operation identification, and security surveys. We regularly share information on safety via presentations, posters, brochures, the college student newspaper, and other printed materials.

Students have access to a variety of personal safety services on campus, including campus courtesy escort, sexual assault counseling, personal counseling services, emergency medical care, and operation identification.

## **Crime Prevention Programs**

## Operation Identification

To help deter theft and facilitate the return of stolen property, Emporia State University encourages students to participate in the Operation Identification program. By engraving a unique identification number on your valuables, you can significantly increase the chances of their recovery if they are ever lost or stolen.

### How to participate:

1. **Obtain an Engraver:** An engraver is available at the Emporia State University Police & Safety office, or you can purchase one at most hardware or discount stores.
2. **Choose a Unique Identification Number:** Use your driver's license number with the first letter of your state (e.g., K00-00-0000) for a simple and effective identifier.
3. **Engrave Your Valuables:** Mark the identification number in a discreet location on your belongings that is not easily visible or removeable.
4. **Create a Record:** Make a list of your valuable items and the engraved identification numbers. Keep a copy of this list in a safe place for quick reference.

## Courtesy Escort Service

To ensure the safety of our students, faculty, or staff, ESU Police & Safety offers a courtesy escort service. If you feel unsafe on or off campus, please contact them at (620) 341-5337 to request an escort. Officers will accompany you to your destination or provide transportation if necessary.

## Emergency Messages Delivered

Emporia State University Police & Safety department is available 24 hours a day, 365 days a year to assist students in emergencies. In the event of a family emergency, the department will deliver emergency messages to students. We encourage families of students to be aware of this service in case a family emergency develops.

## Courtesy First Aid Service

When students, faculty, or staff are injured or become seriously ill on campus, call 911 and request ambulance services. The Lyon County Emergency Communications Center will notify Emporia State University Police & Safety of the call. All officers have first aid training and will provide basic first aid to individuals with minor injuries.

## Campus Safety Committee

The Campus Safety Committee was established in the spring of 2002 to actively address the safety and well-being of the Emporia State University community. Each year members of Associated Student Government invite University personnel to participate in a campus safety walk and complete a security survey. Generally, this group consists of 25 to 30 volunteers, primarily students with a smaller number of staff members. Their goal is to survey the campus to identify areas in need of repair and potential safety hazards.

A report of the findings is submitted to Emporia State University administration. The University Facilities Department follows through with addressing any identified concerns and associated safety upgrades.

## Crime Prevention Tips

Being safe on campus is a community responsibility. To help maintain a safe campus, we encourage all members of our community to be vigilant and report any suspicious activity immediately to Emporia State University Police & Safety.

**To prevent theft and protect personal safety:**

- Recognize and become familiar with how to operate the emergency blue-light phones on campus.
- Exercise and walk with a friend, use the buddy system.
- Use the ESU Police & Safety escort program.
- Use well-lit and direct routes at night.
- Ask visitors to identify themselves before allowing access to your residence.
- Engrave valuable items: stereos, televisions, computers, etc.
- Park your vehicle in lighted areas.
- Always lock the door to your residence.
- Always lock your car, bike, and other valuables.
- When returning to your vehicle, have your keys out and ready to open the door.
- Never prop open exterior doors to buildings.
- Always be fire safety conscious.
- TRUST YOUR INSTINCTS! If you feel uneasy about a situation, take action immediately.

## Alcohol and Substance Abuse

### Alcohol Policy

Emporia State University permits the responsible service or consumption of alcoholic beverages on campus following the guidelines outlined in the Alcohol, Tobacco, and Controlled Substances Policy (available at <https://www.emporia.edu/university-policy-manual/table-of-contents/general-university/alcohol-tobacco-and-controlled-substances/>). In general, the sale of alcohol is prohibited except in designated areas and at specific events.

The University requires strict adherence to applicable laws regarding alcohol service and consumption at all University events and on all University property. This includes the age restriction of 21 years old and older for alcohol consumption. Failure to comply with these laws or university policies may result in the loss of alcohol-related privileges and potential citations for violations of all applicable laws.

Employees of Emporia State University are required to sign the State of Kansas Substance Abuse Policy Affirmation Form upon their employment. The form in its entirety can be found at <http://www.da.ks.gov/ps/documents/affirm417.pdf>.

Emporia State University employees have access to the State of Kansas Employee Assistance Program (EAP), which offers confidential short-term counseling and/or referrals for a variety of concerns, including alcohol and drug problems. This program can be a valuable resource for employees facing personal or professional challenges. Detailed information regarding the EPA, including available services and how to access them, can be found at <https://healthbenefitsprogram.ks.gov/sehp/healthquest/employee-assistance-program>.

In the State of Kansas, the legal drinking age is 21. Consumption of alcohol by a minor is punishable by a fine. If the minor is over 18, the crime is considered a misdemeanor, which may be punishable up to and including 6 months in jail. Furnishing alcohol to a minor is also punishable by a fine. Violation of Kansas drinking law can result in increased fines and incarceration. A conviction for driving under the influence of drugs or alcohol can also result in fines in excess of \$500, community service, mandatory treatment programs, license revocation, and/or incarceration.

Emporia State University Police & Safety enforce local, state, and federal laws regulating underage drinking.

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Kansas Statute Annotated § 41-727. Purchase or consumption of alcoholic beverage by a minor; penalty; exceptions; immunity from criminal prosecution; tests; detainment.

(a) Except with regard to serving of alcoholic liquor or cereal malt beverage as permitted by K.S.A. 41-308a, 41-308b, 41-727a, 41-2610, 41-2652, 41-2704 and 41-2727, and amendments thereto, and subject to any rules and regulations adopted pursuant to such statutes, no person under 21 years of age shall possess, consume, obtain, purchase or attempt to obtain or purchase alcoholic liquor or cereal malt beverage except as authorized by law.

(b) Violation of this section by a person 18 or more years of age but less than 21 years of age is a class C misdemeanor for which the minimum fine is \$200.

(c) Any person less than 18 years of age who violates this section is a juvenile offender under the revised Kansas juvenile justice code. Upon adjudication thereof and as a condition of disposition, the court shall require the offender to pay a fine of not less than \$200 nor more than \$500.

(d) In addition to any other penalty provided for a violation of this section:

(1) The court may order the offender to do either or both of the following:

(A) Perform 40 hours of public service; or

(B) attend and satisfactorily complete a suitable educational or training program dealing with the effects of alcohol or other chemical substances when ingested by humans.

(2) Upon a first conviction of a violation of this section, the court shall order the division of vehicles to suspend the driving privilege of such offender for 30 days. Upon receipt of the court order, the division shall notify the violator and suspend the driving privileges of the violator for 30 days whether or not that person has a driver's license.

(3) Upon a second conviction of a violation of this section, the court shall order the division of vehicles to suspend the driving privilege of such offender for 90 days. Upon receipt of the court order, the division shall notify the violator and suspend the driving privileges of the violator for 90 days whether or not that person has a driver's license.

(4) Upon a third or subsequent conviction of a violation of this section, the court shall order the division of vehicles to suspend the driving privilege of such offender for one year. Upon receipt of the court order, the division shall notify the violator and suspend the driving privileges of the violator for one year whether or not that person has a driver's license.

...

(h) A law enforcement officer may request a person under 21 years of age to submit to a preliminary screening test of the person's breath to determine if alcohol has been consumed by such person if the officer has reasonable grounds to believe that the person has alcohol in the person's body except that, if the officer has reasonable grounds to believe the person has been operating or attempting to operate a vehicle under the influence of alcohol, the provisions of K.S.A. 8-1012, and amendments thereto, shall apply. No waiting period shall apply to the use of a preliminary breath test under this subsection. If the person submits to the test, the results shall be used for the purpose of assisting law enforcement officers in determining whether an arrest should be made for violation of this section. A law enforcement officer may arrest a person based in whole or in part upon the results of a preliminary screening test. Such results or a refusal to submit to a preliminary breath test shall be admissible in court in any criminal action but are not per se proof that the person has violated this section. The person may present to the court evidence to establish the positive preliminary screening test was not the result of a violation of this section.

Kansas Statute Annotated § 21-5607. Furnishing alcoholic liquor or cereal malt beverage to a minor; furnishing alcoholic beverage to a minor for illicit purposes.

(a) Furnishing alcoholic liquor or cereal malt beverage to a minor is recklessly, directly or indirectly, buying for or distributing any alcoholic liquor or cereal malt beverage to any minor.

(b) Furnishing alcoholic beverages to a minor for illicit purposes is, directly or indirectly, buying for or distributing alcoholic liquor or cereal malt beverage to a child under 18 years of age with the intent to commit

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against such child, or to encourage or induce such child to commit or participate in, any act defined as a crime in K.S.A. 2022 Supp. 21-5501 through 21-5513, and amendments thereto, or in K.S.A. 2022 Supp. 21-5604, and amendments thereto.

(c) (1) Furnishing alcoholic liquor or cereal malt beverage to a minor is a class B person misdemeanor, for which the minimum fine is \$200.

(2) Furnishing alcoholic beverages to a minor for illicit purposes is a severity level 9, person felony.

Kansas Statute Annotated § 21-5608. Unlawfully hosting minors consuming alcoholic liquor or cereal malt beverage.

(a) Unlawfully hosting minors consuming alcoholic liquor or cereal malt beverage is recklessly permitting a person's residence or any land, building, structure or room owned, occupied or procured by such person to be used by an invitee of such person or an invitee of such person's child or ward, in a manner that results in the unlawful possession or consumption therein of alcoholic liquor or cereal malt beverages by a minor.

(b) Unlawfully hosting minors consuming alcoholic liquor or cereal malt beverage is a class A person misdemeanor, for which the minimum fine is \$1,000. If the court sentences the offender to perform community or public service work as a condition of probation, as described in subsection (b)(10) of K.S.A. 2022 Supp. 21-6607, and amendments thereto, the court shall consider ordering the offender to serve the community or public service at an alcohol treatment facility.

## Controlled Substances Policy

The term controlled substances means those substances included in *Schedules I through V of Section 202 of the Controlled Substances Act* and as further defined by regulation *21 CFR 1300.11 through 1300.15*. The term does not include the use of a controlled substance pursuant to a valid prescription or other uses authorized by law.

The University prohibits the unlawful manufacturing, distribution, possession, or use of controlled substances on University property by any person or organization. As a condition of employment, employees are required to notify the University of any drug-related convictions no later than 5 days after such conviction. Any officer or employee of the University, including student employees, found to be illegally manufacturing, distributing, dispensing, possessing or using controlled substances on University property, regardless of the location, shall be subject to disciplinary action in accordance with applicable policies of the State of Kansas, the Board of Regents, and Emporia State University. Violations may result in disciplinary action, up to and including termination.

The Student Code of Conduct, applicable to all enrolled students, additionally states that violation of university policies regarding alcohol and drugs is prohibited.

Emporia State University Police & Safety enforce laws regulating the use or possession of controlled substances in violation of local, state, and federal law.

## Drug Testing

In accordance with the Kansas Department of Administration's Personnel Regulation, drug testing may be a requirement of specific academic programs or safety sensitive positions as a condition of placement in internships/assistantships, employment or where required by law or agreement. Drug testing may be conducted only for employees in safety-sensitive positions, if a reasonable suspicion exists of illegal drug use which may affect safety or work performance.

Results of the drug testing are confidential and are revealed only to those persons authorized by the Director of Personnel Services in Topeka. If an applicant or employee has reason to believe appropriate procedures were not followed, the result may be appealed in writing to the Director of Personnel Services in Topeka.

## Legal Sanctions

Employees and students are reminded that unlawful possession, distribution or use of illicit drugs or alcohol may subject individuals to criminal prosecution. Emporia State University will refer violations or proscribed conduct to appropriate authorities for prosecution. Federal regulations and state laws provide penalties of fines and imprisonment for violations of the criminal statutes which include possessing, offering for sale, possessing with the intent to offer for sale, distributing or manufacturing controlled substances such as opiates, narcotics, depressants, stimulants, or hallucinogenic drugs.

In the state of Kansas, the legal drinking age is 21. Consumption of alcohol by a minor is punishable by a fine. Furnishing alcohol to a minor is also punishable by a fine. Violation of Kansas drinking law can result in increased fines and incarceration. A conviction for driving under the influence of drugs or alcohol can also result in fines in excess of \$500, community service, mandatory treatment programs, license revocation, and/or incarceration.

In the state of Kansas, it is also illegal to be involved with controlled substances, including prescription drugs obtained or used contrary to the prescription. Violation of the Kansas drug laws also may result in incarceration and substantial fines.

Federal law contains other laws regulating drugs and controlled substances. Under federal law, illegal possession of a controlled substance can result in a fine of at least \$1,000 and up to one-year imprisonment for a first offense. Penalties increase when an offender has been convicted of prior drug-related offenses. Illegal possession of a controlled substance can also result in the forfeiture of property, civil fines, and the loss of federal benefits. Trafficking controlled substances can also lead to substantial fines and lengthy prison sentences, including life in prison. Conviction for violation of federal drug laws may also result in loss of federal aid for financing education.

## ESU Sanctions

For employees, Emporia State University will take appropriate action for infractions as set forth in the ESU Employee Policy Manual. The Employee Policy Manual can be located at: <https://www.emporia.edu/university-policy-manual/>.

A student who violates any provision of the Student Code of Conduct is subject to sanctions. A violation will be governed by The Conduct Officer. The Conduct Officer at Emporia State University is the Dean of Students. If a violation is found, appropriate sanctions will be implemented, up to and including dismissal and/or a referral to appropriate law enforcement authorities. Further information on the process and sanctions can be found in the Student Code of Conduct: <https://www.emporia.edu/about-emporia-state-university/leadership-faculty-staff/student-affairs/dean-students/student-code-conduct/>

## Health Risks Associated with Alcohol and Drug Abuse

The abuse of alcohol and drugs is harmful to one's physical, mental, and social well-being. Individuals who misuse alcohol or drugs are more likely to experience accident, injuries and compromised health.

Alcoholism is the number one drug problem in the United States. Alcoholism takes a toll on personal finances, health, social relationships, and families. It can also have significant legal consequences. Abuse of alcohol or use of drugs may cause an individual driving a motor vehicle to injure others and may subject the abuser to criminal prosecution. Drunk drivers are responsible for more than half of all traffic fatalities.

Below is a list of common drug categories and their potential health consequences.

- **Amphetamines:** Physical dependence, heart problems, infections, malnutrition, and death may result from continued high doses
- **Narcotics:** Lung damage, convulsions, respiratory paralysis, and death.
- **Depressants (Tranquilizers, Opioids, Alcohol):** Slowed reactions, slowed heart rate, damage to liver and heart, respiratory arrest, convulsions, and accidental overdoses.
- **Hallucinogens:** Psychosis, convulsions, coma, and psychological dependency.

## Alcohol/Drug Abuse Prevention (ADAP)

Emporia State University's ADAP program is coordinated through the Student Wellness Center in 250 Southeast Morse Hall and offers a variety of resources and education programs designed to empower students, faculty and staff to make informed decisions regarding their well-being. ADAP educational programs address the responsible use of alcohol and drugs, aiming to minimize misuse and abuse within the campus community.

All new students are required to complete two training programs on our campus platform, Catharsis Productions. The first program, titled "U Got This," facilitates an engaging discussion on bystander intervention, healthy relationships, affirmative consent, and the prevention of interpersonal violence. The second course, "Binge Thinking," equips students with the skills to foster healthy relationships while providing insights into alcohol use and abuse. Both training programs are distributed to new students prior to their arrival on campus. They are sent out once before the start of the fall semester and again before the beginning of the spring semester.

A comprehensive drug and alcohol information and resources page can be found at: <https://www.emporia.edu/student-life/health-wellness/counseling-services/alcohol-drug-abuse-prevention-program>

The Alcohol Drug Education Class facilitated by ADAP is eight hours of instruction which meets the requirements for Alcohol Information School required by court orders. For more information, call (620) 341-5222 and ask for the ADAP Program Coordinator.

## Counseling and Treatment

The Student Wellness Center Counseling Services department houses the Alcohol and Drug Abuse Prevention Program (ADAP) for students. Programs and services for students include substance abuse evaluation and addictions counseling by licensed clinical and master addiction counselors. Counselors can also coordinate referrals for students to a higher level of care of treatment if needed.

An external Community Resource for Substance Use Outpatient Treatment for faculty, staff, and students is Cornerhouse Incorporated (620-342-3015).

## Sexual Assault, Domestic Violence, Dating Violence and Stalking



Emporia State University prohibits all forms of harassment and violence including domestic violence, dating violence, sexual assault, and stalking. The University is committed to providing educational and training programs to help prevent such offenses. The Office of Enrollment Management and Student Success generally develops educational and prevention programs for students. Human Resources and/or the Title IX Coordinator implement training programs focused on preventing harassment and violence for faculty and staff.

The University provides comprehensive information about sexual assault, domestic violence, dating violence, and stalking through websites, brochures, and direct dialogue. This information includes details on reporting procedures, available services, and support options. We offer a range of support services for victims, including counseling, health services, victim advocacy, and legal assistance, both on campus and within the community. These resources are designed to ensure that all students and employees have access to the support they need.

Upon request, the University will make reasonable accommodations for victims, including changes to academic schedules, living arrangements, transportation, and working situations. These accommodations shall be available whether or not the victim chooses to report the crime to ESU Police & Safety or local law enforcement.

The Title IX Coordinator is responsible for handling inquiries related to harassment, sexual violence, and discrimination policies. Contact the Title IX Coordinator at (620) 341-5518. This position is also responsible for the implementation of a mandatory campus-wide harassment training program for faculty and staff. This training ensures that faculty and staff are aware of the University's policies and procedures regarding harassment, sexual violence and discrimination.

Emporia State University has adopted a policy on the Use of Controversial Material in Instruction, Including the Use of Sexually Explicit Materials in Instruction ([University Policy Manual 4.26](#)) that complies with the Kansas Board of Regents' policy on this issue. Any complaints regarding violations of this policy will be handled in accordance with the established procedures for harassment, sexual violence and discrimination.

## Educational Programs and Campaigns

**VIOLENCE AGAINST WOMEN ACT:** Counseling Services hosts annual guest speakers to raise awareness about the Violence Against Women Act and available resources. A brochure entitled "*Sexual Violence- What Everyone Should Know*" is available to all students, faculty, and staff upon request. This brochure is through American College Health Association.

**THRIVE (The Healthy Relationships and Interpersonal Violence Education):** Educational outreach and prevention programming designed to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking are implemented by THRIVE. The program includes both primary prevention, ongoing prevention, and awareness campaigns for the campus community. THRIVE educates individuals about safe and positive options a bystander can employ when he or she witnesses potential domestic violence, dating violence, sexual assault, or stalking.

**Nationally Recognized Speakers:** Each semester, we host nationally recognized speakers who focus on topics such as healthy relationships, Upstander intervention techniques, and the development of culture based on safety and respect.

**Campus Trainings:** The Title IX Coordinator provides online Title IX training annually for all employees, new students and student-athletes using our campus training platform, Catharsis Productions. Additionally, the Title IX Coordinator presents Title IX Presentations to various organizations throughout the year.

**Campus Community Partner SOS:** Emporia State University collaborates with SOS, a local United Way agency providing services for survivors of sexual assault and domestic violence. Together we offer a campus sexual assault prevention advocate who works closely with the THRIVE peer educator program and Counseling Services Outreach and Prevention Coordinator. These programs focus on promoting awareness on human trafficking, intimate partner violence, and sexual assault prevention. ESU THRIVE provides support for SOS, through volunteer work as well.

## How to be an Active Upstander

Upstanders play a critical role in preventing sexual and relationship violence by observing and addressing harmful situations. They are individuals who, while not directly involved, have the choice to intervene and speak up. By promoting a culture of community accountability, we can encourage active upstanders to prevent violence without causing further harm. Remember, if you or someone else is in immediate danger, dial 911.

Here are some ways to be an active Upstander:

- **Be Observant:** Pay attention to your friends, fellow students and colleagues. If someone appears distressed or in need of help, ask if they are ok.
- **Confront Harmful Behavior:** Intervene when you witness someone engaging in inappropriate or harmful behavior, such as seclusion, unwanted advances or coercion.
- **Speak Up:** Express your concerns when someone discusses plans to take advantage of another person.
- **Believe and Support:** If someone discloses experiencing sexual assault, abusive behavior, or stalking, believe them and offer support.
- **Refer to Resources:** Direct individuals to on-campus or community resources listed in this document for support in health, counseling, or legal assistance.

*(Upstander intervention strategies adapted from Stanford University)*

## Risk Reduction – Tips for Reducing Vulnerability

To enhance your safety and reduce your risk of becoming a victim, consider the following strategies:

- **Know Your Surroundings:** Familiarize yourself with emergency phones (blue lights), know where to find help and stay in areas with plenty of lighting.
- **Limit Time Alone:** Avoid walking or spending time alone, especially isolated or poorly lit areas.
- **Communicate Clearly and Assertively:** Be direct and firm when expressing your boundaries and saying no to unwanted advances. Do not assume consent.
- **Make Responsible Choices:** Avoid excessive alcohol or drug use, as it can impair your judgment and decision-making. Watch your drinks and do not take advantage of others' drunkenness.

## Reporting and Preserving Evidence

When experiencing sexual assault, domestic violence, dating violence, or stalking it's crucial to prioritize your safety and well-being. While reporting the incident is not mandatory, it can be a powerful step toward healing and justice.

### Immediate Actions:

- **Safety First:** Seek a safe location as soon as possible.
- **Preserve Evidence:** Avoid bathing, showering, douching, brushing your teeth, or changing clothes, and if possible, do not urinate until medical professionals can collect forensic evidence.
- **Seek Medical Attention:** Visit a hospital emergency room as soon as possible for a medical examination and for the collection of evidence. Bring a change of clothing.

### Follow-up Care:

- **Medical Check-ups:** Schedule follow-up medical appointments to test for sexually transmitted diseases and if applicable, pregnancy.
- **Counseling:** Consider seeking counseling to address the emotional impact of the incident. Reactions to sexual violence can vary from person to person, and counseling can be very beneficial in the healing process. Confidential counseling services are available at the Emporia State University Student Wellness Center (620) 341-5222. Counselors will not report incidents of sexual violence for further investigation but can assist and support survivors who want to pursue further action. No matter when or where the assault occurred, support and referral resources are available.

### Reporting and Support:

- **Report the Incident:** If you choose to report the incident, contact Emporia State University Police & Safety at (620) 341-5337 or Emporia Police Department at (620) 343-4200.
- **Obtain a Protection Order:** Explore the possibility of obtaining a protection order through the Lyon County Courthouse, 430 Commercial Street, in the Office of the Clerk of District Court or with the assistance of an SOS advocate.
- **Campus Support:** Emporia State University offers support services to victims, including accommodations, academic assistance, emotional support and medical care. To receive these services, contact the Title IX Coordinator at (620) 341-5518.

## Supportive Measures for Victims Under Title IX

Emporia State University is committed to providing support and protection for victims of sexual assault, domestic violence, dating violence and stalking. The Title IX Coordinator works collaboratively with other campus departments to implement appropriate supportive measures to ensure the safety and well-being of victims and the entire university community.

Protentional support measures may include:

- Contact restrictions
- Class, or work schedule adjustments
- Leaves of absence
- Increased safety measures
- Changes in student housing
- Academic course or class adjustments

These measures may be implemented as part of a sanction or discipline process for a perpetrator who has violated university policy.

Factors considered when determining appropriate supportive measure include:

- Severity or pervasiveness of the allegations
- Ongoing effects on the complainant
- Whether the complainant and alleged perpetrator share the same residence hall, dining hall, class,

transportation, or job location

- Existence of other legal measures to protect the complainant

Even if a victim chooses not to report an incident to campus police or local law enforcement, Emporia State University offers support and assistance. The University will provide written notification to victims informing them about available options, services and procedure for requesting changes to academic, living, transportation and working situations. Additionally, the University will provide information about protective measures that can be implemented.

## Confidentiality

While Emporia State University cannot guarantee absolute confidentiality, we will take all reasonable steps to protect the privacy of individuals associated with a report of sexual assault, domestic violence, dating violence or stalking. Any party may speak confidentially with Counseling Services. Counselors in those offices are not Campus Security Authorities and are not required to report crimes to ESU Police. Emporia State University will complete publicly available recordkeeping, including *Clery Act* reporting and disclosures, without the inclusion of personally identifying information about the victim, as defined in section 40002(a)(20) of the *Violence Against Women Act* of 1994 (42 U.S.C. 13925(a)(20)); and maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of Emporia State University to provide the accommodations or protective measures.

Campus employees are required to report an incident of sexual assault, domestic violence, dating violence, or stalking to the Title IX Coordinator. Emporia State University’s [\*Title IX Sexual Harassment, Discrimination, and Retaliation for Employees, Students, and Visitors\*](#) policy explains the responsibility of employees to report incidents of sexual harassment and sexual violence to the Title IX Coordinator.

Responsible employees are all employees except “Confidential Resources,” such as licensed counselors, medical staff and athletic trainers. Any Emporia State University employee who accompanies students off campus on a university-sponsored trip is considered a responsible employee. Responsible employees include anyone designated as a Campus Security Authority (CSA) under the *Clery Act*.

Off-campus resources also offer confidentiality and can assist victims with obtaining a court order, medical attention, victim advocacy, legal assistance, mental health, and veteran services.

Resource		Contact Information
YWCA Center for Safety & Empowerment - Topeka	Emergency	(785) 233-1750
	Information	(888) 822-2983
Kansas Domestic Violence & Sexual Assault Crisis Hotline		(888) 363-2287
Kansas Children Service League Parent Help Hotline		(800) 332-6378
Lyon County Attorney		(620) 341-3263
VA Medical Center – Topeka		(785) 350-3111
Newman Regional Health Sexual Assault Nurse Examiner (SANE)		(620) 341-7851
Crosswinds Counseling & Wellness		(620) 343-2211
SOS Crisis Services		(620) 343-8799

## University Disciplinary Procedures in Response to Reported Sexual Violence

Emporia State University is dedicated to fostering an environment where all individuals can pursue their studies, activities, and careers free from the threat of unwelcome or unwanted sexual actions. The University is committed to responding promptly, fairly, and decisively to all reports of sexual violence.

Upon receiving any report of sexual harassment or violence, the office handling the report will immediately notify the Title IX Coordinator. The Title IX Coordinator's office is located in 209E Plumb Hall and can be reached at (620) 341-5518. Reports of sexual violence will be investigated by the Title IX Coordinator.

For more information, the University's policy on Discrimination and Harassment Prevention can be found at <https://www.emporia.edu/university-policy-manual/table-of-contents/general-university/discrimination-and-harassment-prevention/>. Additionally, the policy on Title IX Sexual Harassment, Discrimination, and Retaliation is available at <https://www.emporia.edu/university-policy-manual/table-of-contents/general-university/title-ix-sexual-harassment-discrimination-and-retaliation-for-employees-students-and-visitors/>.

When the University receives a report of sexual misconduct, the Title IX Coordinator will be immediately notified by the office handling the report. The Coordinator will promptly initiate an initial investigation to determine the facts of the case. The University is committed to conducting a thorough, fair, and impartial investigation for all complaints, from the initial inquiry to the final outcome. If the victim requests confidentiality or prefers that the complaint not be pursued, the University will make every reasonable effort to investigate and respond in accordance with these wishes. However, if a victim insists that their name or other identifiable information not be disclosed to the alleged perpetrator, the University's ability to respond may be limited.

University authorities may issue a safety alert, in some instances when meeting a defined threshold, to the university community identifying the area and nature of the crime. Victims may provide information to Emporia State University Police & Safety or local police agencies and may choose to report and to pursue adjudication through the criminal justice process.

### Notice to Respondent

If a formal complaint is filed, the respondent will receive a written statement detailing the complaint, and the complainant will be given a copy of this notification. The respondent will have the opportunity to meet with the investigator(s) handling the complaint and to provide a response to the allegations. Responses may be submitted in person or in writing within a reasonable timeframe set by the investigators. Should the respondent choose not to participate or decline to answer, this nonparticipation will not impede the investigation, which may result in a finding based solely on the information provided by the complainant.

### Notice Regarding Retaliation

Emporia State University prohibits retaliation by officers, employees, students, or agents against a person who exercises their rights or responsibilities under any provision of this policy and/or provisions of the Campus Sexual Violence Elimination (SaVE) Act.

Retaliation against persons who file discrimination complaints or persons who participate in an investigation

of a complaint, whether by an individual directly involved, witnesses, appropriate administrators, supervisors, or by their associates, is a violation of University and Board of Regents policy as well as State and Federal law. Retaliation may take the form of unwanted personal contact from the respondent or giving additional assignments that are not assigned to others in similar situations, poor grades, or unreasonable course assignments. Phone calls, e-mail, or other attempts to discuss the complaint may be perceived as retaliation under certain circumstances. Disciplinary action, harassment, unsupported evaluations, or other adverse changes in the conditions of employment or the educational environment may also constitute retaliation. Retaliation will not be tolerated and could result in suspension, reassignment, salary reduction, termination, expulsion, or other disciplinary action. Should any type of retaliation against someone filing a sexual harassment and sexual violence or racial and/or ethnic harassment complaint occur, it will be treated as an additional violation of the sexual harassment and sexual violence or racial and/or ethnic harassment policies. Individuals who engage in retaliation are subject to disciplinary action, regardless of the disposition of the underlying complaint.

## **Investigation Timeframe**

The University will strive to complete complaint investigations, including issuance of a report of the findings to the complainant and respondent, in as timely and efficient a manner. The investigation timeframe may be extended based on factors such as, but not limited to, schedule and availability of witnesses, holidays or semester breaks including summer break, and the complexity of the complaint. The investigator will notify the parties should an investigation be subject to significant delays and provide a timeframe for the completion of the investigation.

## **Impartiality**

Administrative proceedings shall be conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused. Proceedings also shall be conducted by officials who receive training on issues related to sexual assault, domestic violence, dating violence, and stalking. Emporia State University staff who conduct proceedings receive training on how to investigate and conduct hearings in a way protects the safety of victims and promotes accountability.

## **Contact with Complainant**

In all investigations, the investigator will meet with the complainant throughout the investigation as appropriate. The investigator will only investigate with the consent of the complainant unless a broader campus safety issue is identified.

## **Representation**

In these proceedings, the Complainant and Respondent are both entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. During the proceedings, officials will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. However, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties. Both the accuser and the accused shall be simultaneously informed, in writing, of the outcome of the disciplinary

proceeding (if an appeal process applies), any change to the results that occurs before the time the results become final, and when the results become final, the rationale for the decision. All parties involved will be made aware that the standard of evidence that applies to the investigation is one of “preponderance of the evidence” and that each party has the right to have an advisor present during the investigation process. A preponderance of the evidence standard means the fact(s) in issue is more probably true than not.

## **Information Relevant to Investigation**

The parties to a complaint (complainant and respondent) will be informed that they have the opportunity to identify witnesses, present witness statements, and any other evidence they believe relevant to resolution to the complaint. The investigator(s) will interview any individuals deemed necessary to gather relevant information. The investigator will review any written materials, emails, or other media that may provide pertinent information regarding the complaint, as determined by their discretion.

## **Findings of Investigation**

If the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing. The hearing cannot be less than ten business days from the conclusion of the investigation, when the final investigation report is transmitted to the parties and the decision-maker(s), unless all parties and the decision maker(s) agree to an expedited timeline.

Any evidence that the Decision-maker(s) determine(s) is relevant and credible may be considered. The hearing does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the Complainant’s sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant’s prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant’s prior sexual behavior with respect to the Respondent and are offered to prove consent.

The Decision-maker(s) will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. When there is a finding of responsibility on one or more of the allegations, the Decision-maker(s) may then consider the previously submitted party impact statements in determining appropriate sanction(s). The Chair will prepare a written deliberation statement and deliver it to the Title IX Coordinator, detailing the determination, rationale, the evidence used in support of its determination, the evidence disregarded, credibility assessments, and any sanctions. This report typically should not exceed 3 to 5 pages in length and must be submitted to the Title IX Coordinator within 2 business days of the end of deliberations, unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties. Using the deliberation statement, the Title IX Coordinator will work with the Chair to prepare a Notice of Outcome. The Title IX Coordinator will then share the letter, including the final determination, rationale, and any applicable sanction(s) with the parties and their Advisors within 5 business days of receiving the Decision-maker(s)’ deliberation statement.

Emporia State University will control access to information pertaining to reports, investigations, and outcomes of sexual harassment complaints by means appropriate to the circumstances. The institution follows all local, state, and federal mandates regarding privacy and confidentiality.

## **Off Campus Reporting**

Allegations of sexual assault or rape occurring off campus should be reported immediately to the Emporia Police Department or the Lyon County Sheriff's department. Both departments can be reached through the Lyon County Emergency Communications Center at (620) 343-4225 or 911 for emergencies.

Reporting may help to prevent other assaults from occurring. Reporting does not obligate the victim to follow through with criminal prosecution. When requested by the victim, University personnel will assist in notifying authorities. Efforts will be made to ensure the confidentiality of all reports, except as necessary and required to investigate the alleged offenses.

## Sanctions

When investigations involve students, the Title IX Coordinator manages the process and may use sanctions related to on-campus discipline as outlined in the Student Code of Conduct. Behaviors and actions that violate this policy, including sexual harassment, can be subject to investigation and sanctions. Sanctions for student violations include disciplinary warning, disciplinary probation, suspension, expulsion, dismissal, withholding of transcripts or degree, loss of university privileges, residence hall transfer or removal, no contact directive, campus and/or building ban, and/or no trespass order given. Sanctions for employees include corrective action, suspension, separation, job reassignment, loss of university privileges, no contact directive, and/or no trespass order given. In addition to or in place of the above sanctions, the University may assign any other sanctions deemed appropriate. The accused and accuser will be informed, in writing, of the outcome of institutional proceedings. In addition, if requested, the University will disclose the results of disciplinary proceedings against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense to the next of kin if the victim is deceased.

## Definitions

The following definitions provide a context in which the University operates when conducting investigations of sexual harassment.

**Sexual Misconduct:** Any unwelcome behavior of a sexual nature that is committed without consent or by force, intimidation, coercion, or manipulation. Sexual misconduct can occur between persons of the same or different sex and is represented by a continuum of conduct from forcible rape and sexual assault to non-physical forms of pressure that compel individuals to engage in sexual activity against their will. It includes any physical contact of a sexual nature that is committed either by force, coercion, intimidation, or manipulation or through the use of a person's mental or physical incapacity, including incapacitation caused by the use of drugs or alcohol.

**Sexual Intercourse (*Kansas Statute Annotated, K.S.A. 21-5501*)** "Sexual intercourse" means any penetration of the female sex organ by a finger, the male sex organ, or any object. Any penetration, however slight, is sufficient to constitute sexual intercourse.

**Rape (*Kansas Statute Annotated, K.S.A. 21-5503*)** 1. Knowingly engaging in sexual intercourse with a victim who does not consent to the sexual intercourse under any of the following circumstances: a. when the victim is overcome by force or fear; or b. when the victim is unconscious or physically powerless.  
2. Knowingly engaging in sexual intercourse with a victim when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug, or other substance, which condition was known by the offender or was reasonably apparent to the offender;  
3. Sexual intercourse with a child who is under 14 years of age;  
4. Sexual intercourse with a victim when the victim's consent was obtained through a knowing



misrepresentation made by the offender that the sexual intercourse was a medically or therapeutically necessary procedure; or

5. Sexual intercourse with a victim when the victim's consent was obtained through a knowing misrepresentation made by the offender that the sexual intercourse was a legally required procedure within the scope of the offender's authority.

**Sodomy (*Kansas Statute Annotated, K.S.A. 21-5501*)** "Sodomy" means oral contact or oral penetration of the female genitalia or oral contact of the male genitalia; anal penetration, however slight, of a male or female by any body part or object; or oral or anal copulation or sexual intercourse between a person and an animal.

**Dating Violence:** Violence committed by a person who 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 length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual, physical, or emotional abuse or the threat of such abuse. It can be a single act or pattern of behavior in relationships. It does not include acts covered under the definition of domestic violence. This definition is used for these policy purposes and is also considered a crime for Clery reporting purposes. Kansas statutes include dating violence as a type of domestic violence. *K.S.A. 21-5111(i)(1)*.

**Domestic Violence (Clery Act):** The act or threatened act of violence against a person with whom the offender is involved or has been involved in a dating relationship, or an act or threatened act of violence against a family or household member by a family or household member. Domestic violence also includes any other crime committed against a person or against property, or any municipal ordinance violation against a person or against property, when directed against a person with whom the offender is involved or has been involved in a dating relationship or when directed against a family or household member by a family or household member.

**Domestic Violence (*Kansas Statute Annotated, K.S.A. 21-5111*)** An act or threatened act of violence against a person with whom the offender is involved or has been involved in a dating relationship, or an act or threatened act of violence against a family or household member by a family or household member. Domestic violence also includes any other crime committed against a person or against property, or any municipal ordinance violation against a person or against property, when directed against a person with whom the offender is involved or has been involved in a dating relationship or when directed against a family or household member by a family or household member. "Family or household member" means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and persons who are presently residing together or have resided together in the past, and persons who have a child in common regardless of whether they have been married or have lived together at any time. Family or household member also includes a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time.

**Sexual Violence:** Physical sexual acts perpetrated against an individual's will or where the individual is incapable of giving consent due to the victim's use of drugs or alcohol or an intellectual or other disability. Examples include, but are not limited to, rape, sexual assault, sexual battery, and sexual coercion. Acts of sexual violence are a form of sexual harassment prohibited by our policy.

For Clery reporting purposes, **Sexual Assault** is defined as an offense that meets the definition of Rape, Fondling, Incest, or Statutory Rape. In Kansas, there is no definition for "sexual assault". Kansas Statutes do

define and prohibit the crimes of Rape *K.S.A. 21-5503*; Criminal Sodomy, Aggravated Criminal Sodomy *K.S.A. 21-5504*; Sexual Battery, Aggravated Sexual Battery *K.S.A. 21-5505*; Indecent liberties with a child, Aggravated indecent liberties with a child *K.S.A. 21-5506*.

**Stalking (*Kansas Statute Annotated, K.S.A. 21-5427*) (1)** Recklessly engaging in a course of conduct targeted at a specific person which would cause a reasonable person in the circumstances of the targeted person to fear for such person's safety, or the safety of a member of such person's immediate family and the targeted person is actually placed in such fear; **(2)** Engaging in a course of conduct targeted at a specific person with knowledge that the course of conduct will place the targeted person in fear for such person's safety or the safety of a member of such person's immediate family; **(3)** After being served with, or otherwise provided notice of, any protective order included in *K.S.A. 21-3843*, prior to its repeal or *K.S.A. 2013 Supp. 21-5924*, and amendments thereto, that prohibits contact with a targeted person, recklessly engaging in at least one act listed in subsection (f)(1) that violates the provisions of the order and would cause a reasonable person to fear for such person's safety, or the safety of a member of such person's immediate family and the targeted person is actually placed in such fear; or **(4)** intentionally engaging in a course of conduct targeted at a specific child under the age of 14 that would cause a reasonable person in the circumstances of the targeted child, or a reasonable person in the circumstances of an immediate family member of such child, to fear for such child's safety.

**Consent:** A freely and affirmatively communicated willingness to participate in sexual activity, expressed either by words or clear, unambiguous actions. It is the responsibility of the initiator of the sexual activity to ensure he or she has the others person's consent to engage in sexual activity. Consent must be present throughout the sexual activity by all parties involved. At any time, a participant can communicate that he or she no longer consents to the continuing activity.

Consent considerations:

- A. May never be obtained using force, coercion, intimidation, or manipulation or if the individual is mentally or physically disabled or incapacitated, including through the use of drugs and/or alcohol, or
- B. May never be assumed because of the existence of a dating relationship between the persons involved or due to the existence of a current or previous sexual relationship between the persons.
- C. Consent to one form of sexual contact does not constitute consent to any other form of sexual contact.
- D. Consent with one person does not constitute consent to sexual contact with any other person.
- E. Consent on one occasion is not consent to engage in sexual contact on another occasion.
- F. Consent cannot be obtained in any situation involving sexual contact with an individual who is incapacitated, and the person engaging in that sexual contact knew, or should have reasonably known, that the individual was incapacitated.

Consent may be withdrawn at any time. Once consent is withdrawn, the sexual contact must cease immediately. This definition is used for these policy purposes. Kansas statutes define consent in *K.S.A. Section 21-5503*.

## Weapons on Campus

Open carry of firearms by any means is prohibited. The carrying of any rifle, shotgun, or other long gun by any means is prohibited. The carrying of any firearm, concealed or otherwise, is prohibited in any location or under any circumstances prohibited by applicable federal or state law.

## Concealed Carry Defined

Individuals who carry a handgun on campus must always carry it concealed on or about their person. With respect to this policy, concealed means completely hidden from view and does not reveal the weapon in any way, shape, or form, except when using the handgun in self-defense or when transferring the handgun to safe storage. "About the person" means that an individual may carry a handgun if it can be carried securely in a suitable carrier, such as a backpack, purse, handbag, or other personal carrier designed and intended for the carrying of an individual's personal items. Moreover, the carrier must always remain within the exclusive and uninterrupted control of the individual. This includes wearing the carrier with one or more straps consistent with the carrier's design, carrying or holding the carrier, or setting the carrier next to or within the immediate reach of the individual.

## Restrictions to the Carrying of a Concealed Firearm Pursuant to Kansas Law

Kansas law states that the only type of firearm that an individual can carry while concealed is a handgun. The following restrictions apply to the concealed carrying of a handgun pursuant to Kansas law and the violation of any of the following restrictions is a crime under Kansas law:

- a. An individual in possession of a concealed handgun must be at least 21 years of age [K.S.A. 21-6302(a)(4)];
- b. a handgun cannot be carried by an individual under the influence of alcohol or drugs, or both, to such a degree as to render the individual incapable of safely operating the handgun [K.S.A. 21-6332];
- c. a handgun cannot be carried by an individual who is both addicted to and an unlawful user of a controlled substance [K.S.A. 21-6301(a)(10)];
- d. a handgun cannot be carried by an individual who is or has been a mentally ill person subject to involuntary commitment [K.S.A. 21-6301(a)(13)];
- e. a handgun cannot be carried by an individual with an alcohol or substance abuse problem subject to involuntary commitment [K.S.A. 21-6301(a)(13)];
- f. a handgun cannot be carried by an individual who has been convicted of a felony crime [K.S.A. 21-6304];
- g. an automatic handgun cannot be carried [K.S.A. 21-6301(a)(5)];
- h. a cartridge which can be fired by a handgun and which has a plastic-coated bullet with a core of less than 60% lead by weight is illegal [K.S.A. 21-6301(a)(6)];
- i. Suppressors and silencers cannot be used with a handgun [K.S.A. 21-6301(a)(4)];
- j. handguns cannot be fired in the corporate limits of a city or at a dwelling, or at a structure or vehicle in which people are present, except in self-defense [K.S.A. 21-6308, 6308a].

## Carrying Safety

Holsters are required. Every handgun carried by an individual, whether on their person or in a carrier, must be secured in a holster that completely covers the trigger and the entire trigger guard area and that secures an external hammer in an un-cocked position through the use of a strap or by other means. Handguns with an external safety must be carried with the safety in the "on" position. The holster must have sufficient tension or grip on the handgun to retain it in the holster even when subjected to unexpected jostling. Semiautomatic handguns must be carried without a chambered round of ammunition. Revolvers must be carried with the hammer resting on an empty cylinder.

## Handgun Storage

Handgun storage at Emporia State University is prohibited, except in the following two circumstances: (1) in

an individual's privately-owned or leased motor vehicle when the vehicle is locked (if unattended) and the handgun is secured in a location within the vehicle that is not visible from outside the vehicle; or (2) in an individual's on-campus residential unit when the handgun is secured in a holster and in an approved storage device.

## University Approved Storage Device

The University does not provide approved handgun storage devices to any person under any circumstances. Each individual who stores a handgun in an on-campus residence must provide their own approved storage device. A University approved storage device has each of these characteristics: (1) it is of sufficient size to fully enclose the handgun while secured in an approved holster; (2) it is constructed of sturdy materials that are non-flammable; (3) it has a combination, digital, or other secure locking device that can only be unlocked by the individual using the storage device, but devices secured exclusively with a key lock are prohibited; and, (4) the device is constructed specifically for the storage of a handgun and/or ammunition. All ammunition stored in an on-campus residence must be stored in an approved storage device.

## Prohibited Storage

It is prohibited for any person to store a handgun on campus: (1) in any University classroom, lab, office, or facility; (2) in a residence hall, except in the residential unit of the individual who is at least 21 years of age, who legally owns the handgun, and when the handgun is secured in an approved storage device; (3) in a motor vehicle that is unlocked and unattended or when the handgun is visible from outside the vehicle; (4) in any other location and under any circumstances except as specifically permitted by this policy and by state or federal law; and, (5) all handguns must be stored unloaded, which means the magazine, cylinder, barrel or any other means of internal ammunition storage in preparation for firing the handgun must contain no ammunition while being stored on campus.

All reports of suspected violation of the conceal carry policy are made to ESU Police & Safety at (620) 341-5337.

## Registered Sex Offenders

The *Campus Sex Crimes Prevention Act of 2000 (CSCPA)* requires states to obtain information concerning the enrollment or employment of registered offenders at institutions of higher education and to provide this information to campus police. The act requires higher education institutions to identify where information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders to provide notice to each higher education institution if the sex offender lives on campus, is employed by, carries a vocation, or is a student at the school. In Kansas, convicted sex offenders must register with their local sheriff's office.

The Lyon County Sheriff's Office notifies Emporia State University Police & Safety when a registered offender enrolls or is employed at the institution. The list is available at the Police & Safety Office, located at the northeast corner of Welch Stadium. The KBI Registered Offender website may be searched by name, street address, city, zip code, or county. A list of all registered offenders in Kansas is available from the KBI at [KBI - Kansas Bureau of Investigation - KBI Registered Offender Website Disclaimer](#).

## 2023 Distance Education Sites Contact Information

Emporia State University is committed to providing distance education students with information regarding the safety and security of locations in which distance education classes are held. During calendar year 2023 classes, workshops, and seminars were held at the following locations in connection with Emporia State University Distance Education Programs. Contact information for the local law enforcement agency that has jurisdiction for these locations can be found below.

Site Location	Site Address	Police Department Contact Information
<b>Butler Community College – Andover</b>	715 E 13th Street, Bldg. 5000 Andover, KS 67002	Butler Community College Campus Police (316) 321-7657 <a href="https://www.butlercc.edu/info/20090/police-department/541/annual-security-report">https://www.butlercc.edu/info/20090/police-department/541/annual-security-report</a>
<b>Butler Community College – El Dorado</b>	901 S Haverhill Rd El Dorado, KS 67042	Butler Community College Campus Police (316) 321-7657 <a href="https://www.butlercc.edu/info/20090/police-department/541/annual-security-report">https://www.butlercc.edu/info/20090/police-department/541/annual-security-report</a>
<b>Emporia State University – Kansas City</b>	8440 W 110th St., Suite 150 Overland Park, KS 66210	Overland Park Police Department (913) 895-6300

## Clery Act Crime Definitions

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

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

**Burglary** is the unlawful entry of a structure to commit a felony or a theft.

**Dating violence** is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and the existence of such relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Disciplinary Referral** is the referral of a person to any campus official who initiates a disciplinary action of which a record is kept, and which may result in the imposition of a sanction.

**Domestic violence** is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; or by a person with whom the victim shares a child in common; or by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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

**Hate crimes** are committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or national origin.

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

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

**Murder and non-negligent manslaughter** are the willful (non-negligent) killing of one human being by another.

**Negligent manslaughter** is the killing of another person through gross negligence.

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

**Sex offenses** are defined as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape** is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.
- **Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
- **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory rape** is sexual intercourse with a person who is under the statutory age of consent.

**Stalking** is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or to suffer substantial emotional distress.

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

**Unfounded Crimes** are considered unfounded for *Clery Act* purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner.

Once classified and counted, data are presented for review according to 1) on-campus locations; 2) non-campus buildings or properties; 3) public property immediately adjacent to and accessible from campus;

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4) Arrests & Disciplinary referrals; and 5) Hate crimes. A map of campus can be found on the Emporia State University web site at: [Virtual Campus Explorer \(google.com\)](https://www.emporiastate.edu/virtual-campus-explorer).

**On-campus** statistics include all incidents occurring in any building or property on the Emporia State University campus, including incidents occurring in the residence halls. Therefore, residential facilities are a *subset* of On-Campus statistics.

**Non-campus** statistics are reported for non-campus buildings or property owned or controlled by the University used for educational purposes and frequently used by students but which are not a part of the core campus, or those properties owned or controlled by a student organization which is officially recognized by the University.

**Public Property** includes thoroughfares, streets, sidewalks, and parking facilities within campus or immediately adjacent to and accessible from the campus. *Private homes or businesses, areas surrounding non-campus properties, and property separated from campus by barriers or fences are not public property.* (Information regarding crime rates in the Emporia community may be obtained from the Emporia Police Department at (620) 343-4200.)

## Crime Statistics Tables

### ESU Crime Statistics 2021-2023

Criminal Offenses	2021					2022					2023				
	On-Campus	*On-Campus Student Housing	Non-Campus	Public Property	Total	On-Campus	*On-Campus Student Housing	Non-Campus	Public Property	Total	On-Campus	*On-Campus Student Housing	Non-Campus	Public Property	Total
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	1	1	0	0	1	1	1	0	0	1	0	0	0	0	0
Fondling	0	0	0	0	0	1	1	0	0	1	2	1	0	0	2
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	2	1	0	0	2	0	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	0	1	0	0	1	0	1	1	0	0	0	1
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Unfounded Crimes	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>VAWA Offenses</b>															
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Arrests</b>															
Weapons	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drugs	1	1	0	2	3	2	0	0	0	2	2	0	0	0	2
Alcohol	2	0	0	1	3	1	1	0	0	1	0	0	0	0	0
<b>Referrals</b>															
Weapons	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drugs	3	3	0	0	3	1	1	0	0	1	2	0	0	0	2
Alcohol	41	41	0	0	41	38	38	0	0	38	23	22	0	0	23
*Crimes reported in the residential facilities column are included in the on-campus category.															

<b>Hate Crimes</b>	2023	One on-campus residence hall theft incident characterized by gender identity.
	2022	No hate crimes reported.
	2021	One on-campus residence hall intimidation incident characterized by religion. One on-campus vandalism of property incident characterized by race.



# 2024 Emporia State University Annual Fire Safety Report

Students on the Emporia State University Campus are housed in three separate complexes: Abigail Morse Hall, Schallenkamp Hall, and Towers Complex. Fire detection/alarm systems report locally and are monitored remotely by ACS, and Residential Life conducts at least four planned fire drills during the academic year, two per semester.

ABIGAIL MORSE HALL originally opened for residents in February of 1924. It experienced extensive renovation during the calendar year 2019. It opened to residents in September 2020. Upon reopening, Abigail Morse Hall is fully sprinkled and features improved fire safety measures that achieve or exceed R-2 fire code compliance. The fire alarm system reports locally and is monitored remotely by ACS. The community kitchen features fire detection and suppression systems in the vent hoods that shut off oven/range if activated.

TOWERS COMPLEX consists of two eight-story towers connected at the bottom two levels, and Singular/Trusler Hall. Singular/Trusler Hall sits beside the Towers and is connected by an enclosed bridge on the second level. Towers was built in 1971 and completely remodeled in 2007. It is brick and mortar construction with built up flat roofs. Both Towers use a single detection and alarm system, and wet sprinkler suppression system which were installed in 2007. The fire alarm system reports locally and is monitored remotely by ACS. There are two trash chutes with sprinkler suppression. A new community kitchen was added August 2023 that features a new fire extinguisher and a fire detection and suppression system in the vent hoods that shut off oven/range when activated.

SINGULAR (built -1959) and TRUSLER (built-1963) are connected end to end and are of brick-and-mortar construction with built up flat roofs. The most recent renovation project for both facilities was completed in August 2014. Both are protected by a single detection and alarm system installed in 2000 and a wet sprinkler suppression system which were installed in 2014. The fire alarm system reports locally and is monitored remotely by ACS. The detection/alarm systems and trash chute sprinklers are inspected and tested annually. All fire extinguishers are checked monthly. The community kitchen features fire detection and suppression systems in the vent hoods that shut off oven/range if activated.

SCHALLENKAMP HALL opened in August 2019. The building has a single detection and alarm system and a wet sprinkler suppression system. The fire alarm system reports locally and is monitored remotely by ACS. Local fire extinguishers are located in public areas of the building. All community kitchens feature fire detection and suppression systems in the vent hoods that shut off oven/range when activated.

## Residence Hall Policy for Fire Emergency

In cases of a fire emergency and/or fire alarm:

- Always prioritize your personal safety.
- Sound the building fire alarm from any pull station, if the alarm is not already activated.
- Exit the building quickly and orderly, then move at least 50 feet away from the building.
  - Do not use elevators during an alarm. If you need assistance evacuating, you can go to a stairwell. The stairwells are typically the first place emergency personnel will clear in the event of a fire.
  - Feel the door with the back of your hand. If the door is cool, leave your room to exit, closing the door behind you. If your door feels hot, go to your window and signal for help. Call 911 to report your location for emergency responders. If possible, place wet towels or clothing at the base of the door to limit smoke from entering the room.
  - If smoke is present, stay close to the floor. If possible, keep your mouth and nose covered with a wet cloth.

- Residential Life staff will notify residents when the building has been cleared for residents to return.
- Keep your keys, shoes, and coat (during cold weather) accessible, so items can be grabbed quickly in the event of an emergency.

In case of a fire emergency and/or alarm, Residential Life staff will call 911 or ESU Police & Safety, followed by the Residential Life professional staff duty phone.

## Fire Safety Education

Residents and staff receive fire safety education and training through a variety of methods in the residence halls. Educational methods included, but are not limited to floor meetings, fire and evacuation drills, the Residential Life Handbook, electronic communication and building signage. Health and safety checks, which assess fire safety expectations, occur in all resident rooms twice per semester.

## Fire Alarms

State law, as well as residence hall policy, requires all students to leave their room and/or public areas and evacuate the building when a fire alarm is sounded. Failure to do so may result in disciplinary and/or legal action. If the fire alarm sounds, take action as directed on ESU Emergency Escape Plan signage and/or follow emergency exit signs.

- Take your key.
- Feel the door before opening.
- Proceed to the nearest stairway and exit.
- DO NOT USE the elevator.
- Remain clear of the building.

### If the fire is in your room:

- Leave the room immediately.
- Close the door.
- Pull the nearest alarm box.
- Proceed to the nearest exit.
- DO NOT USE the elevator.
- Notify staff of the fire's location.
- Do not return to the building until a university official has given an all-clear signal.

Activating a fire alarm system without proper cause endangers the safety of all residents, as well as the security of the greater community and the fire department. A false alarm is not a prank. It is a criminal offense that endangers the safety of others. A student who, without reasonable cause, activates a fire alarm system or tampers with fire safety equipment, may face removal from the residence halls and be referred for criminal prosecution.

## Fire Prevention Policies

### Fire Safety Policy

In order to provide the safest environment possible, the following activities are forbidden. Engaging in the activities below may be subject to judicial sanctions and/or criminal charges:

- Setting fires of any kind, for any reason, including the lighting of open flames, smoking, and the possession of candles or incense in the residence hall.
- Failing to evacuate the building during an activated fire alarm.

- Malicious activation of a fire alarm. Activating a fire alarm system without proper cause endangers the safety of all residents, as well as the security of the greater community and first responders. A false alarm is not a prank; it is a criminal offense that endangers the safety of others. A student who, without reasonable cause, activates a fire alarm system or tampers with fire safety equipment, may face removal from the residence halls and be referred for criminal prosecution.
- Tampering with any fire safety equipment, including fire extinguishers, fire alarm boxes, smoke detectors, and sprinkler systems.
- Propping fire doors open.
- Careless use of approved items/appliances that creates a fire hazard.
- Possession of any charcoal and charcoal grills, kerosene/gasoline or similar cooking fuel, fireworks or other explosives.
- Blockading any exit leading out of a student room, hallway, or any entryway.
- Hanging decorations from ceilings, using decorations in a way that provides a continuous path of flammable material, decorating any part of the room door (inside and outside), covering more than 30% of the wall, or having decorations that extend more than 2 inches.
- Removing or displacing ceiling tiles.

#### **Prohibited Items Policy (related to Fire Safety)**

##### Electrical Appliances

Residents are permitted to have approved electrical appliances in their rooms provided the electrical appliances are safety labeled by Underwriter Laboratories (UL) or Factory Mutual (FM) and have an automatic shut-off feature. Approved appliances include portable electric hair tools, portable refrigerators (not to exceed 5 cubic feet), razors, radios, computers, TVs, stereos, coffee makers, crock pots, and microwaves (not to exceed 1000 watts). Approved heat producing appliances must have non-exposed heating elements. When using these appliances, care should be taken to ensure that no damage is done to university property. Prohibited appliances in the residence halls include:

- Personal air conditioning units
- Air fryers/infrared smokers
- Grills
- Toasters/toaster ovens
- George Foreman-type grills
- Pressure cookers/Instant Pots
- Hotplates
- Space heaters (unless provided by Residential Life staff)

##### Decorative Items

The following decorative items are prohibited for fire safety and prevention:

- Candles
- Candle warmers
- Incense
- Halogen, lava, and sun lamps
- Live or dried vegetation, with the exception of small house plants.

##### Entertainment/Miscellaneous Items

The following entertainment/miscellaneous items are prohibited for fire safety and prevention:

- Fireworks
- Smoke/fog machines
- Extension cords

- Hover boards

Tobacco, Smoking, and Vaping

The use of tobacco in any form is not permitted on Emporia State University campus, including the residence halls. Smoking and Vaping of any kind, regardless of tobacco level, is prohibited.

**Fire Safety Improvements**

To ensure the safety of all residents, the Department of Residential Life assesses equipment and system needs on a routine basis. Any improvements in fire safety are determined in cooperation with Residential Life professionals, other campus departments, and outside consultants who are experts in the field.

**Fire Log and Statistics**

The annual fire log for Residential Life is maintained in the main Residential Life office, Abigail Morse Hall, Suite 010. The fire log for the most recent 60-day period is open to public inspection, upon request, during normal business hours. Any portion of the log that is older than 60 days will be available within two business days of a request for public inspection to the extent established by law.

**Reported Fires in On Campus Housing 2021-2023**

ESU Residential Hall	Total Fires in Each Building			Number of Fires			Date & Time			Cause of Fire			# Injuries or Medical Treatment Required			# Deaths Related to Fire			Value of Property Damage			
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023	
Towers Complex, 1501 Market St	1	0	0	1	0	0	3/7 @ 15:01	0	0	0	Candle	0	0	0	0	0	0	0	0	0	0	0
Singular & Trusler, 1501 Market St	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Abigail Morse Hall, 1500 Morse Dr.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Schallenkamp Hall, 1230 Market St.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

### Fire Safety Systems in Student Housing 2021-2023

ESU Residential Hall	Fire Alarm Monitoring Done	Partial Sprinkler System	Full Sprinkler System	Smoke Detector	Fire Extinguisher Device	Evacuation Plan	# Of Annual Drills		
							2021	2022*	2023**
Towers Complex	Yes	N/A	Yes	Yes	Yes	Yes	4	3	6
Singular & Trusler	Yes	N/A	Yes	Yes	Yes	Yes	4	3	5
Abigail Morse Hall	Yes	N/A	Yes	Yes	Yes	Yes	4	3	5
Schallenkamp Hall	Yes	N/A	Yes	Yes	Yes	Yes	4	3	5

\*CY2022 Second planned drills for fall semester did not occur; academics, weather, staffing, and time of night prohibited.  
 \*\*CY2023 One additional planned drill was done at the beginning of the summer term. The Towers Complex (North and South Tower) had an additional planned evacuation at the completion of the new kitchen installation.

There are no plans for future improvements in fire safety at this time in current residence halls.