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### About the OGC

**Who are we, and what do we do?** The OGC is the in-house “law firm” for K-State. We are a group of attorneys and paralegals dedicated to providing administrators and other employees acting on behalf of the University with timely, accurate legal advice and practical guidance in a collaborative environment. We are involved in early and ongoing preventive advising, policy review and development, contract review and negotiation, proactive education about legal issues, and all

stages of dispute resolution, including litigation. Our goal is to facilitate the University’s success in its educational, research and service missions, including the K-State 2025 visionary plan, by helping prevent and solve legal problems.

This newsletter is an informational resource designed to further communications with our clients, enhance awareness of legal issues, and increase the accessibility of our services.

### Crime Reporting and Campus Security:

#### What You Need to Know About the Clery Act

A safe and secure campus takes the cooperation of the entire campus community. The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“the Clery Act”) requires colleges and universities to disclose information about crime on and around their campuses. It is enforced by the U.S. Department of Education, which has imposed significant fines against universities in recent years for violations ranging from failure to notify the community of crimes in a timely manner to omissions of policy statements and crime statistics in the annual security report. The Clery Act specifically requires colleges and universities to: (1) publish and distribute an annual security report containing crime statistics, fire reports (for campus housing) and security policies and procedures; (2) issue timely warnings and emergency notifications to the community about certain crimes and emergencies; and (3) enact policies concerning missing students.

K-State’s **annual crime statistics and security policies** are found in the Annual Campus Security and Fire Safety Reports for each campus. See Reports at [www.k-state.edu/studentlife/reportsandpolicies/](http://www.k-state.edu/studentlife/reportsandpolicies/).

#### Reporting Crimes and Emergencies

Crimes, suspicious activity and other emergencies on campus should be reported to campus police immediately. Call 911 or 9-911 in an emergency, or contact campus police at 785-532-6412 or [www.k-state.edu/police](http://www.k-state.edu/police). Anonymous and confidential reports may be made through the K-State Police

Department’s Silent Witness program at: [www.k-state.edu/police/silent/](http://www.k-state.edu/police/silent/).

#### Reporting Child Abuse

All K-State employees are required to report to the campus police or other appropriate law enforcement agencies any incidents of child sexual abuse that they witness on the University’s campus or at a University-sponsored event.

#### Reporting Threats, Threatening Behavior and Violence

K-State’s Threat Management Policy ([PPM chapter 3015](#)) requires employees to notify the Associate Vice President of Human Resources of any threats they have witnessed, received, or have been told that another person has witnessed or received. Employees should also report any behavior they have witnessed that they regard as threatening or violent when that behavior is job-related or might be carried out on state-owned or leased property or in connection with state employment. The University Threat Management Team will investigate potential violations of this policy that involve employees and will recommend actions to immediately manage and alleviate any determined threat. The Critical Incident Response Team (CIRT) will investigate potential violations of this policy that involve only students. When incidents involve a combination of faculty, staff, students or visitors, the CIRT will work in conjunction with the Threat Management Team to manage and alleviate any determined threat.



## Featured FAQ

### **Q: Who can use the services of the Office of General Counsel?**

A: The University is our client, and it is to the University that we owe the duties of loyalty, confidentiality and advocacy. Any K-State administrator or employee who is acting on behalf of the University is, in that capacity, an agent of the University and therefore a personification of our client. Thus, we serve literally thousands of individuals as clients and we advise and represent them as they work to administer the affairs of K-State in pursuit of its mission. We must be cognizant of possible conflicts of interest within the organization to ensure that we are always serving and protecting the interests of our client, the University.

We cannot give legal advice for personal matters. The Kansas Bar Association provides referrals for personal legal services.

Legal services for students are available in the Office of Student Activities and Services at the K-State Student Union.

*For more FAQs, please visit our website at [www.k-state.edu/generalcounsel/faq/](http://www.k-state.edu/generalcounsel/faq/).*

### **Visit our website:**

[www.k-state.edu/generalcounsel/](http://www.k-state.edu/generalcounsel/)  
Our website gives an introduction to the services we provide and addresses frequently asked questions. It also houses a list of resources for easy access to laws and policies applicable to university operations.

## Ten Tips for Completing I-9s

The law requires that we maintain an accurate I-9 form for all employees hired on or after Nov. 6, 1986. Below are 10 quick tips that answer some of our personnel specialists' frequently asked questions. For complete I-9 instructions, visit [www.k-state.edu/hr/ped/compI-9.html](http://www.k-state.edu/hr/ped/compI-9.html) or contact HR's payroll and data division at 785-532-6277.

1. Make sure you are using the most current form.
2. The employer portion of the I-9 must be completed by the person reviewing the new employee's original documents.
3. You are not required to keep copies of documentation, but if you do, you must do so for everyone. If your department would like to discontinue keeping copies, simply pick a date and document it in your I-9 file. For example, "As of Nov. 1, 2012, this department will not retain photocopies for newly completed I-9s." Importantly, you should not dispose of copies made before that date.
4. Pay attention to the categories. List A documents should only be listed in the List A column, List B in the List B column, etc.
5. If you were presented with a List A item, do not ask for and do not list anything in the List B or List C columns. More is not better.
6. If you are missing an I-9 form, have the employee complete the current version of the form, completing date fields with the date the new form is completed. It is a felony to backdate!
7. Make sure all signature and date fields have been completed.
8. The Spanish form can be used for translation only; the English version must be completed and maintained.
9. Conduct periodic reviews. If an error needs to be corrected, it should be marked through with a single line, corrected, initialed and dated. Do not erase or completely scratch out errors. If possible, the correction should be done by the person who completed the form.
10. If an Immigration and Customs Enforcement agent or other law enforcement officer contacts you, immediately send them our way before releasing any documents. We will be happy to help them.

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## End Notes:

### **Political Campaign Activity Rules**

It's campaign season again! As a governmental entity, many different rules and policies regarding political activities apply to our campus and employees. In collaboration with K-State's Office of Governmental Relations, we created the Campus Administrator's Reference for Political Activities, available at [www.k-state.edu/govrelations/university/PAP.html](http://www.k-state.edu/govrelations/university/PAP.html). Please take advantage of this useful resource.

### **Revised NIH Conflict of Interest Regulations**

The National Institutes of Health recently amended its Financial Conflict of Interest rules, and the University has modified its policies accordingly. The new policy is titled Conflict of Interest Policy Applicable Only to Public Health Service (PHS)-Supported Investigators and their Staff, and can be found at [www.k-state.edu/policies/ppm/4000/4090.pdf](http://www.k-state.edu/policies/ppm/4000/4090.pdf).

### **Save the Date!**

The Office of General Counsel will hold its annual open house from 3 to 5 p.m. Tuesday, Oct. 9, at 111 Anderson Hall. Mark your calendars and stay tuned for more information.

### **About this Publication:**

This newsletter is designed to serve as an informational tool, bringing you topics of interest and practical tips. It should not be relied on as a substitute for legal advice. Laws, regulations and policies change frequently, and legal advice requires careful consideration and application of all relevant facts. If you have legal questions or need legal advice concerning any University matter, please contact the Office of General Counsel directly at 785-532-5730 or [attys@k-state.edu](mailto:attys@k-state.edu).