

Southwestern Christian University

Appendices

Appendix A

Family Educational Rights and Privacy Act

FERPA is a Federal law that applies to educational agencies and institutions that receive funding under a program administered by the U. S. Department of Education. The statute is found at 20 U.S.C. § 1232g and the Department's regulations are found at 34 CFR Part 99. FERPA, as passed by Congress in 1974, grants you, as a student at Southwestern Christian University, four (4) specific rights:

1. The right of access to your education records,
2. The right to have an opportunity to seek to have the records amended,
3. The right to some control over the disclosure of information from the records,
4. The right to file a complaint with the Family Policy Compliance Office in Washington, DC.

1. Access to Education Records

Southwestern Christian University is required by FERPA to,

- A. Provide a student with an opportunity to inspect and review his or her education records within 45 days of the receipt of a request,
- B. Provide a student with copies of education records or otherwise make the records available to the student if the student, for instance, lives outside of commuting distance of the school,
- C. Redact the names and other personally identifiable information about other students that may be included in the student's education records.

Southwestern Christian University is not required under FERPA to,

- A. Create or maintain education records,
- B. Provide students with calendars, notices, or other information which does not generally contain information directly related to the student,
- C. Respond to questions about the student.

2. Amendment of Education Records

Under FERPA, Southwestern Christian University must,

- Consider a request from a student to amend inaccurate or misleading information in the student's education records,
- Offer the student a hearing on the matter if it decides not to amend the records in accordance with the request;
- Offer the student a right to place a statement with the record, to be kept and disclosed with the record if, as a result of the hearing, the school still decides not to amend the record.

Southwestern Christian University is not required to consider requests for amendment under FERPA that:

- Seek to change a grade or disciplinary decision;

- Seek to change the opinions or reflections of a school official or other person reflected in an education record.

3. Disclosure of Education Records

A. General

Southwestern Christian University must:

- Have a student's consent prior to the disclosure of education records;
- Ensure that the consent is signed and dated and states the purpose of the disclosure.

However, Southwestern Christian University MAY disclose education records without consent when:

- The disclosure is to school officials who have been determined to have legitimate educational interests as set forth in the institution's annual notification of rights to students;
- The student is seeking or intending to enroll in another school;
- The disclosure is to state or local educational authorities auditing or enforcing Federal or State supported education programs or enforcing Federal laws which relate to those programs;
- The disclosure is to the parents of a student who is a dependent for income tax purposes;
- The disclosure is in connection with determining eligibility, amounts, and terms for financial aid or enforcing the terms and conditions of financial aid;
- The disclosure is pursuant to a lawfully issued court order or subpoena; or
- The information disclosed has been appropriately designated as directory information by the school.

B. Disclosure of Education Records to Contractors, Consultants, or Outside Agencies

Southwestern Christian University may:

Allow the transfer of education records without notification to student or consent by the student to contractors, consultants, and volunteers or outside agencies who provide institutional services or perform school functions, and whose use and maintenance of the educational records are under the direct control of Southwestern Christian University and comply with applicable FERPA requirements.

C. Disclosure to Parents/Legal Guardian or appropriate parties based on Health or Safety Emergency

Southwestern Christian University may,

Having considered the totality of the circumstances, may under section 99.5 and 99.36, disclose information to an eligible student's parents in a health or safety emergency, regardless of whether the student is a dependent for Federal income tax purposes, and may also disclose information to parents under any circumstances if the eligible student is a dependent for Federal income tax purposes.

4. *Information Collected at Admission

Southwestern Christian University will,

Collect information at the time of a student's admission about dependency for tax purposes and releases regarding protection of their social security numbers. If a student states that a parent claims that student as a dependent, the *Southwestern Christian University* may release any such protected information to that parent without the student's consent or notification.

However, *Southwestern Christian University* will require signed releases from students to allow the following:

- The disclosures of protected information to landlords and banks and
- To search student records by social security numbers.

Note, that every *Southwestern Christian University* student has the right to opt out of these uses of their information. Notification must be done in writing.

5. Students' right to file a complaint with the U.S. Department of Education concerning *Southwestern Christian University's* alleged failures to comply with the requirements of FERPA.

Complaints may be addressed to

Family Policy Compliance Office US Department of Education 400 Maryland Avenue, SW
Washington, DC 20202-5920 *Procedures for filing Complaints:*

- Be timely submitted, not later than 180 days from the date you learned of the circumstances of the alleged violation
- Contain specific allegations of fact giving reasonable cause to believe that a violation has occurred, including: a. Relevant dates, such as the date of a request or a disclosure and the date the student learned of the alleged violation;
- b. Names and titles of the university officials and other third parties involved;
- c. A specific description of the education record around which the alleged violation occurred;
- d. A description of any contact with *Southwestern Christian University* officials regarding the matter, including dates and estimated times of telephone calls and/or copies of any correspondence exchanged between the student and the school regarding the matter;
- e. Any additional evidence that would be helpful in the consideration of the complaint.

Summary: What this Law Means for *Southwestern Christian University* Students

- *Southwestern Christian University* students have the right to inspect and review their education records;
- *Southwestern Christian University* students have the right to seek amendment of inaccurate or misleading information in their education records. *To seek access or amendment of your education records please notify or make an appointment with registrar either by email at registrar@swcu.edu or by phone at extension 3458.*
- *Southwestern Christian University* students have the right to consent to most disclosures of personally identifiable information from education records.
- *Southwestern Christian University* students have the right to file a complaint with the Family Policy Compliance Office in Washington, DC.

*Definition of Terms: For the purpose of this notice, a **school official at Southwestern Christian***

University is considered to be an authorized individual with **legitimate educational interest**; performing a task that is specified in his/her position description or contract; performing a task related to a student's education or a student's discipline; providing a service or benefit to the student; or maintaining safety and security on campus.

***Expanded Authority to Release Protected Information** per 73 Federal Register 15574; 73 Federal Register 74806; 74 Federal Register 400 effective January 8, 2009. The amendments also allow the release of information to the community under the Campus Sex Crimes Prevention Act (CSCPA) and to the Department of Justice under the USA PATRIOT Act.

Appendix B

Alcohol/Drug/Tobacco Policy

Southwestern Christian University recognizes its responsibility as an educational and private institution to promote a healthy and productive environment. This responsibility demands the implementation of programs and services facilitating that effort. The university is committed to a program that will prevent the abuse and illegal use of drugs and alcohol by its students and employees. The university program includes this policy, which prohibits illegal use of drugs and alcohol in the workplace, on university property, or as part of any university-sponsored activities. This policy also includes the prevention of the use of tobacco and tobacco-related products, such as vapors, hookahs, and related paraphernalia.

Southwestern Christian University holds a "No Tolerance" stance concerning all illegal drugs and will dismiss students from Southwestern Christian University for promotion, distribution, sale, or possession (either on or off campus).

In order to meet these responsibilities, university policy:

1. Requires all students and employees to abide by the terms of this policy as a condition of initial and continued enrollment/employment.
2. Recognizes that the illegal use of drugs and/or alcohol is in direct violation of local, state and federal laws as well as university policies found in the Staff and Faculty Handbooks, and the Student Handbook's Lifestyle Covenant. University policy strictly prohibits the illegal use, possession, manufacture, dispensing, or distribution of alcohol, drugs or controlled substances in the workplace; on its campus; or as a part of any university-sponsored activities. Southwestern Christian University prohibits the use of tobacco or tobacco related products on its campus and all university-sponsored activities. In accordance with both the Faculty/Staff and Student Handbook's Lifestyle Covenant, this policy is in effect both on and off Southwestern Christian University campus.
3. Considers a violation of this policy to be a major violation, which can result in a referral for criminal prosecution, and/or immediate disciplinary action up to and including termination from employment and suspension or expulsion from the university. A criminal conviction is not required for sanctions to be imposed upon an employee or student for violations of this policy. Southwestern Christian University holds a no tolerance policy concerning drugs.
4. Recognizes that violations of applicable local, state, and federal laws may subject a student or employee to a variety of legal sanctions, including but not limited to: fines, incarceration, imprisonment, and/or community service requirements. Convictions become a part of an individual's criminal record and may prohibit certain career and professional opportunities. A current listing of applicable local, state, and federal sanctions can be obtained through the Office of Student Life and Human Resources. (See Appendix A in Southwestern Christian University Student Handbook.)
5. Requires an employee to notify his/her supervisor, in writing, of a criminal conviction for drug or alcohol-related offenses occurring in the workplace no later than five calendar days following the conviction.
6. Provides for bi-annual distribution (Fall and Spring semesters) of this policy to all staff, faculty, and students.

Health risks generally associated with alcohol and drug abuse can result in but are not limited to: a lowered immune system, damage to critical nerve cells, physical dependency, lung damage, heart problems, liver disease, physical and mental depression, increased infection, irreversible memory loss, personality changes, and thought disorders. Health risks generally associated with tobacco can harm nearly every organ in the body, cause many diseases, reduce health in general, as well as being linked to multiple forms of cancer. The university's Human Resources Department and/or Office of Student Life are responsible for informing students and employees about the dangers of drug, tobacco, and alcohol abuse.

The appropriate Vice President of Academic Affairs or executive officer is responsible for notifying federal funding agencies within 10 calendar days whenever an employee is convicted of a drug-related crime that occurred in the workplace. This policy is based on the Drug Free Workplace Act of 1988 (P.L.100-690, Title V, Subtitle D) and the Drug Free Schools and Communities Act Amendments of 1989 (P.L.101-226).

All states regulate and control the possession of controlled dangerous substances (CDS), though each differs in its exact definition of CDS and the penalties for possession. Oklahoma classifies not only well-known drugs like marijuana, heroin, and cocaine as CDS, but also the compounds used to manufacture them.

How Oklahoma Classifies CDS

Oklahoma divides CDS into five "Schedules." Schedule I lists the most dangerous drugs, which have a high probability of abuse and addiction, and no recognized medical value. Schedules II, III, IV, and V decrease in dangerousness and probability of abuse, and increase in recognized medical uses.

If you've been arrested for illegal CDS possession, you'll need to consult the Oklahoma Code that lists precisely which drugs fit into each group. Go to the statute ([63 Okl. Stat. Ann. §§ 2-204 to 212](#)) and find the substance you're charged with possessing -- it will be listed under one of the five classes.

Penalties for Possessing CDS

It is illegal in Oklahoma to possess CDS without a valid medical prescription. Penalties vary according to the type of CDS involved in the violation. (63 Okl. Stat. Ann. § 2-402(A)(1).)

Schedule I or II CDS

Penalties for a first offense include a fine of up to \$5,000, at least two (and up five) years in prison, or both. Second and subsequent offenses incur a fine of up to \$10,000, at least four (and up to 20) years in prison, or both. (63 Okl. Stat. Ann. § 2-402(B)(1).)

Schedule III, IV or V CDS

Penalties for a first offense include a fine of up to \$1,000, up to one year in jail, or both. Second and subsequent offenses incur a fine of up to \$5,000, at least two (and up to ten) years in prison, or both. (63 Okl. Stat. Ann. § 2-402(B)(2).)

Marijuana possession, sale, and manufacture are regulated by both state and federal law. In Oklahoma, marijuana is classified as a Schedule I substance, which means that it has a high potential for abuse and no generally recognized medical value. (63 Ok. Stat. Ann. § 2-204.) Also, it is a crime to drive under the influence of marijuana in Oklahoma.

<http://www.criminaldefenselawyer.com/resources/criminal-defense/drug-charges/oklahoma-drug-possession-laws>

Marijuana Possession

It is a crime to knowingly or intentionally possess marijuana (including small amounts for personal use) in Oklahoma. In addition to a possible fine, the judge will sentence a defendant to up to a year in jail for a first offense, and between two and ten years in prison for a second or subsequent offense. (63 Ok. Stat. Ann. § 2-401.)

Manufacture and Sales

Manufacturing or selling marijuana (or possessing marijuana with the intent to do so) in Oklahoma is illegal. Penalties vary according to the amount possessed, manufactured, or sold. Penalties may double for sales to a minor, and for violations that take place within 2,000 feet of a school, park or public housing units. (63 Ok. Stat. Ann. § 2-401.)

Cultivating up to 1,000 plants, or selling up 25 pounds. Penalties include a fine of up to \$20,000, between two years and life imprisonment, or both.

Cultivating 1,000 or more plants. Penalties include a fine of up to \$50,000, between 20 years and life imprisonment, or both.

Selling between 25 and 1,000 pounds. Penalties include a fine of between \$25,000 and \$100,000, between four years and life imprisonment, or both.

Selling 1,000 pounds or more. Penalties include a fine of between \$100,000 and \$500,000, between four years and life imprisonment, or both.

Drug Paraphernalia

It is illegal in Oklahoma to manufacture or sell drug paraphernalia (or possess paraphernalia with the intent to do so). Paraphernalia includes items used in growing, harvesting, processing, selling, storing, or using marijuana. A conviction may be punished with up to a year in jail, and a fine of up to \$1,000 for a first offense; up to \$5,000 for a second offense; and up to \$10,000 for a third or subsequent offense. (63 Ok. Stat. Ann. § 2-101.1.)

<http://www.criminaldefenselawyer.com/marijuana-laws-and-penalties/Oklahoma.htm>

Appendix C

Disability Services and Grievance Policy

Southwestern Christian University does not discriminate against qualified individuals with a disability in admission or access to its programs or activities. Prospective and admitted students who need information about programs, services and accommodations should contact the Office of Student Life at 405-789-7661 ex 3424. The Vice President for Student Life or his/her designee is the Disability Officer for Southwestern Christian University.

The purpose of these procedures is to ensure that all complaints of discrimination based on disability are thoroughly and fairly investigated by the authorized units of the University. Southwestern Christian University will conduct a fair and impartial investigation of all allegations of discrimination, with due regard for the rights of all parties. Any retaliation against any individual who has filed a complaint of discrimination or who has cooperated in the investigation of such a complaint is unlawful and in violation of Southwestern Christian University policy.

When a student believes that he or she has been discriminated against on the basis of disability, he or she may file, in writing, a formal grievance with the Office of Student Life. A designee will be assigned, who is the University's Disability Officer for Section 504 of the Rehabilitation Act of 1973. The statement should be as specific as possible regarding the actions(s) or inaction(s) that precipitated the grievance: date, place, persons involved, efforts made to settle the matter informally, and the remedy sought.

- If a student with a grievance alleging disability discrimination is also employed by the University, and the grievance arises out of the student's employment, the grievance may be filed under the University's Complaint Procedures in Cases of Alleged Unlawful Discrimination or Harassment with Human Resources.
- If the Disability Officer receives a grievance which appears to allege disability discrimination arising out of a student's employment, the grievance may be referred to the appropriate office to be handled under the policy applicable to employees.

Where the grievance arises out of a decision made by the designee of the Office of Student Life regarding a student's eligibility for academic or other accommodations, the grievance will be forwarded for investigation to the Vice President of Academic Affairs . Grievances otherwise involving academic matters (for example: cases in which grades are disputed) will also be forwarded to the Vice President of Academic Affairs , who will determine which office(s) should conduct the investigation.

Otherwise, the designee of the Office of Student Life shall investigate the matters set forth in the written grievance. In conducting this investigation, the investigator may forward a copy of the grievance statement to the persons whose actions (or inactions) are the subject of the grievance, and may request a written response from appropriate individuals in the University. The investigator may also choose to interview witnesses, to meet with concerned parties, to receive oral or written statements, and to make other appropriate inquiries.

After completing the investigation, the investigator will forward a copy of a report and recommendation to the appropriate University official.

- If the complaint arises out of an academic unit, the report will be forwarded to the dean of the appropriate college, unless he is the subject of the grievance. In such cases, the report will be sent to the Vice President of Academic Affairs.

- If the complaint arises from a non academic unit, the report will be forwarded to the administrative head of the unit, unless he is the subject of the grievance.

Within forty-five (45) days of the filing of the grievance, the Vice President of Academic Affairs, dean, or administrative head will render a decision on the merits of the student's complaint. If resolution is not possible within forty-five (45) days, the Vice President of Academic Affairs, dean, or administrative head shall inform the student of the status of the investigation.

Copies of the decision by the Vice President of Academic Affairs, dean, or administrative head will be sent to the student, the Vice President of Academic Affairs (when not issued by him), and the Dean of Students. A copy may also be sent to the department and/or the persons whose actions (or inactions) are the subject of the grievance, as appropriate.

In the event that the student is not satisfied with the resolution of the grievance, an appeal may be made. The appeal should be filed with the Dean of Students, who will direct the appeal and all appropriate records to the appropriate office of the University for review and disposition.

Copies of the decision will be maintained in the Office of the Vice President of Academic Affairs, and the VP of Student Life. These procedures shall constitute the grievance procedure mandated by regulations implementing Section 504 of the Rehabilitation Act.

Questions about the University's Student Grievance Procedures in Cases of Alleged Disability Discrimination should be addressed to the VP of Student Life.

Exceptions to these procedures may be granted by the President, Vice President of Academic Affairs, or the General Counsel.

The Office of Student Life, with the designee, arranges academic accommodations for qualified students with disabilities. Accommodations may include academic tutorial assistance, possible examination-related accommodations (such as extended time or a distraction-reduced environment, or possible extended time with assignments). Students seeking academic accommodations will first need to fill out the RFA (Request for Accommodations) form. The form is available online at swcu.edu or in the Office of Student Life.

Appendix D

Jeanne Clery Act

The federal **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)** requires colleges and universities; both public and private, participating in federal student aid programs to disclose campus safety information, and impose certain basic requirements for handling incidents of sexual violence and emergency situations. Disclosures about crime statistics and summaries of security policies are made once a year in an Annual Security Report (ASR), and information about specific crimes and emergencies is made publicly available on an ongoing basis throughout the year.

The Clery Act is named in memory of Jeanne Clery who was raped and murdered in her residence hall room by a fellow student she did not know on April 5, 1986. Her parents championed laws requiring the disclosure of campus crime information, and the federal law that now bears their daughter's name was first enacted in 1990. It has been amended regularly over the last two decades to keep up with changes in campus safety with the most recent update in 2013 to expand the law's requirements concerning the handling of sexual violence (see the summary of the Campus Sexual Violence Elimination Act for additional information about these requirements which take effect in 2014).

Southwestern Christian University is in compliance with the Jeanne Clery Act and makes information available in our Annual Campus Safety and Security Report. The report is available online at swcu.edu and also at the Office of Student Life.

Appendix E Student Complaint Procedures

Anyone submitting a complaint is encouraged to follow the protocol on page 29. In summation, 1) discuss the issue with the person directly involved, 2) if not resolved, discuss the issue with

the immediate supervisor of the person involved, 3) if the issue is still not resolved, a formal complaint with the Office of Academic Affairs or Student Life may be in order. ***Again, a complaint is not considered formal until it is submitted in writing to university personnel.***

The student should use the following procedure for Non-Academic issues:

- A student complaint form should be submitted to the VP of Student Life. Forms are available at the Office of Student Life. It should contain (at a minimum) the date and time of the alleged conflict or action, the reason(s) for the complaint, a summary of the complaint, a list of other persons who may provide information and any appropriate documentation. The student must also include the resolution or outcome he or she is seeking. The complaint must be submitted within ten (10) business days of the alleged conflict or action.
 - Upon receipt of a completed form, a conference will take place with the student and a staff member from the VP of Student Life office.
 - The staff member will notify appropriate persons and request any information or documentation needed to resolve the complaint.
 - The staff member may attempt to resolve the complaint by encouraging discussion between the student(s) or the faculty member/administrator or by taking the appropriate action to resolve complaint.
 - A review of the complaint with the VP of Student Life and other administrators may take place before final resolution.
 - When possible, the final resolution (or a finding of “unresolved”) will be filed in the Office of Student Life within fifteen (15) business days of the date the complaint is filed. If there are circumstances requiring an extension of this deadline, the staff member assigned to the complaint will notify the parties involved.

For Academic issues, please refer to the Academic catalog or the Class Syllabus.

Appendix F

Disruptive and Obstructive Behavior

Policies of the Board of Regents stipulate that any student, faculty member, administrator or employee, acting individually or in concert with others, who clearly obstructs or disrupts, or attempts to obstruct or disrupt any teaching, research, administrative, disciplinary or public service activity authorized to be discharged or held on any campus of Southwestern Christian University in Bethany or in Tulsa is considered by the Board to have committed an act of gross irresponsibility and shall be subject to disciplinary procedures, possibly resulting in dismissal as a student or termination of employment.

I. Classroom Behavior

Ordinarily, disruptive behavior is not a problem in a college setting.

However, should a student's classroom be disruptive, the following policy applies:

If a student's conduct interferes with or disrupts the orderly class process, the instructor should promptly advise the student to cease the misbehavior. If the disruptive behavior continues, the instructor may ask the student to leave the class and to schedule a private conference with the instructor prior to returning to the class. The instructor may also refer the matter to the Vice President for Student Life for appropriate disciplinary action.

If the student refuses to leave the classroom and continues the disruptive behavior, the instructor may discontinue the class session, inform the student not to return to class without the instructor's permission, and report the incident in writing to the Vice President for Student Life. Such a report should include dates, times, action, names of persons involved, and names of witnesses. The Vice President for Student Life then pursues the matter with the Vice President for Academic Affairs and through the student disciplinary procedure if necessary.

If, when the class next convenes, the student attempts to return to class without the prior permission of the instructor, the instructor may deny the student access to the class. If the student interferes with or disrupts the orderly class process and/or refuses to leave the classroom when requested by the instructor, the instructor may obtain the assistance of the campus security officers to remove the student from the class and prevent return to that class. The instructor will inform the Vice President for Student Life of the incident without delay.

II. Emergency Disruptions

Campus disruptions pending or caused by acts of God (tornado) or of undetermined origin (fires or bomb threats) and other disruptions (accidents or traumatic illnesses) are to be dealt with by existing emergency plans that will if possible preserve life, property, and the normal operations of the University.

III. Public Demonstrations

Demonstrators, however, do not have the right to deprive others of the opportunity to speak or be heard, physically obstruct the movement of others, or otherwise disrupt the educational or institutional processes in a way that interferes with the safety or freedom of others.

Students should be free, and no special permission should be required, to collect names for petitions concerned with campus or off-campus issues.

Demonstrators may be subject to disciplinary action if they:

- Disrupt or obstruct curricular, co-curricular, or administrative/operational activities of the University;
- Deny the rights of students, faculty, staff, or guests of the University;
- Inhibit others from moving freely on any part of the University campus;
- Disrupt the proper use of University offices or facilities;
- Endanger the safety of any person on University property;
- Destroy or damage property;
- Violate statutory health or safety regulations.

Appendix G Title IX

Sexual Harassment and Misconduct/Violence

Intro

Sexual misconduct and sexual harassment are two forms of gender discrimination that are not tolerated by Southwestern Christian University. The University encourages victims to report all instances of gender discrimination in any form. Southwestern Christian University is committed to providing a productive living and learning community where students can pursue their educational goals. Gender discrimination, sexual harassment and sexual misconduct undermine this commitment and affect the ability of students to focus on their educational goals.

Where there is sufficient information/evidence to believe that the University's policies prohibiting gender discrimination, sexual harassment or sexual misconduct have been violated, the University will pursue strong disciplinary action through its student conduct system. Even if law enforcement and criminal justice authorities choose not to prosecute a particular incident, the University may still pursue the incident as a student misconduct matter. Where it is determined that sexual misconduct is more likely than not to have occurred, University disciplinary sanctions can include suspension.

Instances where gender discrimination is not addressed through the student conduct system the

University still has the obligation under Title IX to take immediate action to eliminate the harassment, prevent its recurrence and address its effects.

Definitions

Gender Discrimination

Gender discrimination is unequal or disadvantageous treatment of an individual or group of individuals based on gender.

Sexual Harassment

Sexual harassment is a form of gender discrimination. Sexual harassment includes unwelcome sexual advances, requests for sexual favors and other verbal or physical contact of a sexual nature when:

- a. Submission to such conduct is made explicitly or implicitly a term or condition of leadership, membership in an organization, student social events, academic standing or participation in any University activity.
- b. Submission to or rejection of such conduct by an individual is used as a basis for evaluation, particularly in making employment or academic decisions affecting the individual; or
- c. Such conduct has the purpose or effect of unreasonably interfering with the other individual's performance or creating an intimidating, hostile or offensive educational and University environment.

Sexual harassment can create a hostile environment. Sexual harassment should be reported even if it doesn't reach the point of a hostile environment. A hostile environment is defined as subjectively and objectively offensive and sufficiently severe or pervasive to alter the conditions of the victim's educational, employment or University environment.

Examples of violations:

Unwelcome sexual flirtation, advances or propositions of sexual activities.

Asking about someone else's personal, social or sexual life or about their sexual fantasies, preferences or history.

Discussing your own personal sexual fantasies, preferences or history.

Repeatedly asking for a date from a person who is not interested.

Whistles, cat calls or insulting sounds.

Sexually suggestive jokes, innuendoes or turning discussions into sexual topics.

Sexually offensive or degrading language used to describe an individual or remarks of a sexual nature to describe a person's body or clothing. Calling a person a "hunk," "doll," "babe," "sugar," "honey," or similar descriptive terms.

Displaying sexually demeaning or offensive objects and pictures.

Staring repeatedly at someone.

Invading a person's personal body space.

Making sexual gestures with hands or body movements.

Rating a person's sexuality.

Treating a person differently based upon his/her gender.

Massaging a person's neck or shoulders.

Touching a person's hair or body.

Sexual Misconduct

Sexual misconduct is a broad term encompassing any non-consensual contact of a sexual nature. Sexual misconduct may vary in its severity and consists of a range of behavior or attempted behavior including, but not limited to, the following examples of prohibited conduct:

a. Unwelcome sexual touching

The touch of an unwilling or non-consensual person's intimate parts (such as genitalia, groin, breast, buttocks, mouth, or clothing covering same); touching an unwilling person with one's own intimate parts; or forcing an unwilling person to touch another's intimate parts.

b. Non-consensual sexual assault

Unwilling or non-consensual penetration of any bodily opening with any objects or body part. This includes, but is not limited to, penetration of a bodily opening without effective consent through the use of coercion.

c. Forced sexual assault

Unwilling or non-consensual penetration of any bodily opening with any object or body part that is committed either by force, threat, intimidation, or through exploitation of another's mental or physical condition (such as lack of consciousness, incapacitation due to drugs or alcohol, age, or disability) of which the assailant was aware or should have been aware.

Effective Consent is:

informed;

freely and actively given;

mutually understandable words or actions; and

Indicating a willingness to participate in mutually agreed upon sexual activity.

Further:

Initiators of sexual activity are responsible for obtaining effective consent.

Silence or passivity is not effective consent.

The use of intimidation, coercion, threats, force or violence negates any consent obtained.

Consent is not considered effective if obtained from an individual who is incapable of giving consent due to the following:

1. mental, developmental, or physical disability; or
2. s/he is under the legal age to give consent; or
3. s/he is intoxicated by alcohol, beer or under the influence of drugs.

Individuals who commit acts of sexual misconduct assume responsibility for their behavior and must understand that the use of alcohol or other drugs does not reduce accountability for their actions.

Examples of violations:

Ignoring an individual's protest and engaging in sexual activity.

Convincing somebody to have sex is likely to constitute intimidation or coercion. If someone is coerced, the yes is not effective consent.

Drinking and/or drug use may render an individual incapable of giving consent for sexual

activity. For example, someone who is intoxicated may agree to have sex at the time, but have no memory of the consent. This person may have been functioning in a “blackout” and did not give effective consent.

Holding a person down or preventing a person from leaving the room and forcing him or her to engage in sexual activity against his/her will.

Stalking

Stalking includes, but is not limited to, the persistent, severe or pervasive harassment of another person in a manner that would cause a reasonable person to feel frightened, intimidated, threatened, harassed or molested. This may include repeatedly contacting another person (through any means, such as in person, by phone, electronic means, text messaging, etc.), following another person or having others contact another person on your behalf.

Dating Violence

Dating violence is committed by a person who is or has been in a social relationship of a romantic or intimate nature with another person. The existence of such relationship shall be determined based on a consideration of the following factors:

- Length of the relationship

- The type of relationship

- The frequency of interaction between the persons involved in the relationship.

Domestic Violence

Domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person.

Retaliation

The University will not tolerate retaliation against a person who brings a complaint forward in good faith. Retaliation against an individual who has brought a complaint forward or against an individual who has participated in an investigation is prohibited.

Reporting

All forms of gender discrimination, sexual harassment or sexual misconduct should be reported, no matter the severity.

Reporting to the Police

The University strongly encourages you to report sexual violence and any other criminal offenses to the police. This does not commit you to prosecute but will allow the gathering of information and evidence. The information and evidence preserve future options regarding criminal prosecution, university disciplinary actions and/or civil actions against the perpetrator. If the incident happened on campus, it can be reported to the Title IX coordinator by completing a report form online at www.swcu.edu. When submitted, this form is sent directly to the Title IX coordinator, who will review the information and contact the necessary students and/or Southwestern Christian University officials. If the incident occurred elsewhere in Bethany, it can

be reported to the Bethany Police Department at 6714 NW 36th St, Bethany, OK 73008 or at (405) 789-2323. If the incident happened anywhere else, it can be reported to the local law enforcement with jurisdiction in the location where it occurred.

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

Student Conduct Process

Once a report has been submitted

Southwestern Christian University encourages students to be knowledgeable about the process that occurs once you have filed a complaint regarding Sexual Harassment/Misconduct. The following describes the investigation process, the disciplinary proceedings that may take place along with the potential outcomes. A member of the Disciplinary Committee will be available to explain the process to you individually as requested.

Investigation

1. You will be notified of receipt of your complaint/report and the actions the University official will take.
2. A University official will meet with you to discuss the complaint submitted, review the investigation and to determine the outcome you desire from your complaint.
3. An investigation will be conducted by University official(s) who have received specialized training in handling such sensitive situations. This investigation will include:
 - University officials meeting personally with the complainant (victim),
 - Meeting personally with the student(s) accused,
 - Meeting personally with any witnesses, and
 - Reviewing any documentary evidence.
4. The investigation of complaints will be adequate, reliable and impartial.
5. The investigation process can take up to 60 days.
6. The University official(s) will determine if a meeting with the Disciplinary Committee is necessary.
7. If it is determined that the University will proceed with a formal disciplinary proceeding, the complainant and the accused student(s) will be notified of the date, time, and location.

Disciplinary Committee/Proceedings

You will be notified in advance of the meeting date, time and location. Meetings will be scheduled around your academic schedule.

You are permitted to be present during the disciplinary meeting (except during deliberations of the committee). If there is a known immediate safety risk, communicate this to the Vice President of Student Services, and accommodations can be arranged.

You are permitted to make statements, provide additional witness information and introduce evidence during the disciplinary meeting. Witnesses and evidence must be directly related to the incident.

The standard of proof used in all university disciplinary cases is preponderance of the evidence, which means the determination to be made is whether it is more likely than not a violation occurred. This is significantly different than proof beyond a reasonable doubt, which is required for a criminal prosecution.

Outcome

When it is determined that sexual misconduct is more likely than not to have occurred, the outcome may include permanent separation from the University.

The complainant (victim) has the right to be informed of the outcome. The complainant will be notified within two business days after the meeting, at the same time the accused is informed of the outcome.

Both the complainant and the accused have the right to appeal the decision reached through the disciplinary meeting proceedings within seven days after the outcome results have been delivered to all parties involved.

Accommodations

The Office of Student Life and the Title IX Coordinator can provide accommodations to student victims of gender discrimination, sexual harassment and sexual misconduct as needed.

We can assist you in filing a complaint with the university disciplinary process and the appropriate law enforcement agencies against the student(s) who caused harm.

We can assist you in completing a No Contact Order between you and the accused, which would prohibit contact between you and the accused through any means of communication, as well as having others contacting you on behalf of the accused.

We can coordinate any reasonable arrangements that are necessary for your ongoing safety. This includes changing your living arrangements or that of the accused, changing your class schedule or that of the accused, transportation arrangements or providing an escort.

We can coordinate any reasonable arrangements to address the effects of the sexual violence on you, including connecting you with counseling, health care or academic support resources.

Resources

Sexual harassment and sexual violence can be very emotionally disruptive, and it takes time to come to terms with such a major stress. In addition to support that may be found in family and friends, the following agencies and departments can serve as resources for you. It is important to be aware that different individuals who you may contact for assistance following an incident may have different responsibilities regarding confidentiality, depending on their position. Under state law, some individuals can assure the victim of confidentiality, including counselors and certified victims' advocates. In general, however, any other university employee cannot guarantee complete confidentiality, unless specifically provided by law. As is the case with all colleges and universities, the University must balance the needs of the individual victim with an obligation to protect the safety and well-being of the community at large.

Bethany Police Department rape crisis intervention team.

405-789-2323

Crisis Hotline. For information

405-848-2273

Deaconess Hospital Emergency Department.

405-949-6106

YMCA Domestic Violence Hotline.

405-949-1866

Integrus Health/Baptist Medical Center Emergency Room.

405-949-3155

Mercy Hospital Social Services Department

405-752-3763

Southwestern Christian University Amnesty Policy

Southwestern Christian University encourages sexual misconduct/violence reporting and seeks to remove any barriers to reporting by making the procedures for reporting transparent and straightforward. Southwestern Christian University recognizes that an individual who has been drinking or using drugs at the time of the incident may be hesitant to make a report because of potential consequences for his/her own conduct, which may violate university policies.

An individual who reports sexual misconduct, either as a complainant or a third party witness, will not be subject to disciplinary action by the university for his/her own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health or safety of any other person at risk. This amnesty policy applies to the university's disciplinary committee process as well as related policies applicable to students, faculty and staff. The university may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

Appendix H

Computer and Technology Usage Policy

I. PURPOSE

This policy is designed to perpetuate Southwestern Christian University's academic, research, and service mission by defining the appropriate and responsible use of the information and technology resources at Southwestern Christian University. Each authorized user of these resources must assume responsibility for his/her own behavior while utilizing these assets. Users of these resources should accept that the same morality and ethical behavior that serve as guides in its non-technology environments should also serve as guides in its information and technology environment. It is imperative that the campus community understands that information and technology resources require responsible behavior from all its users.

II. SCOPE

This policy applies to all faculty, staff, students, contractors or any other individual using information and technology at Southwestern Christian University. Access to southwestern Christian University-owned hardware, software and support provided by technology staff members is a privilege and not a right. Accepting access to this information and technology carries an associated expectation of responsible and acceptable use. When accessing any remote resources using Southwestern Christian University technology resources, users are required to comply with both the policies set forth in this document and all applicable policies governing the use and access of the remote systems. When these policies conflict with each other, this policy and all other Southwestern Christian University policies will supersede the remote system's policies.

III. DEFINITIONS

Computer - An electronic device that performs logical, arithmetic, and memory functions by manipulating electronic or magnetic impulses, and that includes all input, output, processing, storage, software, and communication facilities that are connected or related to an electronic system or communication network.

Computer hardware - Any and all tangible or physical devices attached to or used in conjunction with a computer system.

Computer network - The interconnection of communication lines, including wireless connections, with a computer through remote terminals or a complex consisting of two or more interconnected computers.

Computer program - An ordered set of instructions or statements that, when executed by a computer, causes the computer to process data.

Computer resources - Any and all computerized institutional data, computer hardware, and computer software owned by or operated at Southwestern Christian University.

Computer software - A set of computer programs, procedures, or associated documentation used in the operation of a computer system.

Computer supplies - magnetic tape, tape cartridges, diskettes, floppy diskettes, compact discs, and computer output, including paper, magnetic, optical, or other media.

Computer system - A set of related computer equipment, hardware or software.

Data - A representation of information, knowledge, facts, concepts, or instructions that have been prepared or are being prepared in a formalized manner and have been processed, are being processed, or are intended to be processed in a computer system or computer network. Data may be in any form including computer printouts, magnetic storage media, compact discs, and as stored in the memory of Southwestern Christian University computers. Data are property.

Data Steward - Individual responsible for the accuracy and institutional responsibility for a set of data, e.g., Human Resources Director for personnel and payroll data, Registrar for student records.

Institutional policy - A succinct and cogent written document bearing the approval of the President's Cabinet of the university that clearly defines Southwestern Christian University faculty, staff, student, and institutional responsibilities within a prescribed area of campus existence.

Property - Anything of value, including but not limited to financial instruments, information, electronically produced data, computer software, and computer programs.

Responsible use - Any action or behavior of an individual that does not cause accidental or unauthorized destruction, disclosure, misuse, or modification of or access to the information technology or computer resources owned or operated by Southwestern Christian University.

Technology resources - Any and all computer or electronic resources that are used in the search, access, acquisition, transmission, storage, retrieval, or dissemination of data.

User - Any people authorized to access and use the information technology resources at Southwestern Christian University.

User account - Any logical access on any Southwestern Christian University computer system that has been specifically established for a particular user. A user account may have a dedicated logical area on one or more Southwestern Christian University computer system also associated with it.

IV. PROCEDURE (OR PROCESS)

SECTION ONE – GENERAL

1.1 Access & Privileges

1.1.1 User Accounts

Southwestern Christian University faculty, staff, students, contractors or any other individual using information and technology at Southwestern Christian University are provided access as outlined in Southwestern Christian University's Account Management Policy to various information systems and technology based upon their individual role and need. These accounts may include, but are not limited to: individual computers or workstations accounts, personal network file-space accounts, directory services accounts (i.e. AD, LDAP and SSO), applications accounts (i.e. email, ERP, LMS, CMS, CRM, etc.) and others. Access to these accounts is a privilege not a right and may be revoked for any reason including non-compliance with Southwestern Christian University's Account Management Policy.

1.1.2 Southwestern Christian University ID

Users are responsible for all activity performed with their Southwestern Christian University ID. Southwestern Christian University IDs may not be utilized by anyone but the individuals to whom they have been issued. Users must not allow others to perform any activity with their Southwestern Christian University IDs. Similarly, users are forbidden from performing any activity with Southwestern Christian University IDs belonging to other users. Any suspected unauthorized access of a user account should be reported immediately to the Chief Information Officer, the Executive Director of Information Technology or their designee.

1.1.3 Passwords

Regardless of the circumstances, passwords must never be shared or revealed to anyone else besides the authorized user. To do so exposes the authorized user to responsibility for actions that the other party takes with the password. If users need to share computer resident data, they should use electronic mail, public directories on local area network servers, and other mechanisms, so long as doing so does not violate any policies, regulations or practices related to PII, FERPA or HIPPA. All users are responsible for both the protection of their user account password and the data stored in their user account.

1.1.4 System Privilege Deactivation

All accounts may be deactivated if account privileges are no longer commensurate with an individual's function at the university or their need to know due to a change in their status. See employee specific and student specific deactivation policies in the Account Management Policy.

1.1.5 No Responsibility for Personally Owned Computers

Southwestern Christian University cannot provide, and will not be responsible for, software or data kept on personally owned computers, nor is it responsible for the installation, repair, maintenance or upgrade of personally owned hardware.

1.2 Acceptable Use

1.2.1 Acceptable Uses of Information and Technology Resources

All information and technology resources at Southwestern Christian University are provided to assist faculty, staff, students, contractors or any other individual in acquiring and disseminating information related to the performance of regularly assigned job duties, classroom assignments, or scholarly research.

1.2.2 Unacceptable Uses of Information and Technology Resources

Any information, data, or programs not congruent with the mission of Southwestern Christian University must not be created, stored, transmitted, viewed or manipulated using Southwestern Christian University-owned technology or information systems.

The following is a list that includes, but is not limited to unacceptable uses of information and technology resources at Southwestern Christian University.

- A) Transmitting any material, or engaging in any other activity in violation of any federal, state, or local laws, including U.S. and international copyright law or trade agreements.
- B) Transmitting or accessing information containing harassing material. Electronic

harassment includes, but is not limited to:

- i. Text images with the intent to harass, terrify, intimidate, threaten or offend another person
- ii. Contact of another person with the intent to harass or bother, whether or not any actual message is communicated, and/or where no purpose of legitimate communication exists, and where the recipient has expressed a desire for the communication to cease
- iii. The disruption or damage of academic, research, administrative or related pursuits of another
- iv. Invading the privacy, academic or otherwise, of another or the threatened invasion of the privacy of another.

C) Transmitting, displaying, or viewing offensive content, this includes, but is not limited to:

- i. sexual comments or images
- ii. racial slurs
- iii. gender specific comments or any comments that would offend someone on the basis of their age, sex, national origin or disability
- iv. Displaying, sending, printing, or storing sexually explicit, graphically disturbing, obscene, pornographic, fraudulent, harassing, threatening, abusive, racist, or discriminatory images, files or messages in any campus computing facility or any campus location.

D) Disseminating or printing copyrighted materials, including computer files, articles and software, in violation of U.S. and international copyright laws or trade agreements

E) Attempting forgery of email messages

F) Physical or electronic interference with other computer systems users

G) Any other practice or user activity that, in the opinion of management constitutes irresponsible behavior, promotes illegal activities, results in the misuse of resources, or jeopardizes the operation of information and technology resources at Southwestern Christian University.

1.2.3 Prohibition Against Commercial Use of Information Resources

Southwestern Christian University users must not use Southwestern Christian University information and technology resources for soliciting business, selling products, or otherwise engaging in commercial activities other than those expressly permitted by Southwestern Christian University administrators. Prohibited activity includes, but is not limited to operating a business, usurping business opportunities or soliciting money for personal gain.

1.3 Privacy and Data Ownership

1.3.1 Legal Ownership of Information Systems Files and Messages

Southwestern Christian University has legal ownership of the contents of all files stored on its information and technology resources as well as all content transmitted via these systems. Southwestern Christian University reserves the right to access all such information without prior notice whenever there is a genuine business need.

1.3.2 No Responsibility for Monitoring Content of Information Systems

Southwestern Christian University reserves the right to remove any message, file, database, graphic, or other material from its information and technology resources. At the

same time, Southwestern Christian University has no obligation to monitor the information content residing on or flowing through those systems.

1.3.3 Privacy Expectations and Information Stored on Southwestern Christian University Systems

At any time and without prior notice, Southwestern Christian University reserves the right to examine archived electronic mail, personal file directories, hard disk drive files, and other information stored on Southwestern Christian University information and technology resources. Similarly, at any time and without prior notice, Southwestern Christian University reserves the right to examine or monitor any device attached, for any reason, to the Southwestern Christian University network. This examination is performed to ensure compliance with internal policies, to support the performance of internal investigations, to comply with legal requirements such as a subpoena or court order, and to assist with the management of Southwestern Christian University's systems. It is also possible that other individuals, organizations and agencies, with permission from Southwestern Christian University administrators, may likewise access or monitor these same systems, whenever there is a legitimate business need of Southwestern Christian University for them to do so.

1.3.4 Disclaimer of Responsibility for Damage to Data and Programs

Southwestern Christian University uses access controls and other security measures to protect the confidentiality, integrity, and availability of the information handled by information and technology resources. In keeping with these objectives, Southwestern Christian University maintains the authority to:

- a. restrict or revoke any user's privileges,
- b. inspect, copy, remove, or otherwise alter any data, program, or other resource that may undermine these objectives, and
- c. take any other steps deemed necessary to manage and protect those systems. This authority may be exercised with or without notice to the involved users. Southwestern Christian University disclaims any responsibility for loss or damage to data or software that results from its efforts to meet these security objectives.

1.4 Intellectual Property

1.4.1 - Copyright Laws

Unless placed in public domain by its owners, Section 117 of the 1976 Copyright Act protects software programs. Software is also protected by the license agreement between the owner and purchaser. It is illegal to duplicate, copy, or distribute software or its documentation without the permission of the copyright owner.

1.4.2 - Software

Respect for the intellectual work and property of others has traditionally been essential to the mission of academic institutions. As members of the academic community, Southwestern Christian University values the free exchange of ideas. Just as Southwestern Christian University does not tolerate plagiarism, Southwestern Christian University strongly supports strict adherence to software vendors' license agreements and copyright holders' notices. If Internet users or other system users make unauthorized copies of software, the

users are doing so on their own behalf, since all such copying is strictly forbidden by Southwestern Christian University.

1.4.3 Fair use

Unless permission from the copyright owner(s) is first obtained, making multiple copies of material from magazines, journals, newsletters, and other publications is forbidden unless this is both reasonable and customary. This notion of "fair use" is in keeping with international copyright laws.