



UNIVERSITY OF MINNESOTA ROCHESTER
Safety and Security on Campus
Annual Security and Fire Safety Report

October 1, 2018





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University of Minnesota Rochester
Campus Safety and Security Report and
Annual Fire Safety Report for On-Campus Housing
Reported on October 1, 2018
for calendar year January 1, 2017 - December 31, 2017

Preparing of the Annual Security Report and Disclosure of Crime Statistics

This report is part of the University of Minnesota Rochester’s compliance with the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” (informally known as the “Clery Act”).

This brochure is published annually by the University and made available to all current and prospective students, staff, and faculty. Statistics are compiled by the Facilities and Operations Director in conjunction with the Rochester Police Department and other applicable law enforcement agencies with jurisdiction over University of Minnesota Rochester property and a wide range of University personnel called Campus Security Authorities, which include staff in Residential Life and Student Success and Engagement.

Crime Statistics reported in this document reflect specific crimes which were reported to University of Minnesota Rochester Campus Security Authorities which occurred in specific geographic locations established by federal law. Statistics reflect reports of crime and not criminal charges or criminal convictions.

The definitions of the crimes and geographic categories used in this report are defined below.

Definitions of Terms Used in this Report:

Campus Security Authorities

The Clery Act both defines campus security authorities and states that they must report good faith allegations of crimes to the Clery Compliance Coordinator or Rochester Police Department for inclusion in the Annual Statistical Disclosure. The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many individuals, especially students, may be hesitant about reporting crimes to the police, and may be more inclined to report such incidents to other campus-affiliated individuals.

The Clery Act defines four categories of Campus Security Authorities as stated below:

- A campus police department or a campus security department of an institution. If your institution has a campus police or security department, all individuals who work for that department are campus security authorities. A security department can be as small as one person.

- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g. an individual who is responsible for monitoring the entrance into institutional property). Include individuals such as those who provide security at a campus parking kiosk, monitor access into a campus facility, act as event security for such gatherings as sporting events or large registered parties, or escort students around campus after dark (including other students).

- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution

Geography

Geography definitions are taken from the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

- **On Campus:** Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls. Also, any building or property that is within or reasonably contiguous to the area identified in the first part of this definition that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).
- **On Campus- Residential:** any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility
- **Non-Campus Property:** Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- **Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from campus.

• Clery Geography

All of the above locations combined constitute the University of Minnesota Rochester's Clery Geography

Personally identifying information

Personally identifying information is defined in Section 40002(a) of the Violence Against Women Act of 1994 as individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault or stalking, regardless of whether the information is encoded, encrypted, hashed or otherwise protected, including

- a first and last name;
- a home or other physical address
- contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);
- a social security number, driver's license number, passport number or student identification number; and
- any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

Unfounded Crimes

Crimes which are thoroughly investigated by sworn or commissioned law enforcement personnel; and found through investigation to be false or baseless, meaning that the crime did not occur and was never attempted are classified as unfounded crimes.

Criminal Offenses

The following definitions of criminal offenses detail the elements of each crime; crimes in the annual statistical disclosure found in this report are categorized according to the below definitions. The majority of the definitions are from the FBI's Uniform Crime Reporting Handbook. Sex offense definitions are from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program.

Aggravated Assault: The 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. (It is not necessary that injury result from aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)

Arson: 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 of another, etc.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned— including joyriding.)

Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Manslaughter by Negligence: The killing of another person through gross negligence.

Robbery: 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 putting the victim in fear.

Sexual Assault: Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. The below crimes are specific examples of sexual assault.

- **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
- **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 his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest:** sexual intercourse between persons who are related to each other within the degrees

wherein marriage is prohibited by law.

- **Statutory Rape:** sexual intercourse with a person who is under the statutory age of consent.

Hate Crimes

Hate Crime: a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Under the Clery Act the following bias categories are used: Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin, and Disability. Any criminal offense which also meets the definition of a hate crime will be included in the statistical disclosure in both the criminal offense category and in the hate crime category (i.e. an on-campus aggravated assault motivated by religious bias will be counted in the on-campus aggravated assault category AND in the on-campus aggravated assault motivated by religious bias category)

Additional Hate Crime categories: In addition to the criminal offenses listed under the "Criminal Offenses" section, the following crimes are included IF it is determined that the crime was motivated by bias

- **Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Note: constructive possession is defined by Black's Law Dictionary, sixth ed. as "where one does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.")
- **Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/Damage/Vandalism of Property** (Except "Arson"): To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

VAWA Offenses

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 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.

For the purposes of this definition—

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence: a felony or misdemeanor crime of violence committed—

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- 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;
- 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

Stalking: 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
- Suffer substantial emotional distress.

For the purposes of this definition—

- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Arrests and Referrals for Discipline for Weapons, Drug, and Liquor Law Violations

Weapons Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Drug Law Violations: The Violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and equipment or devices utilized in their preparation and or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Daily Crime Log

UMR maintains a Daily Crime Log available for public viewing. The log is available during regular business hours at the Facilities and Operations Directors office (phone 507-258-8217).

The daily crime log includes crimes which occurred within the University of Minnesota Rochester Clery geography, which have been reported to UMR by Campus Security Authorities, the Rochester Police Department, and other applicable law enforcement agencies.

Entries in the Daily Crime Log do not include personally identifying information of the victim, witnesses or reporting party.

The Daily Crime Log includes; case number, nature of the offense, the reported time and date the offense occurred, the date the incident was reported to UMR, a general description of the location in which the incident occurred, as well as the disposition of the case, if known.

Reporting an Emergency or Crime on Campus

The University of Minnesota Rochester encourages accurate and prompt reporting of all crimes to the Rochester Police Department when the victim or witness of a crime elects to and is able to make such a report.

To Report an Emergency

Dial 911

Dialing 911 will connect you with a dispatcher. Be prepared to give the dispatcher the following information:

- Type of emergency
- Your name
- Your location and location of the emergency (if different)
- Your phone number
- If applicable (e.g., after a crime), a description of individuals (gender, clothes description, height, weight, hair color)
- If applicable (e.g., after a car accident), a description of vehicles (color, make, model, license plate number)

Please remain on the line until the dispatcher tells you it is okay to hang up.

The dispatcher will send the appropriate help to respond to the emergency situation.

To Report a Crime to the Rochester Police Department

Dial 911 from any phone on campus, including cell phones.

Depending on the nature of the crime, the dispatcher may send an officer to your location to take a report or may request that you file the report in person at the police department. You may walk in to the Rochester Police Department in order to file a report.

The Rochester Police Department is located at:

101 4th St SE
Rochester, MN 55902

For non-emergencies Rochester Police can be reached by calling (507) 328-6800.

Online

Reports for some crimes may be filed with the Rochester Police Department online <https://reporting.rochestermn.gov/citizenreporting/reporting.php> (online report is for non-emergency only).

To Report a Crime to a Campus Security Authority:

The University of Minnesota Rochester encourages all reports of crime to be made to the Rochester Police Department, however crimes may also be reported to individuals on campus who have been identified as

Campus Security Authorities.

Campus Security Authorities include but are not limited to: Residential Life Staff, Resident Assistants, Community Advisors, Advisors to student organizations, and others who have significant responsibility for student and campus activities.

Campus Security Authorities have been trained to act as a resource for anyone who wishes to report the occurrence of a crime, but who do not want to make a report to the police or are unsure if they want to make a report to the police. While there are many Campus Security Authorities on campus, the University of Minnesota Rochester prefers reports be made to the following CSAs: Facilities and Operations Director (phone 507-258-8217); Director of Student Success Coaching (phone 507-258-8023); or Residential Life Director (phone 507-258-8028).

During days and times that UMR is not open please contact Premier Security (phone 507-281- 4952) or the Rochester Police Department (phone 507-328-6890).

Voluntary, Confidential Reporting

If you are the victim of a crime and do not want to pursue action through the University and/or the criminal justice system, you may still want to consider making a confidential report to a campus security authority.

Campus Security Authorities will guide you through the steps of making a confidential report, you will have the option to include your contact information, or elect to make the report without providing this information.

The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, UMR can keep an accurate record of the number of incidents occurring on campus; determine crime patterns, and alert the campus community to potential danger.

UMR response to reports of crime

What happens once a crime is reported to the Police or a Campus Security Authority?

Campus Security Authorities are obligated under the law to inform the Facilities and Operations Director of the type of crime, date the crime occurred, date the crime was reported, and location of the crime for statistical purposes. Making a report to a Campus Security Authority generally does not initiate a police report or an investigation through the University, unless the reporting party specifically requests assistance with making a police report or initiating an investigation from the University.

All reports of sexual violence, dating violence, domestic violence and stalking will be forwarded to the Title IX coordinator for investigation. When an alleged victim requests confidentiality or that there be no University investigation, the University will weigh this request in the context of its responsibility to provide a safe and non-discriminatory environment. Employees who have been designated as “responsible employees” under Title IX are required to forward the name of all individuals involved with an allegation of dating violence, domestic violence, sexual assault and stalking to the Title IX coordinator for investigation.

In the case of anonymous complaints, the University is limited in its ability to conduct a full investigation and to fully respond to the effects of a crime.

Crimes reported to Campus Security Authorities will be considered for the need to issue a Timely Warning

Notification. (For more information on Timely Warning Notifications see page 11.)

Reported crimes will be documented on the UMR's Daily Crime Log (For more information on the Daily Crime Log see page 8.)

Finally, all applicable crimes reported to Campus Security Authorities will be included in the annual statistical disclosure (for annual statistics see page 17.)

Public disclosures will not include any personally identifying information of any reporting parties, witnesses, or victims.

Pastoral Counselors and Professional Mental Health Counselors Exempt from Reporting

Campus professional counselors and pastoral counselors, when acting in their professional capacity, are not considered to be campus security authorities and are not required to report crimes for inclusion into the annual disclosure of crime statistics.

The Clery Act defines a Professional Counselor as an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification.

Professional counselors at UMR are encouraged to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in the annual statistical disclosure. Professional Counselors can be found in the department of Student Success and Engagement at University Square (111 S. Broadway), or by calling 507-258-8017.

University of Minnesota Rochester does not employ pastoral counselors on campus.

Timely Warning Notification

The University of Minnesota Rochester issues "timely warnings" to the campus community for crimes that occur within the University of Minnesota Rochester "Clery Geography" (defined on page 5) which are believed to pose a serious or on-going threat to the UMR community. Timely warnings are designed to give the UMR community information which will aid in the prevention of similar crimes.

Crimes which may trigger an alert include criminal homicide, sexual assault, robbery, aggravated assault, burglary, arson, or any other crime that the University believes poses a serious or ongoing threat to the University community.

UMR has communicated with the Rochester Police Department and has requested they inform UMR if they are aware of crimes which have been reported to them which may warrant a timely warning.

Incidents of crimes will be evaluated on a case-by-case basis by the Officer of the Day and the Director of Marketing and Communications, or their designee, to determine if a timely warning is warranted. When the Officer of the Day determines a timely warning is warranted, communications and safety personnel will compose the warning. The Officer of the Day, in collaboration with the Director of Marketing and Communications, will approve the warning and it will be forwarded to the appropriate person for distribution.

Alerts will be electronically distributed to all University of Minnesota Rochester students, staff and faculty via the University of Minnesota email system.

The alerts may include the following details (if available):

- Date and time of the incident
- Location
- Type of crime
- Description of the incident
- Physical description of suspect, including a photograph (when available)
- Apparent connection to previous incidents, if applicable
- Whether the victim sustained an injury
- Pertinent crime prevention tips

Personally Identifying Information of the victim will not be disclosed in a timely warning.

Security at the University of Minnesota Rochester

University of Minnesota Rochester does not maintain its own police force.

University of Minnesota Rochester's Student Security Monitor Program

University of Minnesota Rochester's Student Security Monitor Program employs student security monitors to perform security services for its student housing facility, 318 Commons. The Student Security Monitors wear shirts that clearly identify them as Student Security and remain approachable and available for student assistance.

UMR's Student Security Monitors are not authorized to make arrests, but are trained to recognize when the Rochester Police Department should be called. UMR's Student Security Monitor Program works with Premier Security officers. UMR's Student Security Monitors provide security services at 318 Commons during the evening and weekend hours, and may provide services during other times at campus facilities as deemed appropriate.

UMR works closely with the Rochester Police Department and applicable law enforcement agencies in order to ensure the safety of the campus community. UMR has not established a Memorandum of Understanding (MOU) with any law enforcement agency for the investigation of alleged criminal offenses.

Premier Security

UMR does not have a contract with Premier Security, however Premier Security provides security services for all tenants within the Shopsa at University Square building.

Premier Security staff work closely with local law enforcement and with the state police through the local police. Premier Security staff have the authority to apprehend and arrest individuals involved in illegal acts on campus.

Premier Security's offices are located in the skyway level of Broadway Plaza, 15 1st Street SE, Suite 220, Rochester.

Premier Security provides safety escort services in the evenings.

Students, staff, and faculty may utilize this service by calling Premier Security at 507-281-4952.

Monitoring Non Campus Locations of Student Organizations

UMR does not have any student organizations which own or control non campus property and therefore does not utilize local police agencies to monitor criminal activity of students at non campus property.

Security of and Access to Campus Facilities

Campus hours are posted at all entrances to UMR. Elevator access to all UMR buildings is restricted to posted building hours. Entrance during non-scheduled hours requires an elevator key. All employees are provided keys for office access and selected individuals are provided with elevator access keys.

UMR spaces at University Square are viewed by security cameras that are monitored by the Public Safety Emergency Communications Center at the University of Minnesota Twin Cities campus.

Security of and Access to Residential Facility

Access to the residential floors of UMR's student housing facility, 318 Commons, is restricted to residents of the building who possess a 318 Commons key fob. No person can access any floor above the 2nd floor without a resident assigned fob.

Keys and access to apartment rooms is intended for residents who are assigned to those spaces.

Misuse or the loaning of keys to persons who are not supposed to have access to apartments or rooms is prohibited.

Residents are required to escort visitors at all times within 318 Commons.

The duplication of 318 Commons or UMR provided keys/fobs or access devices is prohibited.

The sale of 318 Commons or UMR provided keys/fobs or access devices is prohibited.

Entering or exiting illegally, improperly, without authorization or permission is prohibited.

The propping of emergency exit doors or doors intended to create safe living environments without authorization in 318 Commons is not allowed.

UMR spaces at 318 Commons are viewed by security cameras that are monitored by the Public Safety Emergency Communications Center at the University of Minnesota Twin Cities campus.

Room Doors

All apartment and individual bedroom doors have locking mechanisms. Apartment doors are always locked and can only be accessed via key fobs given to the tenants of the apartment. Bedroom doors may be locked or unlocked via keys given to each resident.

Stairwells

The stairwells allow egress in the event of an emergency but do not allow ingress. To access the floors, all persons must use the elevators that are controlled via key fob access.

Skyway

The Rochester Skyway is connected to 318 Commons and allows for comfortable, direct access to other UMR facilities and downtown locales. The Skyway is well-lit at night and open until 12:00AM or 1:00AM, and provides a climate controlled and safe alternative to walking outside.

Resident Assistant and Student Security Monitor Staff

Each night beginning at 8:00pm a Resident Assistant is on duty and available by phone. The phone number for the RA duty cell phone is posted by the door to the front desk, included on the floor bulletin boards, and is given to the students during Raptor Ready Week. While on duty the RA will make multiple rounds of the building with additional RA staff available on weekends.

Student Security Monitors are on duty at 318 Commons evenings and weekends during the academic year while credit classes are in session and perform building patrols and maintain a presence at the 2nd floor lounge.

Security Considerations Used in the Maintenance of Campus Facilities

Residents of 318 Commons who have maintenance concerns regarding any building issue should contact Residential Life staff or staff of 318 Commons to report their concerns.

Security Monitors and Residential Life staff routinely perform building checks to ensure that equipment relating to safety and security is properly maintained and functioning.

Concerns regarding maintenance concerns or building issues can also be directed to the Facilities and Operations Director.

The facility which houses UMR at Shops at University Square has security services through Premier Security. Security officers from Premier Security patrol the common areas of the facility and also check safety and security equipment to ensure that it is functioning properly.

Crime Prevention and Safety Programming

A presentation on safety and security at UMR is provided at new employee orientation. Crime prevention and safety information is also provided to the Orientation and Welcome Leaders (OWLS) training in August of each year. The OWLS provide safety information to the new students during orientation week.

The faculty and academic staff are provided safety information at their first meeting of the fall semester. Faculty are reminded to point out the safety measures of each classroom and the evacuation routes for fire and weather emergencies to each of their classes during the first week of the semester.

University Policy on Drugs and Alcohol

The University is committed to providing a healthy learning and working environment for all students and employees and strives to meet this commitment through prevention and awareness programs. Alcohol abuse and illegal drug use endangers the health and safety of all students and employees.

As stated in the University's Drug- Free Policy (<http://policy.umn.edu/operations/drugfree>), students, faculty, and staff are prohibited from engaging in:

- the illegal possession, use, or distribution of alcohol, drugs, and drug paraphernalia on all University premises, in University-supplied vehicles, and as part of University activities and business; and
- the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on all University premises, in University-supplied vehicles, and as part of University activities and business.

University students, employees, and others who conduct research and teaching activities with controlled substances must comply with Administrative Policy: Using Controlled Substances for Research in order to

ensure that they follow all applicable regulations and safely handle and prevent diversion of controlled substances.

University community members are expected to refer suspected illegal situations to Rochester Police or local law enforcement agencies for criminal investigation leading to possible prosecution.

Risks and Sanctions

To make informed choices about drug and alcohol use, students and employees should educate themselves about the serious health consequences of the use, misuse, and abuse of alcohol and other drugs as described in the Drug and Alcohol Health Risks Chart (<http://policy.umn.edu/operations/drugfree-appa>).

Students and employees also should be aware that they may be subject to criminal prosecution under federal, state, and local laws that specify fines or imprisonment or loss of federal financial student aid for conviction of alcohol and drug-related offenses as described in the Drug and Alcohol Legal Sanctions Chart (<http://policy.umn.edu/operations/drugfree-appb>). These legal sanctions are in addition to disciplinary sanctions by the University.

Students—Disciplinary Sanctions

Students who violate the prohibitions of the Drug Free policy are subject to progressive disciplinary procedures as described in the Student Conduct Code: warning; probation; required compliance; confiscation of goods; restitution; restriction of privileges; University housing suspension or expulsion; suspension or expulsion; withholding of diploma or degree; and revocation of admission or degree.

Employees—Disciplinary Sanctions

Employees who violate the prohibitions of the Drug Free policy are subject to discipline ranging from an oral warning, written warning, or unpaid suspension up to termination consistent with policies, rules, and contracts governing the terms and conditions of their employment. Supervisors also may require an employee to provide documentation of satisfactory participation in an alcohol or drug abuse assistance or rehabilitation program.

Employees who are convicted of any criminal drug statute violation in the workplace must report it to a supervisor within five days of the conviction. Supervisors, department heads, and principal investigators who are aware of any drug crime convictions of individuals (students or employees) who work on sponsored projects for violations that occurred in the workplace must report them to the Office of the Associate Vice President for Sponsored Projects Administration (SPA) within three calendar days of their notice of the conviction.

Each year senior leadership distributes via email information about the University's compliance with the Drug Free Schools and Communities Act. This email is sent to all employees and students to inform the University community about resources for assistance and policies related to drug and alcohol abuse. The University of Minnesota policy web site is: <http://policy.umn.edu/operations/drugfree>

Drug/Alcohol-Abuse Education Programs

The University of Minnesota offers a webpage devoted to alcohol and chemical health services. This site provides links to additional internal and external resources and further information about drinking responsibly, the effects of alcohol and drugs on the body, and a Party Planning guide. It stresses the importance of removing the focus of alcohol, eating before and during alcohol consumption, and responsible measures a host/hostess can take to ensure the safety of his/her guests.

Emergency Notification, Response and Testing

In the event of a confirmed significant emergency or dangerous situation that poses an immediate threat to the health and safety of members of the University of Minnesota Rochester community, the University has in place several methods for communicating information quickly. The situation will dictate which of the following notification methods are used. These include, but are not limited to, weather alert radios, SAFE-U, social media, fire alarms, mass e-mail, UMR website home page, information display monitors, campus emergency alert system, and media advisories.

Upon confirmation of an emergency, the University of Minnesota Rochester will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system. Prior to issuing an alert, the Chancellor or designee will confirm an emergency via Premier Security, Rochester Police, other emergency professionals on the scene, or notifications from the National Weather Service. Information obtained from these responders will be used in order to determine the content of the notification and to determine if a campus wide or target notification is needed. The Chancellor or designee will, determine the content of the notification, the segment or segments of campus which must be notified, and initiate the appropriate notification system. A notification may be delayed if issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Individuals who may activate the emergency notification system include the following: Chancellor, Chancellor's Leadership Team, Director of Communications, Facilities and Operations Director, or others as designated.

Dissemination of emergency information to the larger community (i.e., parents and residents from surrounding neighborhoods) will take place as time allows. Depending on the nature of the incident, UMR could utilize such avenues as the UMR internet homepage or the media. The first concern of UMR will be to disseminate information to those people directly affected by the emergency. Dissemination to the larger community is the responsibility of the Director of Communications.

UMR has communicated with the Rochester Police Department and has requested that they inform UMR of any situations reported to them which may warrant an emergency response.

Emergency Response Testing

UMR conducts a test of the emergency response and evacuation procedures at least once during each academic year. The UMR community will be notified of this exercise, and the notification will summarize the emergency response and evacuation procedures and indicate where procedures can be found. All testing of the emergency response system is documented and the records retained with Facilities and Operations.

Emergency Plan

Each classroom, conference room, and reception area contains an evacuation plan directing evacuees to safe areas on campus or to off campus locations dependent on the emergency situation.

Building Emergency Plan

This document provides scenario instructions for a number of potential emergencies that students and

employees may encounter on campus. This document can be found on the Emergency Preparedness webpage at <http://www.r.umn.edu/administration/emergency-preparedness/emergency-plan>.

Crime Statistics Report

On Campus	
University Square	111 South Broadway Rochester, MN 55904
Paine Building	311 South Broadway Rochester, MN 55904
On Campus Residential	
318 Commons	318 1st Ave SW Rochester, MN 55902
The University of Minnesota Rochester does not own or control any Non Campus property.	

2017 UMR Criminal Offenses	On campus	On campus residential only	Public
Murder/non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	1	1	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0

2017 UMR VAWA Crimes	On campus	On campus residential only	Public
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

2017 UMR Arrests and Referrals for Discipline	On campus	On campus residential only	Public
Liquor law violations			
Arrest	0	0	0
Referral	0	0	0
Drug law violations			
Arrest	0	0	0
Referral	0	0	0
Illegal weapons possession			
Arrest	0	0	0
Referral	0	0	0

Hate Crimes:

There was one report of a hate crime that occurred in 2017 On Campus Residential property. The crime was intimidation, ethnically motivated.

Unfounded Crimes:

No crimes were unfounded in 2017.

2016 UMR Criminal Offenses	On campus	On campus residential only	Public
Murder/non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Rape	0	0	1
Fondling	1	1	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	1
Aggravated assault	0	0	2
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0

2016 UMR VAWA Crimes	On campus	On campus residential only	Public
Domestic Violence	0	0	3
Dating Violence	0	0	0
Stalking	2	1	0

2016 UMR Arrests and Referrals for Discipline	On campus	On campus residential only	Public
Liquor law violations			
Arrest	0	0	0
Referral	11	11	0
Drug law violations			
Arrest	0	0	12
Referral	0	0	0
Illegal weapons possession			
Arrest	0	0	2
Referral	0	0	0

Hate Crimes:

No hate crimes were reported on UMR's Clery Geography for 2016.

Unfounded Crimes:

No crimes were unfounded in 2016.

2015 UMR Criminal Offenses	On campus	On campus residential only	Public
Murder/non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Rape	1	1	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	1
Aggravated assault	0	0	5

Burglary	0	0	0
Motor vehicle theft	0	0	4
Arson	0	0	0

2015 UMR VAWA Crimes	On campus	On campus residential only	Public
Domestic Violence	0	0	1
Dating Violence	1	1	0
Stalking	0	0	0

2015 UMR Arrests and Referrals for Discipline	On campus	On campus residential only	Public
Liquor law violations			
Arrest	0	0	1
Referral	7	7	0
Drug law violations			
Arrest	0	0	12
Referral	3	3	0
Illegal weapons possession			
Arrest	0	0	1
Referral	0	0	0

Hate Crimes:

No hate crimes were reported on UMR's Clery Geography for 2015.

Unfounded Crimes:

No crimes were unfounded in 2015.

Sexual Predators and Offenders on Campus

Level 3 sex offenders are required by law to keep law enforcement agencies apprised of their current residence, employment and school addresses, as well as any changes to those locations. In addition, several of these offenders have demonstrated by their past behavior that they are part of a group who pose the greatest risk to the public when released. This does not mean that they will commit a new crime, just that they are part of a group of persons who might.

State and federal law requires the University of Minnesota Rochester to advise the University community

of the release or residence of such predatory sex offenders in our University community. Accordingly, information on predatory sex offenders who have notified the State of Minnesota that they are attending classes or employed at the University of Minnesota Rochester is available to the University community at the Associate Vice Chancellor for Finance and Campus Resources office. Individuals listed there are not wanted by law enforcement at this time and have served the sentence imposed upon them by the court. The use of this information to threaten, harass, or intimidate such individuals may be a crime and will not be tolerated. Information regarding Level 3 Predatory Offenders is posted on the following website:
<http://www.doc.state.mn.us/level3/search.asp>

Release of Disciplinary Outcome to Victims of Crimes of Violence or Non-Forcible Sex Offenses

UMR will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. UMR will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

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

Sexual violence is a serious problem on United States college campuses and one of the most under-reported crimes. UMR prohibits the offenses of domestic violence, dating violence, relationship violence, sexual assault and stalking.

No one acting on behalf of the University may retaliate against an individual for having made a report in good faith under this policy or having participated in an investigation of sexual assault, stalking, dating violence or domestic violence. Retaliation against any individual for reporting under this policy is prohibited and may result in disciplinary action. Reports of retaliation will be reviewed and investigated in the same manner in which other allegations of misconduct are handled.

For a complete copy of the University of Minnesota's policy governing sexual assault, stalking, and relationship violence, visit www.policy.umn.edu/Policies/Operations/Safety/SEXUALASSAULT.html.

Definitions

There are numerous terms used by the University of Minnesota in preparing policy statements and procedures related to dating violence, domestic violence, sexual assault and stalking.

VAWA Crime Definitions

For the purpose of classifying incidents for inclusion in the Annual Statistical Disclosure, the following definitions are used, and come from the Violence Against Women Act (VAWA)

Dating Violence

The term "dating violence" means 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 a 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.

For the purposes of this definition—

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Domestic Violence

The term “domestic violence” means felony or misdemeanor crimes of violence committed—

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- 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.

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Sexual Assault

The term “sexual assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape** is defined as 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.
- **Fondling** is defined as the touching of the private parts of another person for the purposes 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 defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.

Stalking

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
- Suffer substantial emotional distress.

For the purposes of this definition—

- “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person’s property.
- “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- “Reasonable persons” means a reasonable person under similar circumstances and with similar identities to the victim.

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Minnesota State Law Definitions of VAWA Crimes and Terms

The following definitions are for the purpose of educating readers regarding jurisdictional crime definitions. Legal citations are given to enable the reader to access information on where the applicable definitions can be referenced under Minnesota law. Some terms are not explicitly defined under Minnesota law in these instances information is given to help readers situate VAWA terms in Minnesota State law.

Consent

[MN 609.341 Subd. 4.](#)

“Consent” means words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the complainant or that the complainant failed to resist a particular sexual act.

- A person who is mentally incapacitated or physically helpless as defined by this section cannot consent to a sexual act.
- Corroboration of the victim’s testimony is not required to show lack of consent.

Affirmative Consent as Defined by University of Minnesota Policy:

A determination about the existence of consent is a critical element in the investigation of a sexual assault. University of Minnesota policy requires affirmative consent between individuals engaging in sexual activity. Affirmative consent is defined as “informed, freely and affirmatively communicated willingness to participate in sexual activity that is expressed by clear and unambiguous words or actions.” Clear and unambiguous words or actions are those that are freely and actively given by informed individuals that a reasonable person in the circumstances would believe communicate a willingness to participate in a mutually agreed upon sexual activity. The following factors will be considered when determining consent:

- It is the responsibility of each person who wishes to engage in the sexual activity to obtain consent.
- A lack of protest, the absence of resistance, and silence do not indicate consent.
- The existence of a present or past dating or romantic relationship does not imply consent to future sexual activity.
- Consent must be present throughout the sexual activity and may be initially given, but withdrawn at any time.
- When consent is withdrawn all sexual activity must stop. Likewise, where there is confusion about the state of consent, sexual activity must stop until both parties consent again.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Consent is not obtained where:

- There is physical force, threats, intimidation or coercion.
- There is incapacitation due to the influence of drugs or alcohol.
- There is the inability to communicate because of a physical or mental condition
- An individual is asleep, unconscious or involuntarily physically restrained.
- An individual is unable to understand the nature or extent of the sexual situation because of mental or physical incapacitation or impairment.
- One party is not of legal age to give consent pursuant to Minnesota state law.

Dating Violence

Minnesota law does not define dating violence.

Domestic Violence **[MN 518B.01 Subd. 2](#)**

(a) "Domestic abuse" means the following, if committed against a family or household member by a family or household member:

- physical harm, bodily injury, or assault;
- the infliction of fear of imminent physical harm, bodily injury, or assault; or
- terroristic threats, within the meaning of section [609.713, subdivision 1](#); criminal sexual conduct, within the meaning of section [609.342](#), [609.343](#), [609.344](#), [609.345](#), or [609.3451](#); or interference with an emergency call within the meaning of section [609.78, subdivision 2](#).
- (b) "Family or household members" means:
 - spouses and former spouses;
 - parents and children;
 - persons related by blood;
 - persons who are presently residing together or who have resided together in the past;
 - persons who have a child in common regardless of whether they have been married or have lived together at any time;
 - 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; and
 - persons involved in a significant romantic or sexual relationship.

Additional Information

Minnesota State Statute 609.2242 DOMESTIC ASSAULT:

<https://www.revisor.mn.gov/statutes/?id=609.2242>

Minnesota State Statute 518B.01 DOMESTIC ABUSE ACT :

<https://www.revisor.mn.gov/statutes/?id=518B.01#stat.518B.01.2>

Sexual Assault

The term sexual assault is not defined by Minnesota law. The comparable crimes of rape, fondling, statutory rape, and incest are generally coded as criminal sexual conduct in the state of Minnesota.

“Minnesota law classifies the crime of criminal sexual conduct into five categories: first- through fifth-degree criminal sexual conduct, with first-degree carrying the most severe penalties and fifth-degree the least. Minn. Stat. §§ 609.342 to 609.3451.”

“Generally speaking, the first-degree and third-degree crimes apply to sexual conduct involving sexual penetration of the victim; the second-, fourth-, and fifth-degree crimes apply to sexual conduct involving sexual contact with the victim without sexual penetration.”

“Criminal sexual conduct in the first and second degree typically apply to conduct involving personal injury to the victim; the use or threatened use of force, violence, or a dangerous weapon; or victims who are extremely young.”

“Criminal sexual conduct in the third, fourth, and fifth degree typically address less aggravated conduct and apply to other situations in which the victim either did not consent to the sexual conduct, was relatively young, or was incapable of voluntarily consenting to the sexual conduct due to a particular vulnerability or due to the special relationship between the offender and the victim.”

The above information is from the following source:

<http://www.house.leg.state.mn.us/hrd/pubs/ss/ssovrcsc.pdf>

Stalking

MN 609.749 Subd. 1

"Stalking" means to engage in conduct which the actor knows or has reason to know would cause the victim under the circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated, and causes this reaction on the part of the victim regardless of the relationship between the actor and victim.

VAWA Education and Prevention Programs

UMR engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome, and consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

The University of Minnesota has developed and selected several programs for incoming students and employees as well as ongoing educational campaigns. Beginning in Fall 2016 all new students will be required to complete *Haven*, an online educational module aimed at increasing awareness of dating violence, domestic violence, stalking, and sexual assault and educating students on safe and practical options for bystander intervention.

The University of Minnesota continues to improve and research new programs to comply with the changes required by the Violence Against Women Act Amendments to the Clery Act.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees, and ongoing awareness and prevention campaigns for students that:

- Identify domestic violence, dating violence, sexual assault and stalking as prohibited conduct.
- Use definitions provided both by the Department of Education as well as state law to define what behavior constitutes domestic violence, dating violence, sexual assault, and stalking.
- Define what behavior and actions constitute consent to sexual activity in the State of Minnesota and/or use the definition of consent found in the Affirmative Consent Policy (<http://policy.umn.edu/operations/sexualassault-appa>).

UMR plans many events throughout the academic year with the aim of educating our students about the Violence Against Women Act, their rights and responsibilities, and prevention practices. This section details University programs that occurred in 2017.

April 2017 Sexual Assault Awareness Month

Passive programming included communication in student newsletter and social media regarding consent. All campus one hour event hosted by UMR Health and Wellness and Living on Purpose discussing bystander intervention and peer mentorship.

June – August 2017 New Student Registration/Parent Coaching

50 minute sessions focused sexual violence prevention and relationship violence prevention were incorporated into parent/coaching presentations, along with a review of affirmative consent, sexual assault, and dating violence policies. EverFi training is also completed during registration.

August 2017

Implementation of EverFi Sexual Assault Online Training for all first year students, peer leaders, and transfer students mandated; online training addresses sexual violence prevention, bystander intervention, policy and resources.

Training for UMR faculty and staff at the Center for Learning Innovation fall retreat covering Title IX basics, reporting obligations and support.

New Student Orientation Presentation to first year students covering healthy relationships, dating and consent. Review of policies, on-campus, local, and national resources.

Training for UMR Peer Leaders covering Title IX basics, reporting obligations, and support at UMR.

September 2017

CLI 1710 class presentation to all CLI students covering healthy sexuality, consent, and healthy relationships.

October – December 2017

Health and Wellness Newsletter distributed bi-monthly during the academic session with information on sexual violence prevention and support resources, including Title IX support and response.

Safe and Positive Options for Bystander Intervention

Bystanders are individuals that witness either an act of violence or the actions that lead up to violence. Bystander intervention is a simple concept; we are all obligated to act when we witness an act of violence or something that contributes to a culture that supports violence.

While we are asking you to do *something*, we do not encourage you to put yourself or others at risk. Maintain safety at all times and keep in mind that you should proceed with caution to avoid harm to yourself or further exacerbating the situation for the victim. Below are several creative and conventional ways that you can intervene, either directly or indirectly, to prevent someone from being hurt. Depending on your personality and the situation, any one of these might be appropriate and it is up to you to determine how to handle it in the safest way possible.

Here are some ideas for ways to intervene:

- Address the potential perpetrator directly - Ask them to stop what they are doing and tell them that it is not acceptable or condoned by you, your peers, your group/organization, or the University.
- Create a distraction to divert the attention of the potential perpetrator, for example: start a conversation about something else, tell them they are needed to assist with something, ask the potential survivor to accompany you away from the setting, etc.
- Enlist the help of a friend or other bystander. Draw their attention to the situation and quickly strategize with them to step in. Ask them to join you in approaching the potential victim or perpetrator or by calling authorities such as the Premier Security (507-281-4952) or 9-1-1 while you address the parties involved.

Risk Reduction

While there is no absolute way to prevent becoming a victim of a crime (keeping in mind it is the actions and decisions of the perpetrator that ultimately create a potential victim), there are steps that can be taken to minimize risks. These steps include:

ON THE STREET

Predators identify targets.

- Cross the street if you see anything on your side that makes you nervous.
- Walk on well-illuminated streets; avoid doorways, shrubbery, dark areas near buildings, and other places where an attacker might hide.
- To get off the street, use public transportation – sit near the driver.

Predators use isolation as a weapon.

- If possible, use the buddy-system: walk with a friend/s or call Premier Security at 507-281-4952 for an escort.
- If you have taken a ride in a cab or from a friend, ask the driver to wait until you are safely inside your house before leaving.

Predators identify vulnerabilities in targets.

- Be alert in crowded buses, streets, malls, etc.; pick-pockets work best in these environments.
- It is safer to carry money or wallets in an inside or front pocket.
- Be cautious about revealing cash or credit cards.
- Purses and book bags are safest carried close to the body with flaps, zippers, or clasps closed turned toward the body. Keep your hand on your purse or bag. Don't set it on the floor or counter in restaurants, restrooms, or theaters, or leave it in your grocery cart while shopping.

IN YOUR CAR

Predators know when and where people may be vulnerable or isolated.

- Keep car doors locked and windows rolled up most of the way.
- Park your car in well-lighted places and lock all doors.
- Keep car keys in hand when approaching your vehicle so that you may enter it with ease.
- If security or an escort is available, have them walk you to your car.

Predators take advantage of people's good will and trust.

- If you must leave car keys with garage or parking lot attendants, leave a ring with only your car keys, not house keys, which can be easily duplicated.

- Don't pick up hitchhikers.

Predators are brazen.

- If someone tries to break into your car while you are in it, honk the horn in repeated short blasts.
- If you are being followed, don't go home. Drive to the nearest police station, fire station, hospital emergency room, or an open gas station or convenience store – any safe place with people visibly present.

IN YOUR HOME

Predators know when and where people may be vulnerable.

- It is safer using a first initial and last name on mailboxes and in phone directories.
- Be cautious around elevators. Don't get on if you are feeling uncomfortable or unsafe. Get off if a fellow passenger seems odd or threatening.

Predators may take advantage of people's trust and may display warmth and concern.

- Make sure your doors have dead bolts, security chains, and peepholes. Use them.
- Always check identification when repair people, salespeople, police, or meter readers come to your home. Don't hesitate to call and check their identification and refuse admittance if you do not feel comfortable letting them into your home.
- Instruct children and babysitters not to give out information about who is home.

Predators are brazen and resourceful planners.

- If you suspect your home has been broken into, don't go inside. Go to a neighbor and call the police.
- Lock your doors and windows, draw shades/blinds at night, and leave a light on implying that someone is home.
- Lock the doors to your home or apartment when you are in the yard; take a cellular telephone outside with you.
- Don't hide spare keys outdoors. They are too easy to find.
- Don't hesitate to call 911 if you suspect someone is outside your home or apartment.

Remember it is the perpetrator, not the victim, who is to blame for the crime(s) they choose to commit!

If you have been the victim of dating violence, domestic violence, sexual assault or stalking:

If you would like assistance and support from a victim's advocate, you can contact the Olmsted County Victim Services 24 hour crisis line by calling 507-289-0636 or the UMR Health and Wellness Advocate at 507-258-8671. Advocates can offer support, resources on and off campus, safety planning, assist in filing a police report, and answer questions you may have regarding next steps.

UMR urges anyone who has been sexually assaulted on or off campus to contact the Rochester Police Department immediately at 911 to make a police report and have the case investigated. Students on the UMR campus may contact the UMR Health and Wellness Advocate at 507-258-8671. Staff or faculty may contact Human Resources at 507-258-8010.

Upon contacting EOAA, or the student or faculty and staff Title IX representatives at UMR, reporting parties will be given written notice of their rights and options including information regarding the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services on campus and in the community, an explanation of UMR's disciplinary

process relating to cases of dating violence, domestic violence, sexual assault, and stalking, and how to request accommodations and protective measures, regardless of where the incident occurred.

It is important to file this report quickly to assist in the preservation of evidence. To maximize the possibility of a successful investigation and prosecution, the sooner a report is made and physical evidence is collected and preserved, the better.

Responding officers will assist in a supportive and non-judgmental manner and forward the case to investigators who will conduct a follow-up investigation and submit the case to the prosecutor's office if sufficient evidence is collected. The officers of the Rochester Police Department understand that not all victims are ready or willing to participate in a police investigation. Although victims are strongly encouraged to report all incidents of dating violence, domestic violence, sexual assault and stalking to law enforcement, it is within the victim's rights to decline filing a police report.

If you have been the victim of a sexual assault you should consider seeking medical attention as soon as possible. In cases of sexual assault, having a Sexual Assault Nurse Examination and the Sexual Assault Forensic Examination (SANE/SAFE) ensures that a specially trained nurse who is sensitive to the victim/survivor's needs will treat the victim/survivor. It also ensures the proper collection of forensic evidence and protects the chain of custody of that evidence should a case be brought to trial. The SANE/SAFE examinations are paid for by the county per Minnesota Statute 609.35.

It is important that a victim of sexual assault not bathe, smoke, change clothing, or clean the bed/linen/area where they were assaulted if the offense occurred within the past 168 hours (7 days), so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/is occurring, or may be helpful in obtaining a protection order.

A copy of the sexual assault report and the lab report are made available to law enforcement. However, victim/survivors are not obligated to file a police report or pursue action through the criminal justice system. That is the choice of the victim/survivor. Evidence will be safely maintained and will be available if the victim/survivor chooses to pursue action at a later date.

In circumstances of sexual assault, if victim/survivors do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other copies of documents. These documents can be helpful in proving the alleged crime occurred and are helpful in obtaining court orders for protection.

Voluntary, Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the University or the criminal justice system, you may still want to consider making a confidential report. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, UMR can keep an accurate record of the number of incidents occurring on campus; determine crime patterns, and alert the campus community to potential danger.

Reports filed in this manner are counted and disclosed in the annual statistical disclosure, considered for the need to issue a Timely Warning, and are included on the UMR Daily Crime Log. These public disclosures will not include any personally identifying information of any reporting parties, witnesses, or victims.

Reporting a crime anonymously severely restricts UMR from responding to the reported crime and will limit the University of Minnesota Rochester's ability to investigate the reported incident.

University of Minnesota Disciplinary Process in Cases of Dating Violence, Domestic Violence, Sexual Assault, and Stalking

The UMR disciplinary process is consistent with University of Minnesota policy and will include a prompt, fair, and impartial investigation and resolution process transparent to the accuser and the accused. This process will include timely notice of meetings at which the reporting party, accused party or both may be present and also provides each party with timely and equal access to any information that will be used during informal and formal disciplinary meetings and hearings.

The University of Minnesota Rochester's investigative and disciplinary process is conducted by officials who do not have a conflict of interest or bias for or against the reporting or accused parties and who receive annual training on: (1) sexual misconduct issues; and (2) techniques for protecting victim safety and promoting accountability in the investigative and hearing process.

For cases involving allegations of sexual assault, dating violence, domestic violence and stalking, the University of Minnesota's disciplinary process will:

- provide equitable access to an appeal by both the accused student and the reporting party;
- allow equitable access to a support person of their choice for both the accused student and the reporting party at any related meeting or proceeding;
- allow equitable access to an advocate for both the accused student and the reporting party at any related meeting or proceeding;
- provide simultaneous written notice to both the accused student and the reporting party of the results of any disciplinary proceeding;
- provide simultaneous written notice of the procedure for the accused student and the reporting party to appeal the results of the disciplinary proceeding;
- provide simultaneous written notice to both parties of any change to the results prior to the time the results become final; and
- provide simultaneous written notice to both parties advising when the results become final.

The investigative/disciplinary process used is determined based upon the status of the accused individual, there is separate process for accused students and accused employees.

Students

Whether or not criminal charges are filed, the University of Minnesota Rochester or a person may file a complaint alleging that a student violated the Board of Regent Policy: Student Conduct Code.

The University of Minnesota Rochester has fair processes for resolving complaints against students and student organizations under Board of Regents Policy: Student Conduct Code. This process emphasizes student development through understanding and accepting responsibility for personal behavior, while protecting community interests and due process.

Hearings regarding allegations of sexual assault, dating violence, domestic violence and stalking will be heard by the Committee on Student Conduct.

The University of Minnesota Rochester will:

- provide fair notice to students of alleged violations of Board of Regents Policy: Student Conduct

Code;

- encourage informal resolution of alleged violations without the need for a hearing
- permit students the opportunity for a fair hearing before the Committee on Student Conduct upon request
- provide the opportunity for one campus-wide appeal of a finding of violation of the Code;
- Utilize a preponderance of the evidence (i.e., more likely than not) standard of proof

This summary describes the University of Minnesota Rochester's general investigative and disciplinary process for cases involving sexual assault, dating violence, domestic violence, and stalking.

- The University's Office of Equal Opportunity and Affirmative Action (EOAA) thoroughly investigates reports of sexual assault, dating violence, domestic violence and stalking as a neutral party.
- An EOAA staff person who is trained annually on issues relating to investigating cases of sexual assault, dating violence, domestic violence and stalking will thoroughly investigate each report.
- The investigator will first interview the reporting party to gather as much information as possible about the incident.
- The investigator will then interview relevant witnesses including those identified by the reporting party.
- The EOAA office will notify the accused student in writing about the complaint, available resources and how to schedule an interview to discuss the alleged violations.
- EOAA will explain thoroughly the process to both parties during their respective meetings
- The EOAA investigator will interview the accused student and relevant witnesses identified by the accused student.
- It may be necessary to meet with the reporting party and/or accused student a second time to ask any additional questions which arose during the investigation process.
- EOAA will collect additional information such as copies of text messages, email correspondence, VM recordings, medical reports, video recordings from surveillance cameras when available, and any other relevant evidence.
- EOAA will determine whether it is more likely than not that any of the University's policies related to sexual assault, dating violence, domestic violence and stalking have been violated. This is also known as a preponderance of the evidence standard.
- EOAA will forward a report containing its investigative findings to the University's Office for Student Conduct and Academic Integrity (OSCAI).
- EOAA aims to complete sexual misconduct investigations within 60 days.
- After receiving the report from EOAA, OSCAI will inform both parties in writing of the following: (1) the outcome of the EOAA investigation; and (2) a proposed resolution. If both parties agree to the outcome and proposed resolution, the University's investigative process ends.
- Either party may disagree with EOAA's investigative outcome and/or OSCAI's proposed resolution and opt to initiate the University's formal resolution process. In this formal process, the parties are afforded a hearing before a panel drawn from the Committee on Student Conduct. The parties have five days to request a formal hearing. (If either party requests a meeting with OSCAI to discuss the informal resolution, the time to request a formal hearing will be extended to 5 days from the date of the meeting.)
- The CSC will convene a hearing within 30 days of notification.
- Either party may appeal the hearing panel's decision. Both the reporting and accused parties may bring an advisor, advocate or support person to their meetings with EOAA and OSCAI.

Advocates from the University's Student Conflict Resolution Center are available to assist accused parties through the EOAA, OSCAI, hearing and appeal processes. Advocates from The Aurora Center are

available to assist reporting parties through these processes.

Please note that the University prohibits retaliation. Retaliatory conduct includes any form of intimidation, reprisal or harassment against individuals for reporting or otherwise participating in a University investigation of sexual assault, sexual harassment, stalking, relationship violence or retaliation.

Sanctions for Students

In all cases, investigations that result in a finding of more likely than not that a violation of the Student Code of Conduct occurred will lead to the initiation of disciplinary procedures against the accused individual.

The factors considered in sanctioning students for any violation, include:

- Nature of offense
- Severity of offense
- Culpability of the student
- Impact on other students or members of the University community
- Opportunity for student development

Possible sanctions:

- Academic sanction
- Warning
- Probation
- Required compliance
- Confiscation
- Restitution
- Restriction of privileges
- University housing suspension
- University housing expulsion
- Suspension
- Expulsion
- Withholding of diploma or degree
- Revocation of admission or degree

Employee

The Office for Equal Opportunity and Affirmative Action (EOAA) will promptly investigate any incidents of sexual assault, dating violence, domestic violence and stalking where the accused party is an employee. EOAA will make recommendations for responsive actions based on their investigation. A preponderance of the evidence standard will be used in determining violations of policy.

EOAA's investigative processes will proceed independently of any action taken in the criminal or civil courts, as determined on a case-by-case basis. Criminal court proceedings are not a substitute for University procedures. The reporting party and the accused employee will be allowed to have a non-participating/non-witness support person present for interviews. The reporting party will not be required to mediate directly with the accused employee.

There is no formal hearing process available to employees, but employees may submit a written response to the outcome of any investigation for consideration and can request a review of the investigation process by

the Associate Vice President for Equity and Diversity. Sanctions range from discipline to termination.

EOAA will inform both parties of the outcome.

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the University of Minnesota's policy against Sexual Harassment (<http://policy.umn.edu/hr/sexualharassment>) in order to remedy any hostile environment.

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the University of Minnesota's ability to respond to the complaint may be limited. The University of Minnesota will consider such requests for confidentiality in the context of its responsibility to provide a safe and non-discriminatory working and learning environment.

Requesting Accommodations

The University of Minnesota is obligated to comply with a student's reasonable request for living, academic, and/or work accommodations following an alleged sex offense. A request for change of academic situation will be handled by UMR Academic Affairs, Student Development, and/or the appropriate work supervisor depending on the availability of alternate course sections or other means of adjustment of schedules. In the event of a request by a student for assistance in changing his/her living situation either on or off campus following an alleged sex offense, UMR Director of Resident Life will work to provide the student with support and advocacy in changing apartments or negotiating with landlord(s) and identifying potential alternative housing.

Whenever possible the University of Minnesota Rochester will work to minimize the burden on the victim/survivor in providing accommodations and other protective measures.

Any accommodations or protective orders afforded to you will be maintained as confidential to the extent that maintaining such confidentiality will not impair the ability of UMR to provide the accommodations or protective measures. In some cases, some personally identifying information must be released to a third party with a need to know the information in order to arrange for accommodations.

Orders for Protection and Enforcement

UMR complies with Minnesota law in recognizing Orders for Protection and Harassment Orders. Any person who obtains an order should provide a copy of the order to UMR. If a person needs assistance in obtaining an Order for Protection or Harassment Order, they can contact UMR Health and Wellness Advocate Kris Barry (phone 507-258-8671). University Departments who know of an Order of Protection or Harassment Order and need assistance with accommodating the order can contact UMR Human Resources or Andrea Wilson (phone 507-258-8010) for resources. Any person who witnesses a violation of an Order for Protection or Harassment Orders should immediately call 911 for police response.

Public Reporting and Disclosures and Personally Identifying Information

Crimes reported to Campus Security Authorities at UMR are recorded on a publicly available crime log and if applicable are included in the annual statistical disclosure. If it is determined that the alleged incident presents a serious and/or continued threat to the campus community, a Timely Warning Notice may be released according to policy. However, information included in these public disclosures will not include any personally identifiable information of the survivor, reporting party, or witnesses, unless it presents relevance to the case (particularly for bias motivated crimes).

Missing Student Notification

Policy Statement

The University of Minnesota Rochester (UMR), in accordance with the U.S. Higher Education Opportunity Act of 2008, will develop and maintain procedures to respond to reports of missing students.

This policy and procedure applies to all UMR students that reside in on-campus housing only. It may be that many of the steps outlined in this procedure will also apply to missing students that live off-campus; however, there are specific aspects detailed herein that will apply to on-campus housing students only. A student may be considered missing if the student's absence from the campus community is suspiciously different from the student's usual pattern of behavior and/or unusual circumstances may have caused the absence. If a student who lives in on-campus student housing is determined to be missing for 24 hours, UMR will initiate the following procedure within 24 hours of receiving a missing person's report. However, action may be taken sooner than 24 hours of a reported missing student.

Student Designation of Missing Person Contact Information

Students who live in on-campus student housing, regardless of age, may register one or more individuals to be a contact strictly for missing person purposes. This contact information will be kept separate from any general emergency contact information and UMR will not assume that a general emergency contact is also the missing person contact. Missing person contact information will be accessed only by authorized campus officials. Authorized campus officials may disclose this contact information only to law enforcement officials and only for the purpose of missing student investigation. City of Rochester Police will be notified of any missing person whether or not that missing person has designated missing person contact information.

The missing person contact information will remain in effect throughout the duration of the student's residence in University housing. The student is encouraged to update this information when appropriate and may do so at any time. Missing person contact information can be viewed and updated by contacting the Resident Life Director. For any student under 18 years of age and not emancipated, UMR must notify a custodial parent or guardian within 24 hours of the determination that the student is missing. This is in addition to notifying any additional contact person designated by the student.

Official Notification Procedure for Missing Persons

Any individual on campus who has information about a UMR student that may be missing must notify one of the following UMR staff members: the Resident Life Director (507-258-8028), the Director of Advising (507-258-8023), the Health and Wellness Advocate (507-258-8671), or the Assistant Vice Chancellor for Student Success and Engagement (507-258-8106) as soon as possible. If a report of a missing student needs to be made during non-business hours, contact the Pro-Staff on call (507-517-8277). If any UMR employee other than those previously mentioned receives a report of a potential missing student, they are to advise the reporter to contact one of the above individuals directly; in addition, that employee receiving the report will directly contact one of the above individuals.

If a report of a potential missing person is made to one of the individuals in item 1, the individual will immediately engage in the efforts listed below. These are not listed in priority order as each situation may call for different actions.

- a) Interview the person making the initial missing person report to gain information.
- b) Inform the AVCSSE.

- c) Conduct a health and wellness check on the suspected missing person.
- d) Attempt to make contact with the missing person via any means available.
- e) Identify other individuals who may be aware of the missing person's whereabouts (e.g. roommates, friends, classmates).
- f) Check attendance at class or at on-campus employment.
- g) Notify City of Rochester Police Department (507-328-6800).
- h) Contact missing person's emergency contact if applicable. If the student is under 18 years of age and not emancipated, custodial parents or guardian will be contacted in addition to any missing person's contact.

If a student has registered a contact person, UMR will notify that contact person no later than 24 hours after it has been officially determined that the student is missing. If a student registers multiple contact persons and the first person contacted confirms that the student is not missing, UMR must contact each additional contact person in turn, unless the student in question is contacted by UMR or contacts UMR directly. This process is important in verifying that the missing student is confirmed to be safe.

Campus Communications in the Event of a Missing Student

In cases involving a missing student, all inquiries by media or the public regarding the missing student shall be referred to the Director of Communications. Law enforcement personnel are best situated to provide information that is designed to elicit public assistance in the search for a missing person.

Annual Fire Safety Report for On-Campus Housing

TO REPORT A FIRE CURRENTLY IN PROGRESS, CALL **9-1-1**.

To report fires that have **ALREADY BEEN EXTINGUISHED** in on-campus student housing contact:

Normal Business Hours: (any of the following)
 318 Commons Building Management: 507-533-5318
 Housing Director: 507-258-8028
 Facilities and Operations Director: 507-258-8217

After Hours: (both of the following)
 Resident Assistant if they are not already aware: 507-202-1927
 Student Affairs on-call professional staff: 507-517-8277

UMR has one student housing building, 318 Commons. This building is fully sprinkled and there is smoke detection in every apartment, all classrooms, offices, stairwells, and common spaces. Fire alarm monitoring is done 24/7 by an off-site company that detects fire alarms and notifies the Rochester Fire Department. The stairwells are positive pressurized to maintain smoke containment outside the stairwells. Building evacuation routes are posted in each residential apartment.

Fire drills were conducted at 318 Commons on June 6, 2017 and August 3, 2017.

Fire Statistics

There were no fires requiring fire department response in 2017, 2016, or 2015. As such UMR has no fire-related deaths, injuries, or damage to report.

Regulations for electrical appliances, smoking, and open flames

The following items are prohibited from 318 Commons:

- Candles
- Incense
- Fireworks or other explosives
- Wreaths and evergreen trees
- Any device that is not UL approved or is improperly maintained
- Non-fused, extension cord, or multiple-plug outlets
- Multi-light, plastic shaded, torchiere, or halogen lamps
- Personal refrigerators
- Receiving devices, i.e. satellite dishes or large antennae
- Air conditioning units of any kind
- Other Hazardous Materials

Dangerous Heat Generating Devices

The lack of an operator present when heat-generating devices are in use is prohibited.

Hazardous Decorations

Decoration of room spaces which create a fire hazard or impede evacuation are not allowed.

Obstruction of Hallways

No personal items are allowed to be stored in the hallways as they create a hazard for evacuation.

Smoking

318 Commons is a smoke-free environment, and the use of smoking products or electronic cigarettes inside of the building is prohibited.

Education

The Residential Life Director, all Resident Assistants, and professional staff in the housing facility are trained on evacuation procedures in a fire emergency and directions are contained in the RA handbook.

Evacuation Procedure

Residents are to immediately leave the building by the nearest, safest exit. Housing staff do not do door-to-door warnings. Housing staff is responsible for moving all exiting residents to a safe location.

Fire Safety Improvements

At this time the UMR has not determined any fire safety improvements are necessary within its housing facilities.