



**St. Cloud State University  
Public Safety Department  
The Annual Security and Fire Report  
to the  
St. Cloud State University Community**

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## Introduction

St. Cloud State University (SCSU) encourages all members (students, employees, and visitors) of our University community to be fully aware of safety and security issues, campus-related departments and services and to take action to prevent and report illegal and other unsafe activities should they occur. Personal awareness, practicing personal safety, and reporting incidents of concern are the foundation of a safe community.

In accordance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (a/k/a The Clery Act) of 1998 -- previously known as the Crime Awareness and Campus Security Act of 1990 --and the Higher Education Amendments of 1992, St. Cloud State University monitors unsafe, inappropriate and criminal activity for the campus, off-campus sites owned or maintained by SCSU and/or recognized University organizations; and related curtilage. SCSU documents a three-year statistical history of these incidents. St. Cloud State University provides the information and statistics herein to University students and employees and to others upon request. You may view SCSU's statistics by going to the Department of Education's Security Statistics search site at <http://ope.ed.gov/campussafety> , as well by checking our University's Public Safety's web site at <https://www.stcloudstate.edu/publicsafety/report/default.aspx> .

SCSU has a variety of policies and procedures relating to campus security and it expressly reserves the right to modify them or adopt additional policies or procedures at any time without notice. Such changes will appear in successive issues of this report.

## The Public Safety Department

The Public Safety Department for St. Cloud State University is on-duty 24-hours a day throughout the year. All requests for immediate assistance relating to issues of safety and security on campus should be made by calling 320-308-3333, by emailing [pubsafe@stcloudstate.edu](mailto:pubsafe@stcloudstate.edu) or by visiting our Public Safety Department at 526 4th Avenue South, St. Cloud, Minnesota, 56301-4498. Public Safety Officers respond to all requests for service and assistance. These personnel are full-time Campus Security (Public Safety) Officers and/or student employees of the University and are **not** sworn police therefore they do not carry the same enforcement authority of sworn law enforcement officers.

Public Safety works closely with local, state and federal law enforcement agencies to respond to and track criminal activity on campus. St. Cloud State University, located in the jurisdiction of the St. Cloud Police Department, understands for investigations of alleged criminal offenses the St. Cloud Police Department is the primary law enforcement agency. Public Safety officers are authorized, when appropriate, to make

a citizen's arrest. Typically such arrests are made only in the presence or support of a law enforcement officer.

### Campus Area Police Services (CAPS)

St Cloud State University has a department of Public Safety and its members are not licensed or certified peace officers in the state of Minnesota. St. Cloud State University has entered into an MOU with the St. Cloud Police Department to commit to working collaboratively with the police to meet the mutual goal of reducing crimes of violence and the perception of crime on and off campus. The MOU specifies how the parties will cooperate to comply with the Violence against Women Act and Minnesota Law. Campus Officials meet with the St. Cloud Police Department to discuss campus concerns and proactively communicate with the campus community and to share training and other resources.

## General Procedures for Reporting a Crime or Emergency

In the event of any life-threatening emergency or occurrence of known or believed criminal activity persons are strongly encouraged to immediately and directly contact appropriate police, fire or medical assistance.

### St. Cloud State University—Main Campus

Emergency: 911

- If the crime has already occurred and an officer is needed to respond, call 9-1-1 or 320-251-1200 to report it to the Dispatch Center.
- If the crime has already been committed and an officer is not needed to respond, or if a report is needed for documentation purposes only, call the St. Cloud Police Department Front Desk at 320-345-4444 from 8:00 am to 4:30 pm Monday through Friday.

Non-Emergency: 320-308-3333

On-Campus Non-Emergency: 8-3333

### St. Cloud State at Plymouth

Emergency: 911

Non-Emergency: (763) 509-5160

### Alnwick Castle

Emergency: 999

Non-Emergency: 101

Northumbria Police When Calling Outside of England: 01661 872 555

SCSU Public Safety Department: 1-320-308-3333 (calls made collect)

## Report A Crime

St. Cloud State University encourages accurate and prompt reporting of all crimes to the campus Public Safety Department and the St. Cloud Police Department when the victim of the crime elects to, or is unable to, make such a report. In matters related to University student conduct code or policy violations Public Safety normally requires a written report from the complainant/victim to begin an investigation and support the ability to address those concerns through the University's disciplinary and Administrative Systems. The Public Safety Department will take steps to address immediate or impending danger to an individual or community before completing written reports.

Public Safety will assist the complainant in completing reports. Public Safety will strongly encourage and support complainants and victims to report all crimes to the St. Cloud Police Department. In appropriate cases, reports will also be shared with the University's Disciplinary Process. Public Safety will assist the St. Cloud Police Department and the University's Disciplinary Process with investigations when requested. Public Safety also accepts reports of inappropriate conduct and/or criminal activity occurring to or caused by persons involved in University sanctioned functions and groups at off-campus locations. The St. Cloud Police Department monitors criminal activity at non-campus locations of officially recognized student organizations. Such incidents are included in the University's annual report and may be addressed on and/or off-campus.

### If you are a victim of a crime or witness a crime:

Call the St. Cloud Police Department (911) as well as the University's Public Safety Department (320-308-3333) for any emergency including medical emergencies, fires, suspicious people or activities, crime reports, traffic accidents, or other illegal activities:

- a. Write down as much information as you can remember after a crime. If you cannot identify the perpetrator by name, try to recall as many details as possible about the offender(s):
  1. Gender;
  2. Approximate age;
  3. Height;
  4. Weight/build;
  5. Description of face (eye color, hair color/style, jaw, nose, facial hair, glasses, etc.)
  6. Dress/clothing;
  7. Distinguishing marks (scars, tattoos, etc.);
  8. Voice.
- b. Attempt to obtain a description and license number of any vehicle involved. Note the direction of travel taken by offenders or vehicles and report those to the St. Cloud Police Department and/or Public Safety; preserve the crime scene; do not touch any items involved in the incident. Close off the area of the incident and do not allow anyone in the crime area until the St. Cloud Police Department and/or Public Safety Officers arrive.

The Public Safety Department encourages anyone who is the victim or witness to any crime to promptly report the incident to the police and the Public Safety Department. When necessary to protect the victim's identity, Public Safety will accept third-party reports. Whenever possible, Public Safety prefers to receive reports from the victim, as the detail is often more accurate in such situations. Maintain all physical evidence; do not risk losing critical evidence. All employees who become aware of an allegation of violation of University policy, student code of conduct, civil or criminal law should report the allegation to their supervisor and Public Safety. Employees with significant responsibility for student and campus

activities (not including counselors) must report potential criminal activity of which they are aware to Public Safety; these employees are also known as Campus Security Authorities.

### **Confidential Reporting**

If you are the victim of a crime and do not want to pursue action within the university system or the criminal justice system, you may want to consider making a confidential report. Complainants may contact any campus security authority for appropriate assistance or to report incidents. Campus security authorities cannot promise absolute confidentiality in reporting. Because of laws concerning government data contained in the Minnesota Government Data Practices Act, colleges and universities cannot guarantee confidentiality to those who report incidents except where those reports are privileged communications with licensed health care professional, mental health professionals, victim advocates, clergy, or their own legal counsel.

#### **Counseling and Psychological Services**

320-308-3171

[www.stcloudstate.edu/counseling](http://www.stcloudstate.edu/counseling)

Counseling and Psychological Services (CAPS) is the primary mental health provider for students at St. Cloud State University and are accredited by the International Association of Counseling Services (IACS). Counseling and Psychological Services has licensed Mental Health professionals to provide counseling and referrals and a case manager to help coordinate services for students in need.

#### **Women's Center Gender Violence Prevention Program**

320-308-3995 (Gender Violence Prevention Coordinator)

320-308-4958 (Women's Center general phone)

[www.stcloudstate.edu/womenscenter](http://www.stcloudstate.edu/womenscenter)

The Women's Center provides services for victims of sexual assault, relationship violence and stalking including individual support, referral and information and advocacy.

Advocates from the Women's Center can help students learn about their legal rights, how to file complaints, and campus and community services designed to help victims of violence, harassment and/or stalking. Advocates work closely with the Public Safety Department and St. Cloud Police Department in order to serve the needs of victims.

#### **St. Cloud State University Medical Clinic**

320-308-3191

[www.stcloudstate.edu/medicalclinic](http://www.stcloudstate.edu/medicalclinic)

St. Cloud State University Medical Clinic offers sexually transmitted infection testing and treatment, pregnancy testing, emergency contraception, and documentation of injuries. Tell them you have been sexually assaulted and would like to get in immediately for care.

## Response to Reports & Timely Warnings

All allegations will be investigated. These investigations may be made in conjunction with the St. Cloud Police Department or other law enforcement agencies.

The Director of Public Safety will classify reports in conjunction with the appropriate police agency according to the FBI Uniform Crime Reporting Definitions.

When alleged perpetrators are identified as students, the case will be forwarded to the Vice President for Student Affairs, or designee, for investigation and appropriate action. Criminal investigation, arrest and prosecution can occur independently, before, during or after the campus disciplinary process.

The Public Safety Department will issue a timely warning to members of the campus community in cases of reported murder, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft and any hate crimes (manifesting evidence of prejudice based on race, religion, sexual orientation or ethnicity) in cases where the Director of Public Safety (or the Director's designee) determines there is a continuing threat to the University community. In such cases, warnings may be provided through campus bulletins (via e-mail), Star Alert emergency notification, campus radio stations, campus newspapers, residence hall bulletins, door postings and other significant means.

## Emergency Notification

St. Cloud State University will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus. St. Cloud State University will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless 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. The following media may be used to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or staff occurring on campus: campus-wide e-mail and voicemail, "Star Alert" text messaging services (students opt out), interior and exterior public address systems, the University website, and the University's closed-circuit televisions.

The University may post updates on the SCSU website during a critical incident. The larger community, parents, and other concerned citizens are not required to be notified of such emergencies by St. Cloud State University. However, through the "Star Alert" program a student or employee may register contact information for additional people (e.g. parents, spouses, friends, siblings).

Regularly scheduled drills, exercises and appropriate follow-through activities, designed for assessment and evaluations of emergency plans and capabilities are completed throughout the year. The testing of the "Star Alert" text messaging system is conducted once each semester by the University Communications Office. Any failures are identified and addressed immediately. Results of these tests are available by request to the University Communications Office located on the second floor in Administrative Services. Fire evacuation drills are conducted each fall in all academic buildings with additional drills held in residence halls. The Critical Incident Readiness Team also meets to review and create necessary emergency procedures and conduct table top exercises as needed.

## Crime Statistics

SCSU will issue an annual report of crimes occurring on campus and related curtilage that are made known to Public Safety directly, or through other University departments or personnel and related law enforcement agencies. This report is made available by the Public Safety Department. Requests for additional information regarding this report and its statistics may be made to the Public Safety Department, 526 4<sup>th</sup> Avenue South, St. Cloud, MN 56301-4498, or phone 320-308-3333. The statistics in this report follow the uniform crime reporting procedures of the Federal Bureau of Investigation. These statistics should be considered in relation to the occurrences of crime in society generally, University demographics and statistics from other institutions of similar description.

## Definitions

The definitions listed are taken from the Federal Bureau of Investigation Uniform Crime Reporting (UCR) Handbook and National Incident Based Reporting System (NIBRS) and used to classify the criminal offenses previously listed:

- Murder - The willful (non-negligent) killing of one human being by another
- Manslaughter by Negligence – The killing another person through gross negligence, the intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of another
- Sexual Assault – Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
  - Rape – 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 consent of the victim. This offense includes rape of both males and females.
  - Fondling – 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.
- Consent - Is informed, freely given and mutually understood. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. Silence does not necessarily constitute consent, and past consent of sexual activities does not imply ongoing future consent. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent
- Stalking - Is conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause a reasonable person to fear for her or his safety or the safety of others or to suffer substantial emotional distress
- Dating and relationship violence - Includes physical harm or abuse, and threats of physical harm or abuse, arising out of a personal intimate relationship. This violence also may be called domestic abuse or spousal/partner abuse and may be subject to criminal prosecution under Minnesota state law

- Altered Privileges - Means a student is restricted from select activities or physical spaces on campus for a designated time. In addition, as part of an investigation, the Title IX investigator or the Conduct Administrator (Hearing Officer), can issue a no-contact order and this could be made permanent as part of the sanctioning process
- 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 by putting the victim in fear.
- Aggravated Assault – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm
- Burglary – The unlawful entry into a structure to commit a felony or 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 above
- Motor Vehicle Theft – The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by person not having lawful access even though the vehicles are later abandoned; including joyriding.)
- Larceny/Theft – The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples are thefts of bicycles or automobile accessories, shoplifting, pocket-picking or the stealing of any property or article that is not taken by force and violence or by fraud. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded
- 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.
- Alcohol Violations - The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)
- Drug Abuse Violations - Violation of Federal, State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroine, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine)
- Weapons Law Violations - The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the above

## Definitions of Geography

On-campus: any building or property owned or controlled by an institution of higher education within the same reasonably contiguous, locations within one mile of your campus boarder, geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes.

Residence Halls: a subset of on-campus, shows the number of on-campus incidents that occur in dormitories or other residential facilities for students on campus.

\*The Handbook for Campus Safety and Security Reporting has provided clarification to the term “reasonable contiguous”; it is reasonable to consider locations within one mile of your campus boarder to be reasonably contiguous with your campus.

Non-Campus (University Controlled): any building or property, other than a branch campus, owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution’s educational purposes, is used by students, and is not within the same reasonable contiguous geographic area of the institution

Public Property (Off campus): all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution’s educational purposes.

## SCSU- Main Campus

### Number of Incidents Reported (Calendar Years)

Offense (Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities*
Murder/Non Negligent Manslaughter	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Manslaughter by Negligence	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Rape	2021	4	0	0	4	4
	2020	4	0	0	4	4
	2019	3	1	0	4	3
Fondling	2021	3	0	0	3	3
	2020	3	0	0	3	3
	2019	2	0	0	2	2
Incest	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Statutory Rape	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Robbery	2021	1	0	0	1	0
	2020	0	1	0	1	1
	2019	0	1	0	1	1
Aggravated Assault	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Burglary	2021	0	0	0	0	0
	2020	0	1	0	1	0
	2019	2	3	0	5	2
Motor Vehicle Theft	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Liquor Law Arrests*	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Drug Law Arrests	2021	0	0	0	0	0



	2020	0	0	0	0	0
	2019	4	0	0	4	4
Weapons Law Arrests	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2021	11	0	0	11	11
	2020	96	0	0	96	96
	2019	98	0	0	98	98
Drug Law Violations Referred for Disciplinary Action**	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0

<b>Offense (Crimes Not Reported By Hierarchy)</b>	<b>Year</b>	<b>On Campus</b>	<b>Non-Campus</b>	<b>Public Property</b>	<b>Total</b>	<b>Residential Facilities</b>
Arson	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Domestic Violence	2021	0	0	0	0	0
	2020	1	0	0	1	0
	2019	1	0	0	1	1
Dating Violence	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Stalking	2021	2	0	0	2	0
	2020	0	0	0	0	0
	2019	3	0	0	3	3
Unfounded	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0

\* Per guidance provided by the Minnesota Attorney General’s Office, individuals cited for underage and minor consumption offenses are not considered to be in possession of alcohol and therefore are not in violation of a liquor law under the Clery Act.

\*\* Per guidance provided by the Minnesota Attorney General’s Office, individuals cited for possession of a small amount of marijuana or possession of drug paraphernalia have not committed a crime and therefore are not in violation of a drug law under the Clery Act.

St. Cloud Graduate Center- Plymouth Location

Number of Incidents Reported (Calendar Years)

Offense (Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities
Murder/Non Negligent Manslaughter	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Manslaughter by Negligence	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Rape	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Fondling	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Incest	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Statutory Rape	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Robbery	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Aggravated Assault	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Burglary	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Motor Vehicle Theft	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Liquor Law Arrests	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Drug Law Arrests	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Weapons Law Arrests	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Drug Law Violations Referred for	2021	0	0	0	0	0

Disciplinary Action	2020	0	0	0	0	0
	2019	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0

<b>Offense (Crimes Not Reported By Hierarchy)</b>	<b>Year</b>	<b>On Campus</b>	<b>Non-Campus</b>	<b>Public Property</b>	<b>Total</b>	<b>Residential Facilities</b>
Arson	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Domestic Violence	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Dating Violence	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Stalking	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Unfounded	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0

## Alnwick Castle

### Number of Incidents Reported (Calendar Years)

<b>Offense (Reported By Hierarchy)</b>	<b>Year</b>	<b>On Campus</b>	<b>Non-Campus</b>	<b>Public Property</b>	<b>Total</b>	<b>Residential Facilities</b>
Murder/Non Negligent Manslaughter	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Manslaughter by Negligence	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Rape	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Fondling	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Incest	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Statutory Rape	2021	0	0	0	0	0
	2020	0	0	0	0	0

	2019	0	0	0	0	0
Robbery	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Aggravated Assault	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Burglary	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Motor Vehicle Theft	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Liquor Law Arrests	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Drug Law Arrests	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Weapons Law Arrests	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0

<b>Offense (Crimes Not Reported By Hierarchy)</b>	<b>Year</b>	<b>On Campus</b>	<b>Non-Campus</b>	<b>Public Property</b>	<b>Total</b>	<b>Residential Facilities</b>
Arson	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Domestic Violence	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Dating Violence	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Stalking	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Unfounded	2021	0	0	0	0	0
	2020	0	0	0	0	0

	2019	0	0	0	0	0
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### Hate Crimes

St. Cloud State University demonstrates its commitment to affirmative action and equity in a variety of ways as part of the Minnesota State College & University System. SCSU has made a commitment to diversity in our workforce and student body in our strategic plan. The Hate Crime statistics are separated by category of prejudice: race, gender, religion, sexual orientation, ethnicity, national origin, disability, or gender identity. The numbers for most of the specific crime categories are part of the overall statistics reported for each year. The only exceptions to this are the addition of Simple Assault, Intimidation, and any other crime that involves bodily injury that is not already included in the required reporting categories. If a Hate Crime occurs where there is an incident involving Intimidation, Vandalism, Larceny, Simple Assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

The Higher Education Opportunity Act lists the following additional crimes under the hate crime category:

- Larceny/Theft: The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession, of another.
- Intimidation (including Stalking): 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.
- Vandalism: 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.
- 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, possibly internal injury, severe laceration, or loss of consciousness.

### SCSU- Main Campus

In 2021, there were no incidents of intimidation or hate crimes that occurred on campus property.

In 2020, there were no incidents of intimidation or hate crimes that occurred on campus property.

In 2019, there were no incidents of intimidation or hate crimes that occurred on campus property.

### St. Cloud Graduate Center- Plymouth Location

No hate crimes were reported in 2019, 2020, or 2021.

### Alnwick Castle

No hate crimes were reported in 2019, 2020, or 2021.

## Personal Safety and Access to Campus Facilities

### *Personal Safety*

Public Safety Officers are available to assist you in protecting yourself by providing regular foot and vehicle (mountain bike, automobile) patrol and various safety and security communication; however, only you can protect yourself by being aware of your surroundings and taking appropriate steps in preventing crime.

#### *Emergency (Blue Light) Phones*

"Blue Light" (emergency) and elevator call box telephones are located throughout the campus. The "Blue Light" phones are made visible by a blue light globe on the top of these stations. When properly activated, these phones directly dial the on-duty Public Safety dispatcher. To operate these phones you must follow this "one-step" process:

Push the red button on the face of the box and present your communication to the dispatcher. Public Safety will know your location and immediately dispatch an Officer to assist.

#### *Safety Escort Program*

An on-campus (walking) safety escort is provided by Public Safety for members of the University community. Escorts may be requested by calling 320-308-**3333** and will be provided as other safety and security duties permit.

## Tips For Your Safety

### *Protection of Residence Hall room or Apartment Rooms*

- Close and Lock your door - even if you are only going out for a short time or only going a short distance. It only takes a matter of seconds to enter your open room and steal your valuables.
- Always lock your door when you are asleep. You are also encouraged to lock your door when you are awake.
- Do not prop open buildings' locked exterior doors. These doors are locked for your protection and the protection of others.
- Never open exterior doors of a building for strangers or non-residents. Always escort your guests to and from the main entrance doors.
- Do not loan your keys to anyone - even a classmate or a friend. They may not be careful with them and may misplace them, giving the wrong person access.
- Do not leave your keys lying around in public places or in any pocket of your jacket when you are not wearing it.
- Do not put your name or address on key rings as they may be used to steal your property if found by the wrong person.

### *Protect Your Property*

- Personal property (purses, backpacks, calculators, etc.) should never be left unattended. Take such items with you if you are leaving the office, classroom or residence hall room.
- Lock your door whenever you leave your room or office. Always lock your door when sleeping. Always lock your vehicle's doors.

- Never open the exterior doors of the building to strangers or non-residents. Always escort your guests throughout your building and residence.
- Protect all valuables in your room or office. Do not leave them in plain view.
- Take valuables home with you during breaks between school sessions.
- Students are encouraged to open checking/savings accounts and use on-line banking rather than keeping large sums of money in your residence. If you open a checking account, remember the number of the last check written. The theft of a single check can go undetected until a bank statement discloses a forgery.
- Park your bike in secure and well-lit areas. Always lock your bike to a bicycle rack. Several high quality anti-theft locks are available. Case-hardened heavy (U-Bolt) locks and chains afford the best protection for security of these items.

*Protect Your Automobile*

- Always lock your vehicle's doors and never leave your keys anywhere in your vehicle.
- Try to park your car in a well-lit area.
- Avoid leaving personal property where it is visible inside your vehicle.

*Protect YOURSELF*

- Avoid walking alone at night.
- Refrain from taking shortcuts; walk where there is plenty of pedestrian and vehicular traffic.
- Walk along well-lighted routes at night.
- Be alert to your surroundings. If you suspect you are being followed, run in a different direction, go to the other side of the street and yell for help, or head quickly for a lighted area or a group of people.
- Have your keys ready when returning to your residence hall or apartment and keep your personal or valuable items concealed and close to your body. If you must travel alone at night, use Public Safety's on-campus escort service (308-**3333**) to escort you to your on-campus destination.

*Help Us Protect You*

Watch for suspicious persons in and around University buildings and in parking lots. Do not pursue them. Call Public Safety immediately. Call Public Safety if you should enter your room and find a stranger, regardless of any "cover story" the person present might recite to you.

*Suspicious Activity:*

- If you see any suspicious activity or people on or near campus, call Public Safety immediately at 320-308-**3333**. Do not assume that what you observe is an innocent activity or that it has already been reported.
- Do not assume the person is a visitor or University staff member that you have not seen before.

*Suspicious people may be:*

- Loitering about at unusual hours and locations; running, especially if something of value is being carried.
- Exhibiting unusual mental or physical symptoms. Person(s) could be in distress and need medical or psychiatric assistance.

- Carrying property that might be suspicious, depending on the circumstances, going from room to room trying door handles. Door-to-door soliciting is not permitted in SCSU residence halls. Violations of this rule should be immediately reported to your hall director. Report all thefts and property loss immediately to Public Safety and/or the St. Cloud Police Department.

***Be safety and security conscious at all times.***

## Campus Facilities Security and Access

Building access and maintenance:

- The SCSU campus is for the use of the students, faculty, staff, guests and those on official business with SCSU.
- Access to campus buildings is limited outside of normal business and class hours.
- Students, faculty, staff and visitors are encouraged to report needed repairs to the Buildings & Grounds Maintenance Office 320-308-3166.

Policies and procedures for safe access to academic buildings:

- Keys and access cards are issued to authorized faculty, staff and students only. Contractors or vendors may temporarily be issued keys/cards with staff approval. If either are in the residential halls when the building is occupied, they will be escorted by St. Cloud State university officials.
- Exterior building doors should not be propped open when the doors are locked.
- Building evacuation is mandatory for all fire alarms.
- Individual academic buildings are normally open from 7 AM until after evening classes or scheduled weekend classes and special events. Employees and students in buildings after normal working hours should have a University I.D. in their possession and present the I.D. when requested.
- Faculty or staff who appear to be the last persons in a building should ask unauthorized people to leave the premises. If this is not acceptable to those addressed or if the employee does not feel comfortable making this contact, that employee may call Public Safety 320-308-**3333** for assistance. The building should be secured when the last employee leaves. In buildings that have outside windows, employees should close and lock them before leaving the building.
- On campus phones and pay phones are located in most buildings for emergency calls. Problems related to people in buildings after hours should be reported to Public Safety 320-308-3333 immediately.

Policies and procedures for safe access to residence halls:

- After the first day of Fall Semester, residence hall exterior doors are locked at 7 PM and remain locked until 6 AM the next morning, Monday through Thursday and from 7 PM each Friday and remain locked until 6 AM each following Monday. However, due to the pandemic the halls have been locked 24 hours a day, seven days a week since March 2020.
- Residents are encouraged not to prop doors open and not to open these doors to anyone other than their guests.
- Residents locked out of their rooms should contact on duty staff at their hall's front desk. After desk hours, contact their hall front desk or the CA on call.
- All non-residents of the halls must be checked in with a picture I.D. by a resident of the hall being entered between 7 PM and 6 AM. Guests should be escorted by their hosts at all times while in the residence halls.



- No person(s) other than hall residents will be allowed in residence hall lounges or lobbies after 7 PM without an escort/host present.

### **Maintenance of Campus Facilities**

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. The Public Safety Department regularly patrols campus reporting malfunctioning lights, blue light call boxes, elevator call boxes, fire extinguishers and other unsafe physical conditions to Facilities Management for correction. Other members of the University community are helpful when they report equipment problems to Public safety or to Facilities Management.

### **Notification of Missing Students**

This policy and procedure are established to provide consistent operational protocol for the University's response to reports of a missing student and to meet the requirements of the Higher Education Opportunity Act of 2008.

#### **POLICY**

A student may be considered to be a "missing student" if the person's absence is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include a reasonable/reliable report or suspicion that the missing student may be endangered. Examples include, but are not limited to, possible victim of foul play, expression of suicidal thoughts, alcohol or other drug abuse, a life-threatening situation, or recent contact with persons who may endanger the student's welfare.

Understanding that timing is critical in missing persons situations, anyone who has information or suspects that a student may be missing must notify the Public Safety Department as soon as possible.

The Department of Residential Life maintains emergency contact information that will be treated as confidential and accessible only to authorized campus officials. It may be disclosed to law enforcement personnel and others if a determination has been made that the health or safety of a student is at risk.

#### **PROCEDURE**

##### **Designation of Emergency Contact Information**

Residential Students will be given the opportunity upon check-in to a University owned or operated residence hall/apartment, to designate an individual or individuals to be contacted by the University in the event of an emergency. The designation will remain in effect until changed or revoked by the student.

The University is required to notify the custodial parent or guardian if a student determined to be missing is under the age of 18 and not emancipated.

Notification will be made not more than 24 hours after a student is determined to be missing in accordance with this procedure and associated policy.

##### **Official Notification**

Any individual who has information that a student may be missing must notify the SCSU Public Safety Department (Public Safety) as soon as possible.

To avoid jurisdictional conflict, Public Safety will immediately notify local law enforcement authorities. If it is apparent immediately that the student may be endangered (i.e. witnessed abduction), a missing person report will be made and local law enforcement will take charge of the investigation. The Public Safety Department will assist external authorities with the investigation as requested.

In the event that local law enforcement does not immediately take charge of an investigation, Public Safety will work with campus offices, the reporting person(s), and student acquaintances to gather all essential information about the missing student including, but not limited to: physical description, clothes last worn, last known location/activities, who student was with, vehicle description, information about the student's physical, emotional, and mental wellbeing, a current photograph, and class schedule.

Appropriate campus staff will be notified to aid in the search process.

If this investigation process is unsuccessful in locating the student within 24 hours, Public Safety will re-contact local law enforcement to make a missing person report and local law enforcement will take charge of the investigation. The Public Safety Department will assist external authorities with the investigation as requested.

No later than 24 hours after determining a student is missing the Vice President for Student Life and Development, or designee, will notify the designated emergency contact(s) or the custodial parent/guardian.

For students who did not designate an emergency contact, notification will be made in accordance with FERPA and Minnesota Government Data Privacy guidelines.

## **Communications**

Law enforcement personnel are trained to provide information in a manner designed to elicit public assistance. All communications regarding missing students will be made under the direction of law enforcement, who may consult with the University Communication Office. All inquiries or information received regarding a missing student should be directed to or referred to Public Safety, who will refer to law enforcement authorities.

Prior to publically releasing information about a missing student, the University Communication Office shall consult with Public Safety, law enforcement authorities and the Office of Student Life and Development to ensure communications comply with FERPA and Minnesota Government Data Privacy Guidelines and do not hinder the investigation.

## Crime Prevention Education and Awareness

SCSU Health Service provides programs, information, education and referrals (including on campus support groups) to students for drug and alcohol abuse. This information is available upon request and programs are scheduled throughout the academic year.

Programs regarding safety issues are furnished to both students and employees by the Public Safety Department upon request. Programs include: Reporting Crime, Theft Prevention, Sexual Assault Prevention, and Burglary Prevention.

Representatives of Public Safety are willing to assist with designing and presenting presentations on a variety of person and property safety and crime prevention. In addition, Public Safety officials may assist with supportive documentation for course projects or assignments. Please contact the Department's administration to assist in these matters.

U-Choose program: U-Choose is an educational based campus prevention effort that focuses on the reduction of high risk alcohol use. The program utilizes empirically based theories and approaches specifically designed for college students. This student programming is offered several times throughout the week during the months of September through May and as needed during June through August.

## Response to Sexual Violence

St. Cloud State University prohibits the offense of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community. Toward that end, St. Cloud State University issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official.

## Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

- 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; 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.

- For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- 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 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.
- Sexual assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim if 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 his/her age or because of his/her 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 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 persons 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.
- For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

## Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

**Domestic Violence:** The state of Minnesota defines domestic violence as follows: conduct, 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
- terroristic threats, within the meaning of section 609.713, subdivision 1; or criminal sexual conduct, within the meaning of sections 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

A “family or household member” means the following:

- 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
- persons involved in a significant romantic or sexual relationship

**Dating Violence:** The state of Minnesota includes dating violence in their domestic violence statute.

**Sexual Assault:** The state of Minnesota does not define sexual assault; however acts of sexual assault are included in the criminal sexual conduct statutes. 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 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.

**Stalking:** The state of Minnesota defines stalking as follows: 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

**Consent:** St. Cloud State University defines consent as follows: Consent is informed, freely given and mutually understood. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. Silence does not necessarily constitute consent, and past consent of sexual activities does not imply ongoing future consent. Whether the accused has taken advantage of a position of influence over the complainant may be a factor in determining consent.

#### How to Be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”<sup>1</sup> We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911:

- If you see a potentially dangerous situation, be willing to act, even if it means going against the crowd.
- Talk to your friends ahead of time about how they would like you to intervene if they are in an uncomfortable situation.
- Step in and separate the two people and let them know you’re concerned.
- Use a distraction to redirect the focus. “Hey, I need to talk to you.”
- Recruit others to help intervene.

### Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

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<sup>1</sup> Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792.

- 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.

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

- A. A statement that the institution prohibits the crimes of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act)
- B. The definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;
- C. What behavior and actions constitute consent, in reference to a sexual activity, in State of Minnesota;
- D. A description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- E. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- F. Information regarding:
  - a. Procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document)
  - b. How the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
  - c. Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and
  - d. Options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
  - e. Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault and stalking (as described in “Adjudication of Violations” elsewhere in this document).

## Primary Prevention and Awareness Programs

St. Cloud State University requires all new students to complete an on-line workshop covering sexual violence, relationship violence and stalking in their first semester. If a student does not complete the requirement, they are not allowed to register for the following semester. The program includes a resource page with policies, procedures and resources specific to St. Cloud State University. New employees will be required to complete an educational on-line program that includes information on prevention and their roles and responsibilities in responding to incidents of sexual violence, relationship violence and stalking. Education shall emphasize the importance of preserving evidence for proof of a criminal offense, safe and positive options for bystander intervention, and information on risk reduction to recognize warning signs of abusive behavior and risk associated with the perpetration of these crimes.

Specifically, the University offered the following primary prevention and awareness program for all incoming students in 2021: MinnState-required Sexual Violence Prevention. All NCAA athletes and international students receive additional training.

The University offered the following primary prevention and awareness programs for employees in the following areas in 2021: Responding to Sexual Violence (SV) and Dating Violence (DV).

## Ongoing Prevention and Awareness Campaigns

A number of offices provide on-going prevention and awareness education, safe and positive options for bystander intervention, and information on risk reduction to recognize warning signs of abusive behavior and risk associated with the perpetration of sexual violence, relationship violence and stalking. Brochures, posters and other means of information to decrease incidences and educate individuals of the legal and other options available if they are the complainants of an incident or they learn of such an incident will be developed and distributed by the Gender Violence Prevention Program in consultation with the Office for Institutional Equity and Access.

The University offered the following ongoing awareness and prevention programs for students and employees in 2021: Healthy Relationships; Neurobiology of trauma and responses after violence; Bystander Intervention; Understanding safety, sexual violence, Domestic violence and stalking (ST); Rape Culture and Violence Risk Reduction, affirmative sexual consent, patriarchal violence, sexual exploitation and trafficking and supporting victims/survivors.

## Procedures Victims Should Follow If a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs

The following are suggested actions for a sexual assault (SA) victim. However, St. Cloud State University recognizes that the victim has the right to decide her or his own course of action and will be supported in controlling those decisions as to avoid possible re-victimization. Staff from the Women's Center's Gender Violence Prevention Program and the Central Minnesota Sexual Assault Center specialize in victim advocacy and can assist individuals in making informed decisions.

If a victim wants to talk with a trained advocate and it is after offices on campus have closed, call the 24 hour sexual assault crisis line at the Central MN Sexual Assault Center at 251-4357 (251-help) or at 1-800-



237-5090. If it is during regular business hours, the individual can call the Women's Center at (320) 308-3995 or (320) 308-4958.

For complete information on Immediate Care go to:  
<http://www.stcloudstate.edu/womenscenter/default.asp>

### ***Medical Attention and Evidence Collection***

It is important for someone who has been sexually assaulted to receive medical care to ensure physical well-being and to obtain the collection and preservation of evidence. Even if the individual initially chooses not to report to law enforcement, it can be helpful to have an evidence exam done preferably within 72 hours of the assault so if the individual chooses to take legal action at any time in the future, the evidence can add credibility to the legal case. Seek care at a hospital trauma center closest to where the victim is. In the St. Cloud area, go to the St. Cloud Hospital Emergency Trauma Center for evidence collection. When the victim arrives at the St. Cloud hospital, a trained sexual assault advocate will be contacted immediately and a Sexual Assault Nurse Examiner (SANE) who specially trained will complete an evidence exam. If a victim wants to report to law enforcement right away, the SANE nurse will call them to come to the hospital. If a victim is not ready to make a report, the evidence exam will be stored for four years with an anonymous reporting process Note that at other hospitals, you may have to request a sexual assault advocate.

To facilitate evidence collection, the victim should not bathe or douche, urinate, drink any liquids, smoke, eat or brush their teeth. If clothing has been changed, the clothing worn at the time of the assault should be placed in a paper bag (not plastic). However, even if an individual has not been able to follow these guidelines, evidence can still be collected. According the Minnesota statute, the victim will not be billed for the evidence exam.

If the individual chooses not to go to the hospital, follow up care at St. Cloud State University Health Services is encouraged for STD treatment, pregnancy test, emergency contraception and treatment of any injuries. Health Service providers are trained to document and photograph any injuries for later evidence, but they do not do evidence exams. Follow-up care can be provided also at Planned Parenthood (320-252-9504) or a private health care provider.

### ***Involvement of Law Enforcement and Campus Authorities***

Although the university strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. The SCSU Public Safety Department will assist any victim with notifying local police if they so desire. St. Cloud Police Department may also be reached directly by calling 320-345-4444, in person at 101 11<sup>th</sup> Avenue North, St. Cloud, MN 56303. Additional information about the St. Cloud Police Department may be found online at: <http://www.ci.stcloud.mn.us/694/Police>.

Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Chocoletta Simpson; Equity and Affirmative Action Officer; 121 Administrative Services Building, 720 4<sup>th</sup> Avenue South, St. Cloud, MN 56301;

[oea@stcloudstate.edu](mailto:oea@stcloudstate.edu); 320-308-5123 by calling, writing or coming into the office to report in person and Public Safety (if the victim so desires.)<sup>2</sup> Reports of all domestic violence, dating violence, sexual assault and stalking made to SCSU Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

### **Procedures the University Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported**

The University has procedures in place that serve to be sensitive to those involved in a report of sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services on and/or off campus as well as additional remedies to prevent contact between a complainant<sup>[1]</sup> and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the Public Safety Department or local law enforcement.

A student complainant has the right to file a complaint with the university. Complainants can report to the Title IX Officer in the Office for Institutional Equity and Access. Due to the nature of bias motivated and sexual violence, relationship violence and stalking offenses, alleged violations will usually follow the Title IX procedure under the direction of the Title IX Coordinator. Title IX of the Education Amendments of 1972 is a federal civil rights law that prohibits discrimination on the basis of sex in any education program or activity that receives federal funding.

#### ***The Title IX process involves the following steps:***

1. A complaint or other information is received.
2. The complaint is reviewed.
3. The title IX Coordinator (or designee) meets with the complainant to discuss their rights, resolution options including University processes, resources, and interim measures.
4. Interim measures including Summary Suspension or Alteration of Privileges may be imposed.
5. Both complainant and accused will be informed of interim measures if imposed.
6. If the complainant files a formal complaint and wishes to engage in a University Process, the respondent is notified and provided adequate information in regard to the nature of the complaint.
7. The title IX Coordinator or designee meets with the Respondent to discuss their rights, the University process, resources, and interim measures.
8. An investigation occurs in which interviews are conducted and relevant documentation is obtained.

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<sup>[1]</sup> This document will use “victim” and “complainant” and “perpetrator” and “accused party” interchangeably. Each institution needs to use language consistent with their institutional policies.

9. A formal hearing is held to review all relevant information and to make a recommendation of outcome.
10. A decision will be made as to whether a violation occurred. If so, educational sanctions will be imposed.
11. An appeal of the decision may be filed by either complainant or respondent.

The level of proof for violations of Minnesota State and SCSU policies is not ‘beyond a reasonable doubt’ as in the criminal court system, but instead is ‘more likely than not,’ or a ‘preponderance of evidence.’ This is defined as a standard of responsibility that reaches at least 50% confidence that a violation has occurred. If an accused is found responsible, sanctions can include university probation, suspension or expulsion.

### *Assistance for Victims: Rights & Options*

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Complainants shall be notified of the following rights:

- a. to be informed of available services including support, advocacy, and counseling;
- b. to file criminal charges with local law enforcement officials;
- c. to have prompt assistance from campus officials, upon request, in notifying the appropriate campus investigating authorities and law enforcement officials and, at the direction of law enforcement authorities, assistance in obtaining, securing and maintaining evidence in connection with a sexual assault, relationship violence, or stalking incident;
- d. to decline to notify campus and/or law enforcement authorities;
- e. to have complaints of incidents of sexual violence, relationship violence and stalking promptly and appropriately investigated and resolved;
- f. to be shielded from unwanted contact with the accused including, but not limited to, transfer of the complainant and/or the accused to alternative classes, a work site or to alternative college-owned housing, if such alternatives are available and feasible;
- g. to have others present during the investigative process;
- h. to review the information collected during investigation and respond to that information in writing;
- i. to participate in a live hearing regarding their case and be provided an opportunity to question their accuser during the hearing process;
- j. to be informed of the outcome of any disciplinary proceeding, including sanctions;
- k. to be informed of the procedure to appeal the results of the university’s disciplinary proceedings;
- l. to file complaints with the Office for Civil Rights with the Department of Education and the Financial Aid office within the Department of Education regarding Clery Act violations;
- m. to be provided information on the Rights under the Crime Victims Bill of Rights, Minnesota Statutes Sections 611A.01 – 611A.06, including the right to assistance from the Crime Victims Reparations Board and the commissioner of public safety.

### *Accused Student's Rights*

- a. to be presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the process;
- b. to be notified of a formal complaint and be provided with adequate information regarding the complaint filed to be able to respond to the allegations;
- c. to have complaints of incidents of sexual violence, relationship violence and stalking promptly and appropriately investigated and resolved;
- d. to have others present during the investigative process;
- e. to have access to an adviser for help understanding university processes;
- f. to review the information collected during investigation and be provided the ability to respond to that information;
- g. to participate in a live hearing regarding their case and be provided an opportunity to question their accuser during the hearing process;
- h. to be informed of the outcome of any disciplinary proceeding, including sanctions;
- i. to be informed of the procedure to appeal the results of the university disciplinary proceeding;
- j. Access to services from the counseling center, health center or other appropriate student services and referrals to appropriate community services.

Rights of Victims and the Institution's Responsibilities for Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution

St. Cloud State University complies with Minnesota law in recognizing orders of protection and harassment restraining orders by working with Stearns County Judges on specifics that might be written into orders pertaining to campus such as students not being in same classes together, staying a certain amount of feet away even if they are both students to make the orders more effective for law enforcement and create greater safety for the student. Any person who obtains a protective order from Minnesota or any reciprocal state should provide a copy to the Women's Center. A complainant may then meet with the Women's Center to develop a Safety Action Plan, which is a plan for SCSU and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc. The University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s).

<sup>1</sup> The Title IX Coordinator is regarded as a "Responsible Employee" under Title IX and also a "Campus Security Authority" under the Clery Act. Statistical information less the victims identifying information will be provided to campus public safety or whomever at the institution compiles the annual crime statistics even if the victim chooses not to alert campus public safety personally.

<sup>1</sup> This document will use "victim" and "complainant" and "perpetrator" and "accused party" interchangeably. Each institution needs to use language consistent with their institutional policies.

Protection from abuse orders may be available through the county in which the victim resides.

Type of Order:	Who Can File For One:	Where To Go For Assistance:	Criteria for Order:
<p><b>Order For Protection (OFP) - Domestic Abuse</b></p>	<ul style="list-style-type: none"> <li>• Spouses;</li> <li>• Former Spouses;</li> <li>• Parents and children;</li> <li>• Persons related by blood;</li> <li>• Persons who live together or who have lived together in the past;</li> <li>• Persons who have a child in common, even if they have not been married or lived together;</li> <li>• Persons who have an unborn child in common;</li> <li>• Persons involved in a significant romantic or sexual relationship.</li> </ul>	<p>Visit the Stearns County Courthouse. District Court staff will help you complete the paperwork (Affidavit and Petition) needed to ask for a temporary "ex parte" Order for Protection. You are called the "Petitioner" and the person you are filing against is called the "Respondent."</p> <p>The Gender Violence Prevention Program can assist students in completing and filing OFP's and harassment orders.</p>	<ul style="list-style-type: none"> <li>• physical harm, bodily injury, or assault;</li> <li>• the infliction of fear of imminent physical harm, bodily injury, or assault; or</li> <li>• 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.</li> </ul>
<p><b>Harassment Restraining Order (HRO)</b></p>	<p>Anybody who does not fall under the criteria for the Order for Protection.</p>	<p>To file a Harassment Restraining Order, you must first fill out a Court Administration form titled "Petitioner's Affidavit and Petition for Harassment Restraining Order."</p> <p>You may pick up a copy of this form from the Stearns County Service Center, or download it from the Minnesota Court System's web site. Provide as many details as possible on the form, and return it to Court Administration.</p>	<p>A single incident of physical or sexual assault or repeated incidents of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless of the relationship between the actor and the intended target.</p>

The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the University receives a report that such an institutional no contact order has been violated, the University will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

### Accommodations and Protective Measures Available for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, St. Cloud State University will provide written notification to students and employees about accommodations available to them, including academic, living, transportation and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, university officials will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working or transportation situations regardless of whether the victim chooses to report the crime to Public Safety or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situation may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To receive assistance in requesting accommodations or request changes to academic, living, transportation and/or working situations or protective measures, a victim should contact the Women's Center located at 520 5<sup>th</sup> Avenue South or by phone at 320-308-3995. In addition, Minnesota's statute 504B.206, Right of Victims of Violence to Terminate Lease can be implemented by our off campus students. The Gender Violence Prevention Program can assist students in this process.

#### On and Off Campus Services for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, St. Cloud State University will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following:

**St. Cloud State University Women's Center's** Gender Violence Prevention Program provides services for victims of sexual assault, relationship violence and stalking including individual support, advocacy, information and referral. Through a victim-centered philosophy, assault survivors receive non-judgmental support to direct their own healing process.

Main Number 320-308-4958

Rebecca Kotz 320-308-3995

[www.stcloudstate.edu/womenscenter](http://www.stcloudstate.edu/womenscenter)

**Central Minnesota Sexual Assault Center** operates a **24 hour crisis line** that is available to the campus, offers confidential counseling and advocacy, and support groups for survivors and concerned persons.

320-251-4357

<http://cmsac.org/>

**St. Cloud State University Counseling and Psychological Services** has licensed Mental Health professionals to provide counseling and referrals. There is a crisis counselor available every day for walk-in appointments.

320-308-3171

[www.stcloudstate.edu/counseling](http://www.stcloudstate.edu/counseling)

#### **Medical Services and Evidence Collection**

**St. Cloud Hospital Emergency Trauma Center** provides medical services, evidence exams, STD treatment and when requested, emergency contraception.

1406 6th Ave. North

St. Cloud, MN 56303

320-255-5656

**St. Cloud State University Medical Clinic** offers STD testing and treatment, emergency contraception, pregnancy testing and documentation of injuries. Call to make an appointment and tell them you have been sexually assaulted and would like to get in immediately for care.

320-308-3191

[www.stcloudstate.edu/healthservices](http://www.stcloudstate.edu/healthservices)

**Planned Parenthood** provides high quality reproductive and related health care services including emergency contraception and medical follow-up.

451 East St. Germain Street, Suite 100 St. Cloud, MN 56304

(320) 252-9504

**Anna Marie's Alliance** provides services and safe housing for victims of relationship violence.

320-253-6900.

[www.annamaries.org](http://www.annamaries.org)

The SCSU Financial Aid Office will assist victims to ensure the appropriate adjustments and/or refunds are made and appeals are approved as needed to respond to individual situations.

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<http://www.rainn.org> – Rape, Abuse and Incest National Network

[Sexual Assault | OVW | Department of Justice](#)- Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

## Confidentiality

Victims may request that directory information on file be removed from public sources by request by completing a [Request to Restrict Directory Information Disclosure](https://www.stcloudstate.edu/srfs/forms.aspx) form at <https://www.stcloudstate.edu/srfs/forms.aspx> under Student Academic Records and Data Privacy. There are a few things students should understand about this restriction:

- Even if a restriction is placed, a student's name can still be disclosed in on-site or online classes.
- Even if a restriction is placed, SCSU will still use a student's directory information as needed to perform university business such as processing a financial aid application or preparing a diploma.
- There may be consequences or inconveniences related to restricting disclosure including, but not limited to, SCSU becoming unable to: notify a potential employer of awards or degrees earned; include a student's name in the commencement program; or acknowledge participation in a sport or student organization to a scholarship approval/advisory committee.
- A student's restriction remains in effect until we receive a formal written request to remove the restriction. This holds true even if a student has graduated or ceases to be enrolled. There is a section at the bottom of the [Request to Restrict Directory Information Disclosure](https://www.stcloudstate.edu/srfs/forms.aspx) form provided for this purpose.

Regardless of whether a victim has opted-out of allowing University to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims nor house identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

## Adjudication of Violations

The university's disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser or the accused of the delay and the reason for the delay. Investigators are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. The Sexual Violence, Relationship Violence, and Stalking Policy provides that:



1. The accuser and the accused will have a timely notice for meeting at which the accuser or accused, or both may be present;
2. The accuser, the accused, and appropriate officials will have a timely and equal access to any information that will be used during formal and informal disciplinary meetings and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or accused;
4. The accuser and the accused each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or proceeding. The University will not limit the choice of the advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary meeting.
5. The accuser and the accused will be notified simultaneously in writing, of the any initial, interim and final decision of any disciplinary proceeding; and
6. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed the accuser and the accused will be notified simultaneously in writing of any charges to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

### Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking

St. Cloud State University shall use the Report/Complaint of Discrimination/harassment Investigations and Resolution procedures when investigating complaints involving employees, Board Procedure 1B1.1 that can be found at <https://www.minnstate.edu/board/procedure/1b01p1.html> . Complaints involving students will use the Title IX procedure immediately following. Procedures are designed to avoid requiring complainants to follow any plan of action and to prevent the possibility of re-victimization. St. Cloud State University investigation and disciplinary procedures concerning allegations against employees or students shall:

1. Respect the needs and rights of individuals involved;
2. Proceed as promptly as possible;
3. Assure Employees have the right to representation consistent with the appropriate collective bargaining agreement or personnel plan;
4. Proceed in accordance with applicable due process standards and privacy laws;
5. Use a 'preponderance of evidence' standard, meaning that it is more likely than not that the policy or code has been violated.

## **Title IX Procedure**

Due to the nature of bias motivated and sexual violence offenses, alleged violations will usually follow the Title IX procedure under the direction of the Title IX Coordinator. Alleged violations typically adjudicated by this procedure include, but are not limited to sexual violence, rape, sexual assault, harassment, dating or domestic violence and some forms of stalking. The procedure is as follows:

### **Filing a Complaint**

1. Any person may file a complaint against a student, student organization or club for an alleged violation of the Student Code of Conduct. A complaint may be in writing and directed to the Title IX Coordinator.
2. Complaints should be submitted as soon as possible after the incident.
3. A third party or University employee may submit a complaint on behalf of, or in lieu of, a student.
4. The complaint must include information on the alleged act(s) of misconduct in sufficient detail to enable the Title IX Coordinator to make a determination if sufficient information exists to conduct an initial review.

### **Initial Review**

1. Upon receipt of a written complaint or report concerning a St. Cloud State University student, student organization or club, the Title IX Coordinator shall review the complaint and conduct a preliminary inquiry.
2. To determine if there is sufficient basis to believe that a violation of the Student Code of Conduct may have occurred, the Title IX Coordinator may conduct interviews or obtain additional information.
3. Interim measures may be taken by the University during the inquiry process. These may include, but are not limited to: summary suspension or altered privileges, no contact directives, residential accommodations and academic modifications.
4. The Title IX Coordinator or designee reserves the right to refer any complaint to another University official, process or office for further action.
5. If the inquiry results in sufficient information to support the complaint, the Title IX Coordinator shall send a written notice to the student, student organization or club. The written notice will include the basis of the complaint, the behavior that allegedly violates the Student Code of Conduct, and will inform the student, student organization or club of a pending investigation.

### **Investigation**

1. The Respondent will be provided an opportunity to respond to the complaint, present relevant information, and may be provided with additional information regarding the complaint during the investigative process. The Complainant and witnesses may also be interviewed.
2. Students must meet with the Title IX Investigator if requested, but may choose not to provide information or otherwise participate in the investigation process. Decisions will be made based on

available information. A student's decision not to participate will not delay or deter the investigation or decision.

3. Students who participate in the investigative process will have four days to review the transcript of their interview.
4. Complainants and Respondents will periodically be provided information on the progress of the investigation.

### **Decision**

1. The Investigator will submit the completed investigative file to a Decision-maker assigned by the Title IX Coordinator.
2. Title IX decisions, including any educational sanctions assigned for a finding of "responsible" will be communicated in writing to the Respondent and Complainant.
3. The Complainant and Respondent will have four days to appeal the decision as detailed in the Appeals section of the Student Code of Conduct.

St. Cloud State University will apply the Minnesota State College and Universities' Sexual Violence Policy and Procedure to any domestic violence, dating violence, sexual assault, or stalking report involving an employee as either the victim or the accused. The employee's classification and union affiliation is irrelevant.

### **University-Initiated Protective Measures Available to a Victim Alleging Misconduct**

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim intervention and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by St. Cloud State University.

### **Notification to Victims of Crimes of Violence**

The University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crimes of offence, the next of kin of such victim shall be treated as the alleged victim for purposed of this paragraph.

## Community Notification of Sexual Offenders

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the St. Cloud State Public Safety Department is providing a link to the Minnesota Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student.

The Minnesota Level 3 Sex Offender Registry is available via Internet. **Information regarding Level 3 sex offenders can be found at <https://mn.gov/doc/family-visitor/search-individuals-fugitives/> and information regarding Level 2 offenders is available at the St. Cloud Police Department.**

## Comprehensive Drug and Alcohol Free Policy

This policy supports the mission of St. Cloud State University by:

*Enhancing Learning and Service:* St. Cloud State University seeks to provide an excellent learning environment and to provide support and service to our community and the broader community. We recognize the best educational environments are free from the adverse effects of high-risk and illegal alcohol and other drug use. We recognize also that high risk drinking among our students on or off-campus has a negative effect on academic performance and negative consequences for our community.

*Respecting Individual Freedom and Responsibility:* The University supports the individual freedoms accorded to our community members. However, we believe that with those freedoms come responsibilities to the University and the surrounding community. At a minimum, fulfilling those responsibilities requires that individuals understand and act in accordance with university policy and applicable local, state and federal laws.

*Promoting Health, Safety and Well-Being:* The misuse and abuse of alcohol and other drugs pose a serious threat to individuals and the University's ability to fulfill its educational mission. Excessive drinking among St. Cloud State University students is potentially associated with death, sexual assault, violence, injury, property damage, and a host of other negative effects.

Reducing these negative effects requires that we care for members of our community and our guests and visitors. Every member of the University community has a stake in promoting the goals listed above. As a result, University employees are expected to support this policy by:

- Supporting efforts to reduce or eliminate high-risk and illegal use of alcohol and other drugs.
- Holding students accountable for behavior that violates this policy, including referring incidents to University and/or law enforcement officials as appropriate.
- Supporting students' efforts to achieve healthy and productive lives by referring them to appropriate services, programs and activities.

Some employees have a greater responsibility in supporting compliance, including but not limited to, student organization advisers, Community Advisers, Public Safety Officers, and those traveling with students to off-campus events.

The entire text of the **Alcohol and Other Drugs Policy**, as well as the University's penalties for possession or distribution of controlled substances by students on University premises or at institutionally-sponsored activities off-campus, are contained online at <https://www5.stcloudstate.edu/Policies/SCSU/Viewer.aspx?id=57> . *The Student Code of Conduct* also specifies the prohibitions and the penalties for violations of these prohibitions and is part of the *Student Handbook*, which is published under separate cover and is available through the division of Student Life and Development.

The University does not condone violations of those laws proscribing possession, use, or sale of alcoholic beverages and possession, use, sale, manufacture, or distribution of illegal drugs. Members of the SCSU community should know that disciplinary action, which may include eviction from the residence halls, revocation of other privileges, or suspension or expulsion from the University, may be taken in order to protect the interests of the University and the rights and safety of others. Abuse of alcohol and drugs can have a dramatic impact on professional, academic, and family life. The University, therefore, encourages members of the community who may be experiencing difficulty with drugs or alcohol to contact one of the following resources available on-campus:

**Resources:**

**Counseling and Psychological Services**

[www.stcloudstate.edu/counseling](http://www.stcloudstate.edu/counseling)

850 1<sup>st</sup> Ave. South, Eastman Hall

(320) 308-3171

Confidential online alcohol screening is available through the Counseling & Psychological Services web site.

**St. Cloud State University Medical Clinic**

[www.stcloudstate.edu/healthservices](http://www.stcloudstate.edu/healthservices)

805 1<sup>st</sup> Ave. S. Eastman Hall

(320) 308-3191

**Human Resources**

[www.stcloudstate.edu/humanresources](http://www.stcloudstate.edu/humanresources)

2<sup>nd</sup> Floor, Administrative Services

(320) 308-3203

## Fire Safety

### Residential Life Fire Safety Policies:

#### Fire Safety

For your own safety and the safety of others, students are expected to maintain their rooms in an orderly manner at all times in compliance with the following fire regulations:

1. Intentionally or accidentally starting a fire is prohibited.
2. Unattended cooking is not allowed in rooms or kitchens. This includes microwave ovens.
3. Use of open flame cooking devices, toaster ovens or hot plates is not allowed in rooms.
4. Light fixtures must not be tampered with in any way, and items which might serve as conductors of electricity should not be hung from them.
5. An emergency aisle of at least 22 inches must be maintained within the room.
6. Kitchen doors must not be blocked open.
7. Use power strips/surge protectors with breakers instead of octopus plugs or extension cords. Multi plugs or extension cords are not allowed.
8. Students are responsible for notifying a Residential Life staff member immediately after identifying problems with smoke detectors.
9. Anyone caught tampering with smoke detectors or fire alarms may face criminal charges.
10. Portable heaters are prohibited in student rooms/apartments.
11. Vehicles with combustible engines may not be stored in students' rooms or in any residential community.
12. Excessive use of paper on walls is not permitted.
13. Wastebaskets are provided in students' rooms. Garbage receptacles may not be taken from other areas of the hall into students' rooms.
14. Highly combustible materials such as propane, gas, lighter fluid, helium, grills, charcoal, hookah charcoal, and firewood are prohibited. 15. Hover boards are restricted from University facilities.

While we cannot predict every situation that would put a student at risk, we advise and recommend the following:

1. Microwave ovens, popcorn poppers, toasters, coffee pots or other such devices should not be used under lofts and/or near flammable materials.
2. Light bulbs should be used in approved lamps or holders and be of proper wattage for the device; excessive wattage may result in a fire.
3. When arranging furniture, consideration must be taken so that if tipped over items do not block the door.
4. Power strips/surge protectors must be unplugged after use and should not be placed under carpet or attached to, woven through or touching metal in any manner.

#### Candles

Candles may not be burned in any residential areas, including student rooms, due to potential fire hazards. New/unburned candles are permitted for decorative purposes only.

### **Burning of Incense, Sage, Sweet Grass, or Cedar**

Sage, sweet grass, cedar, copal and incense may be burned in residential hall rooms/apartments only for religious purposes with prior notification to your Residence Hall Director via e-mail and/or in-person. This notification can also be made at the beginning of each semester with a request to last the duration of that semester. An acknowledgement of the resident notification should occur within one business day from the Residence Hall Director. Any other burning of incense, cedar, copal, sweet grass or sage is prohibited.

### **Fire Safety Education:**

#### **Fire Drills**

As required by state law, a fire drill is scheduled for each semester. These fire drills are unannounced to provide a realistic practice situation. Failure to evacuate during a fire drill or false alarm could result in prosecution. Failure to evacuate will also subject a student to Residential Life disciplinary procedures.

#### **Fire Safety Equipment**

Fire extinguishers are located throughout each building for the protection of the residents. Misuse of fire extinguishers including breaking or smashing the fire extinguisher glass will result in disciplinary action by the Department of Residential Life and/or referral to appropriate authorities. State law requires the University to provide smoke detectors and smoke alarms in each residence hall room/apartment. It is a misdemeanor punishable by 90 days in jail and/or \$300 to either remove the batteries or alarm from its location. While this represents a violation of state law, it also poses a threat to the safety of students living in the residential community and will be considered a violation of the Student Code of Conduct. Most rooms also have a sprinkler system that will automatically turn on in case of fire. The system will continue to operate until turned off by campus personnel or the fire department. This system can be accidentally activated when hit by an object; therefore, take proper precautions not to accidentally bump the system. There must be at least an 18 inch radius around the sprinkler, with no objects placed on or near it. Students will be held financially responsible for costs associated with damage to the sprinkler system. Vandalism/damages may result in disciplinary action including possible suspension and/or removal from the Residential Life program (as well as restitution).

### **Evacuation Procedures:**

Emergency procedures, including fire emergencies, are available on the St. Cloud State University website as well as in emergency procedures flipcharts found throughout campus. Emergency evacuation routes and severe weather locations are posted in all buildings on each floor throughout campus. Residential Life staff provides fire emergency procedures in The Department of Residential Life Student Handbook.

### ***Residential Life Handbook:***

#### **Fire Alarms**

In order to protect and possibly save your life and the lives of others, you must assume that there is a fire when an alarm sounds. All students must evacuate the building when a fire alarm is sounding. Failure to evacuate during an alarm will subject the student to University disciplinary action and/or civil action.

If you hear an alarm:

1. Close windows, open curtains, and turn on lights.
2. Check for heat on door and then open slowly and check for smoke.

3. If smoke is thick and/or fire is present, remain in your room with the door closed. Block air vents and door crack with towel or clothing. Call the Public Safety Department at (320) 308-3333 and identify yourself and your location.
4. If smoke is absent, exit the building using the nearest exit. Close and lock your door when you leave.
5. Stand away from the building and do not re-enter until the all-clear is given by Residential Life staff, University (PSD) staff or civil authorities.

If you see a fire:

1. Pull alarm in hallways.
2. Call 911.
3. Exit the building. Evacuation procedures are posted in each building.

***Emergency Procedures-Fire Emergencies webpage:***

**Fire Emergencies**

If you discover or suspect smoke or a fire:

YOU SHOULD:

- Remain Calm and sound alarm – Pull lever on nearest red fire alarm call box.
- Evacuate immediately.
- Call 911 and give:
  - Give the exact location of fire, including specific building name and room number/campus location.
  - Your name and telephone number.
  - Give description of fire (what's burning, size of fire).
- If you're not in immediate danger, assist others.
- Leave the building, using stairwells/evacuation route. DO NOT use elevators.
- Close, but DO NOT lock doors.
- If you sounded the alarm or have knowledge of the location of the fire, wait near building entrance to give fire department personnel directions to the site of the fire.
- Once individuals are assembled in a safe distance from the building, account for all people known to have been in your area at the time of the alarm activation.

If you are in a burning building:

- Call 911 and give the location including the building name and room number.
- Stay close to the floor. If possible, place wet towel over nose and mouth.
- Touch doors before exiting. If doors are hot, DO NOT open. Attempt to exit through alternative exit or window.
- If exit is not possible, open windows. Hang something available such as clothing from the window and call for help.
- DO NOT panic, DO NOT attempt to fight the fire, DO NOT block entrances.



**2021 Fire Safety Systems for On-Campus Residence Halls**

<b>Location</b>	<b>Fire Alarms Monitored by Public Safety</b>	<b>Bldg Equipped with Full Sprinkler system</b>	<b>Bldg Has Fire Alarms &amp; Smoke Detectors</b>	<b>Evacuation Plans Posted &amp; Fire Safety Training Conducted</b>	<b>Number of Evacuation Drills Conducted Each Academic Year</b>
<b>ON CAMPUS RESIDENCE HALLS</b>					
Benton 445 1 <sup>st</sup> Ave. S.	YES	NO	YES	No	0
Case-Hill 550 3 <sup>rd</sup> Ave. S.	YES	YES	YES	YES	2
Lawrence 650 1 <sup>st</sup> Ave. S.	YES	YES	YES	YES	2
Mitchell 566 1 <sup>st</sup> Ave. S.	YES	YES	YES	YES	2
Sherburne 525 1 <sup>st</sup> Ave. S.	YES	YES	YES	YES	2
Shoemaker 915 1 <sup>st</sup> Ave. S.	YES	YES	YES	YES	2
Stateview North 410 4 <sup>th</sup> Ave. S.	YES	YES	YES	YES	2
Stateview South 422 4 <sup>th</sup> Ave. S.	YES	YES	YES	YES	2
Stearns*** 410 3 <sup>rd</sup> Ave. S.	YES	YES	YES	YES	1

\*Stearns Hall was vacated in May 2016 and reopened in August 2018.

\*\*Benton Hall was vacated in May 2017 but re-opened in August 2020 as an isolation dormitory for the COVID pandemic.

\*\*\* Coborn's Plaza was vacated in 2020.

**Reported Fires for 2021 by Building Location for All SCSU On-Campus Residence Halls**

Location	Total Fires in Each Building	Fire Number	Date	Time	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
<b>ON CAMPUS RESIDENCE HALLS</b>								
Benton	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Case Hill	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Coborn Plaza S	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Lawrence	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Mitchell	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Sherburne	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Shoemaker	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Stateview North	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Stateview South	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Stearns	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**Reported Fires for 2020 by Building Location for All SCSU On-Campus Residence Halls**

Location	Total Fires in Each Building	Fire Number	Date	Time	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
<b>ON CAMPUS RESIDENCE HALLS</b>								
Benton	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Case Hill	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Coborn Plaza N	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Coborn Plaza S	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Lawrence	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Mitchell	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Sherburne	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Shoemaker	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Stateview North	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Stateview South	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Stearns	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**Reported Fires for 2019 by Building Location for All SCSU On-Campus Residence Halls**

Location	Total Fires in Each Building	Fire Number	Date	Time	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
<b>ON CAMPUS RESIDENCE HALLS</b>								
Benton	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Case Hill	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Coborn Plaza N	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Coborn Plaza S	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Lawrence	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Mitchell	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Sherburne	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Shoemaker	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Stateview North	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Stateview South	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Stearns	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**2021 Fire Safety Systems for On-Campus Alnwick Castle Residence Halls**

Location	Fire Alarms Monitored by Public Safety	Bldg Equipped with Full Sprinkler system	Bldg Has Fire Alarms & Smoke Detectors	Evacuation Plans Posted & Fire Safety Training Conducted	Number of Evacuation Drills Conducted Each Academic Year
<b>ON CAMPUS RESIDENCE HALLS</b>					
Alnwick NE66 1NQ, UK	NO	NO	YES	YES	2

\*After a review of the Alnwick program, it was determined the housing contract met the requirements for on-campus housing.

**Reported Fires for 2021 by Building Location for All Alnwick Castle On-Campus Residence Halls**

Location	Total Fires in Each Building	Fire Number	Date	Time	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
ON CAMPUS RESIDENCE HALLS								
Alnwick	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**Reported Fires for 2020 by Building Location for All Alnwick Castle On-Campus Residence Halls**

Location	Total Fires in Each Building	Fire Number	Date	Time	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
ON CAMPUS RESIDENCE HALLS								
Alnwick	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**Reported Fires for 2019 by Building Location for All Alnwick Castle On-Campus Residence Halls**

Location	Total Fires in Each Building	Fire Number	Date	Time	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
ON CAMPUS RESIDENCE HALLS								
Alnwick	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**Fire Definitions:**

Fire: Any instance of open flame or other burning in a place not intended to contain burning or in an uncontrolled manner.

Cause of fire: The factor or factors that give rise to a fire. The causal factor may be, but is not limited, to, the result of an intentional or unintentional action, mechanical failure or acts of nature.

Fire-related injury: Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term person may include students, employee, visitors, firefighters, or any other individuals.

Value of property: The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damage caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

Note: With continuous direction and support coordinated by the University's Facilities Management Division and Public Safety, St. Cloud State University constantly researches and physically improves fire safety efforts for the entire campus, to include, but not limited to, enhanced communication to persons on-site and improved alarm notification to responding entities in the event of any smoke, fire or other personal safety alarms.