2017 Annual CAMPUS SAFETY AND SECURITY REPORT

(Reporting period January 1, 2016 to December 31, 2016)
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INTRODUCTION

St. Cloud Technical & Community College (SCTCC) is a regional treasure located in the heart of Central Minnesota. Founded as the second technical college in the state in 1948, SCTCC has committed to meeting the needs of our community through its 90 programs of study that closely match the types of jobs available in the area.

More than 70% of our students come from the surrounding six counties and choose employment close to home after graduation in healthcare, business management, computer technology, manufacturing, construction, transportation, and more.

ABOUT THE REPORT

This report contains information regarding campus safety and security as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). Pursuant to the Act, the SCTCC Office of Safety and Security monitors criminal activity and publishes this report which contains a three-year statistical history of select crimes or incidents that occur.

The report is distributed to all prospective students and employees. All current students, faculty and staff are sent an email that briefly describes the content of the report and also the exact Internet Address where it can be found: [http://www.sctcc.edu/sites/default/files/Annual_Security_Report_2017.pdf](http://www.sctcc.edu/sites/default/files/Annual_Security_Report_2017.pdf). Printed copies of the report can be obtained from the Safety and Security Office (Northway Drive Building, Room 1-401G), Human Resources, (Northway Drive Building, Room 1-403) and Admissions (Northway Drive Building, Room 1-404).

GEOGRAPHY

PREPARING THE ANNUAL DISCLOSURE OF CRIME STATISTICS

The Clery Act requires the campus to gather statistics from three specific geographical areas. These areas are described below and a map is included in the appendix.

Statistical information is gathered in three different categories.

1. On-Campus (encompasses any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, and any building or property that is within or reasonably contiguous to the geographic area described above, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

2. Non-campus (property that is owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the
SCTCC has non-campus property at our Highway 10 truck driving location in St. Cloud, the water treatment facility in Eden Prairie, and the Connections programs hosted at St. Cloud State University.

3. Public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

TYPES OF CRIMES REQUIRED UNDER THE CLERY ACT

The types of crimes that SCTCC is required to report under the Clery Act are those crimes reported to the Federal Bureau of Investigation's Uniform Crime Report (UCR) which includes:

- Criminal Homicide
  - Murder and Non-Negligent Manslaughter
  - Negligent Manslaughter

- Sex Offenses
  - Rape
  - Fondling
  - Incest
  - Statutory Rape

- Robbery

- Aggravated Assault

- Burglary

- Motor Vehicle Theft

- Arson

Arrests and Referrals for disciplinary actions, including:

- Arrests for liquor law violations, drug law violations, and illegal weapons possession
- Persons not included in 34 CFR 668.46(c)(1)(ii)(A) who were referred to campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession

- Hate crimes, including:
  - The number of the following crimes that are determined to be hate crimes:
    - Larceny-theft
    - Simple assault
    - Intimidation
    - Destruction/damage/vandalism of property
  - For each hate crime recorded under 34 CFR 668.46(c)(1)(iii), an institution must identify the category of bias that motivated the crime. For the purposes of this, the categories of bias include the victim’s actual or perceived:
    - Race
    - Gender
    - Gender identity
    - Religion
    - Sexual orientation
CRIME REPORT STATISTICS: JANUARY 2014 TO DECEMBER 2016

HATE CRIME STATISTICS FOR 2014, 2015, 2016

The statistics below have been classified as “Hate Crimes” and are compliant in accordance with the definitions used in the Hate Crime Statistics Act. Hate crimes are defined as crimes in which the victim is intentionally selected because of their actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability of the victim. Such statistics shall not identify victims of crimes or persons accused of crimes.

2016: One (1) Hate Crime was reported.

2015: No (0) Hate Crimes were reported.

2014: No (0) Hate Crimes were reported.

SEXUAL VIOLENCE STATISTICS FOR 2016

The statistics below have been classified as “Sexual Violence” and are compliant in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)). Sexual violence includes a continuum of conduct that includes sexual assault, non-forcible sex acts, dating and relationship violence, stalking as well as aiding acts of sexual violence. The statistics below exclude non-forcible and forcible sex offenses as they are listed in the “St. Cloud Technical and Community College Crime Statistics” charts on the pages below. Such statistics shall not identify victims of crimes or persons accused of crimes.

2016: No (0) Domestic Violence incidents were reported. No (0) Stalking incidents were reported. No (0) Dating Violence incidents were reported.
## CRIME STATISTICS FOR 2016

<table>
<thead>
<tr>
<th>Offense</th>
<th>Year</th>
<th>On Campus</th>
<th>Non Campus</th>
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EMERGENCY RESPONSE AND TIMELY WARNINGS

CRIME ALERTS (AKA "TIMELY NOTIFICATION BULLETINS")

If the College receives information that a crime has been committed, that may pose a continuing threat to the safety of any campus member, a “Timely Notification Bulletin” will be issued. Timely Notification Bulletins are distributed by the Safety and Security Office for the purpose of informing the campus community of a potentially dangerous condition that may affect personal safety. The bulletin contains information regarding an incident that will allow campus community members to take the personal safety measures to insure their individual safety. The alert withholds the names of the victims as confidential and may also contain a request for information regarding an incident.

Timely Notification Bulletins will be posted on bulletin boards throughout campus, and may also be found on the web at: www.sctcc.edu/safety. Notification bulletins will remain posted as long as it is determined a threat exists, or will be removed after thirty days if no similar incidents occur. Anyone with information warranting a Timely Notification Bulletin should report the circumstances to the Safety and Security Office, by phone at 320-308-6158 or in person in the Business Office of the Northway Drive Building.

Star Alert is a free St. Cloud Technical & Community College emergency notification system that makes it possible for students and employees to receive notice, by cell phone and/or by e-mail, of campus related emergencies.

An “emergency” means a situation that poses an immediate threat to the health or safety of someone at the college or significantly disrupts college programs or activities.

All students and employees are automatically registered to receive notifications to their SCTCC email accounts.

To register additional emails and/or phone numbers

1. Go to http://www.sctcc.edu/star-alert. In an emergency, notifications identified as “Star Alert” messages will note the nature of the emergency, what action, if any, you are to take, and if appropriate, where to find more information. Star Alert will also let you know if the campus is closed or classes are delayed or cancelled.

The College’s Incident Manual includes information about Incident Teams, College operating status parameters; incident priorities and performance expectations; containment and evacuation guidelines; and local contingency and continuity planning requirements. College departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility.
The College conducts numerous emergency response exercises each year, such as “table top” exercises, field exercises, and testing of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. Administrators and supervisors have received training in incident command and responding to critical incidents on campus.

When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the Vice President of Administration; The Vice President of Student Affairs; the Facilities Director; and the Director of Safety and Security. They typically respond and work together to manage the incident. Depending on the nature of the incident, other SCTCC departments and local or federal agencies may also be involved.

General information about the emergency response and evacuation procedures for SCTCC are published each year as part of the institution’s Clery Act compliance efforts. That information is available on the SCTCC website. Detailed information about (and updates to) the SCTCC Incident Manual, Contingency and Continuity Plans, and other emergency operations plans are available from the Facilities Director, (Northway Driving Building, Room 1-401O) or Safety and Security Office (Northway Drive building, Room 1-401G).

All members of the SCTCC community are notified on an annual basis that they are required to notify the SCTCC Safety and Security Office of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students, employees, or visitors on campus. SCTCC has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, the St. Cloud Police Department has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. If that is the case, Federal Law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.

The St. Cloud Police Department and the Vice President of Administration receive information from various offices/departments on campus, such as Student Life/Affairs, Safety and Security and Facilities. If there is confirmation that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the SCTCC Community. The Vice President of Administration and the St. Cloud Police Department will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the SCTCC community or to the appropriate segment of the community. The Vice President of Administration and St. Cloud Police Department will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system.

Notifications will be made in a timely manner unless issuing a notification will, in the judgment of the first responders, compromise the efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. In the event of a serious incident that poses an immediate threat to members of the SCTCC community, the College has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat. These methods of communication include network e-mails, text messages and e-mails through Star Alert (individuals can sign up for this service...
An evacuation drill is coordinated by SCTCC each semester for all buildings located within the SCTCC campus. Thus, emergency response and evacuation procedures are tested at least twice per year. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. SCTCC does not tell students, faculty or staff in advance about the designated locations for long-term evacuations because those decisions are affected by the time-of-day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location of the threat.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At SCTCC, evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants “practice” drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building, the process also provides the College and opportunity to test the operation of fire alarm systems components as well as the Star Alert and other emergency notification systems.

Evacuation drills are monitored by Administration, the Director of Safety and Security, the Facilities Director and the Safety Committee to evaluate egress and behavioral patterns. Reports are prepared by participating departments which identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

Students receive information about evacuation and containment procedures during orientation and during other education sessions that they can participate in throughout the year. SCTCC conducts numerous announced and unannounced drills and exercises each year and conducts follow-through activities designed for assessment and evaluation of emergency plans and capabilities.

SCTCC will publish a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year.

**What does Containment mean?** If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, “containment” means to make a shelter of the building you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

If an incident occurs and the building you are in is not damaged, stay inside seeking an interior room, until you are told it is safety to come out. If your building is damaged, take your personal belongings (purse, wallet, SCTCC ID card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest College building quickly. If police or fire department personnel are on scene, follow their directions.
A containment notification may come from several sources, including the SCTCC faculty/staff members, the St. Cloud Police Department or other authority utilizing the College’s emergency communication tools.

No matter where you are, the basic steps of containment will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel.

1. If you are inside, stay where you are. Collect any emergency containment supplies and a telephone to be used in case of emergency. If you are outdoors, proceed to the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
   a. An interior room;
   b. Above ground level; and
   c. Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
3. Shut and lock all windows and close exterior doors.
4. Turn off heaters and fans.
5. Close vents to ventilation systems as you are able. (College staff will turn off ventilation as quickly as possible).
6. Make a list of the people you are with and ask someone (faculty/staff) to call the Vice President of Administration so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

CAMPUS SECURITY POLICIES

CRIMES AND SUSPICIOUS ACTIVITY

Students, faculty, staff and guests of the College are encouraged to immediately report emergencies and criminal activity to SCSU Department of Public Safety or the St. Cloud Police Department (911). You can reach the Department of Public Safety by calling 83333 from any on-campus phone or 320-308-3333 from an off-campus phone. This number is answered all day, every day. You can also stop by the Safety and Security Office located in the Business Office of the Northway Drive Building.

The dispatcher will alert on-duty Public Safety Officers or the Director of Safety and Security and/or the St. Cloud Police Department when necessary. The Public Safety Officer will respond, assist the victim(s), and prepare reports and other documentation for follow-up. The Public Safety Officer can also assist crime victims in reporting a crime to the St. Cloud Police Department and the Public Officer will report the crime to the St. Cloud Police Department if the victim is unable to make such a report.
If you are the victim of a crime or a witness to one, you should do the following:

1. **CALL THE POLICE IMMEDIATELY:**
2. **ON CAMPUS,** DIAL 308-3333 to call the Public Safety Department to report suspicious people or activities, crime reports, traffic accidents, other law violations. **OFF CAMPUS,** DIAL 911 for the St. Cloud Police Department, you may remain anonymous.
3. **OBTAIN a DESCRIPTION OF THE OFFENDER (S),** including sex, age, race, hair, clothing and distinguishable features. Also attempt to obtain a description and license number of any vehicles involved. Note the direction taken by offenders or vehicles and report these to the police.
4. **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 police arrive.
5. **CONSIDER CONTACTING THE COUNSELING CENTER AT 308-5096 OR SCSU WOMENS CENTER AT 308-4958.** The staff may be able to help ease trauma you may feel as a victim or witness of a crime.

**CAMPUS SECURITY AUTHORITIES**

Crimes also may be reported to persons who have been designated as having significant responsibility for student and/or campus activities. These individuals are known as Campus Security Authorities or CSA’s. CSA’s are responsible for forwarding campus crime reports to the St. Cloud Police Department and the Safety and Security Department for investigation and campus crime reporting in compliance with the Clery Act.

**The titles of these persons include:**

<table>
<thead>
<tr>
<th>Title</th>
<th>Department</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director of Safety and Security</td>
<td>Safety/Security</td>
<td>320-308-6158</td>
</tr>
<tr>
<td>SCSU Public Safety</td>
<td>Safety/Security</td>
<td>320-308-3333</td>
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<tr>
<td>Director of Campus Life / Title IX Coordinator</td>
<td>Campus Life</td>
<td>320-308-5922</td>
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<tr>
<td>Asst. Director of Student Life / Athletics</td>
<td>Student Life</td>
<td>320-308-5009</td>
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<tr>
<td>Director of Human Resources</td>
<td>Human Resources</td>
<td>320-308-3227</td>
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<tr>
<td>Counselor</td>
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<td>320-308-5096</td>
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<tr>
<td>Accommodations Specialist</td>
<td>Disability Services</td>
<td>320-308-5757</td>
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<tr>
<td>Director, Trio Support Services</td>
<td>Trio</td>
<td>320-308-0977</td>
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<tr>
<td>Vice President of Student Affairs</td>
<td>Student Affairs</td>
<td>320-308-5580</td>
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<tr>
<td>Head Baseball Coach</td>
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<td>320-308-2199</td>
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<td>320-308-2203</td>
</tr>
<tr>
<td>Head Men's Basketball Coach</td>
<td>Athletics</td>
<td>320-308-5315</td>
</tr>
<tr>
<td>Head Softball Coach</td>
<td>Athletics</td>
<td>320-308-5917</td>
</tr>
<tr>
<td>Asst. Softball Coach</td>
<td>Athletics</td>
<td>320-308-5917</td>
</tr>
<tr>
<td>Head Women's Basketball Coach</td>
<td>Athletics</td>
<td>320-308-5992</td>
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<tr>
<td>Org. Name</td>
<td>Representative Name</td>
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<tr>
<td>ADDA</td>
<td>Dave Johnson</td>
<td>320-308-5044</td>
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<tr>
<td>CACE</td>
<td>Connie Logeman</td>
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<td>CACE</td>
<td>Jeanne McGuire</td>
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<td>Jed Johnson</td>
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<tr>
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<td>Skills USA</td>
<td>Jay Thomas</td>
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<td>Creative Arts Club</td>
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<td>HIMC</td>
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<td>E Squared</td>
<td>Aaron Barker</td>
<td>320-308-6518</td>
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<tr>
<td>Spanish Club</td>
<td>Maria Victoria Kapizke</td>
<td>320-308-5215</td>
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<tr>
<td>MESA</td>
<td>Robert Mergen</td>
<td>320-308-5902</td>
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<tr>
<td>Nursing</td>
<td>Terri Larison</td>
<td>320-308-3700</td>
</tr>
<tr>
<td>Project Green</td>
<td>Faith Ericson</td>
<td>320-308-5902</td>
</tr>
<tr>
<td>Beta Xi Gamma</td>
<td>Kerby Plante</td>
<td>320-308-5902</td>
</tr>
<tr>
<td>SADAA</td>
<td>Rita Peterson</td>
<td>320-308-5031</td>
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<tr>
<td>SADHA</td>
<td>Mary LeBlanc</td>
<td>320-308-5051</td>
</tr>
<tr>
<td>Skills USA</td>
<td>Dale Derung</td>
<td>320-308-5742</td>
</tr>
<tr>
<td>Skills USA</td>
<td>Byron Byker</td>
<td>320-308-1593</td>
</tr>
<tr>
<td>Skills USA</td>
<td>Tom Hansen</td>
<td>320-308-5901</td>
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<tr>
<td>Skills USA</td>
<td>Randy Kidder</td>
<td>320-308-6435</td>
</tr>
<tr>
<td>Skills USA</td>
<td>Matt Hoepern</td>
<td>320-308-5411</td>
</tr>
<tr>
<td>Skills USA</td>
<td>Steve Gilmore</td>
<td>320-308-5079</td>
</tr>
<tr>
<td>Skills USA</td>
<td>Chuck Haus</td>
<td>320-308-5111</td>
</tr>
<tr>
<td>WAMM</td>
<td>Bill Spain</td>
<td>320-308-5952</td>
</tr>
<tr>
<td>Veteran's Club</td>
<td>Brian Volkmuth</td>
<td>320-308-5670</td>
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<tr>
<td>Somali</td>
<td>Hudda Ibrahim</td>
<td>320-308-1594</td>
</tr>
<tr>
<td>Sonography</td>
<td>Jeff Gunderson</td>
<td>320-308-0971</td>
</tr>
</tbody>
</table>
VOLUNTARY AND CONFIDENTIAL REPORTING

Confidential Reporting

If you are the victim of a crime and do not wish to pursue action either criminally or through the SCTCC system, you have the option of filing a confidential report with Campus Safety and Security.

Confidential reports of criminal incidents are included in the annual disclosure of crime statistics. You have the right to change the report at any time and initiate criminal or SCSU conduct proceedings. Confidential reports and/or tips can be made to Campus Safety and Security.

Confidential Reporting to Counselors

Campus Professional Counselors, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, they are encouraged when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis to Campus Safety and Security or local law enforcement for including in the annual disclosure of crime statistics. SCTCC is not required to report statistics under 34 CFR 668.46 (c) for crimes reported to a counselor.

Anonymous Reporting through Crime Stoppers

Additionally, if you have information on a crime that has been committed on the SCTCC Campus (or around your community) and wish to remain anonymous, you may contact the Tri-County Crime Stoppers by Secure Online Tip Form, calling 1-800-255-1301 or texting to CRIME (274637) and starting your message with the keyword TriTip.

SCTCC SAFETY AND SECURITY SERVICES AND AUTHORITY

The Department of Public Safety at St. Cloud State University is recognized as the primary campus department responsible for providing security services for students, faculty, staff, and campus visitors and is managed by the Director of Safety and Security through the SCTCC Office of Safety and Security. The department is comprised of full-time professional and part-time para-professional officers. Public Safety Officers ARE NOT licensed police officers and do not possess the power of arrest as defined by Minnesota State Statute (M.S.) however, these officers have been granted the authority by the College President to enforce College policy (which is not inconsistent with federal, state or local law) and have the ability to make citizens arrests when necessary per M.S. 629.37.

Security Officers have the authority to ask persons for identification and to determine whether individuals have lawful business at SCTCC. SCSU Security Officers have the authority to issue parking tickets, which are billed to financial accounts of students, faculty and staff.
SCTCC SAFETY AND SECURITY RELATIONSHIP WITH STATE AND LOCAL LAW ENFORCEMENT

The St. Cloud Police Department provides fully licensed police protection for St. Cloud Technical and Community College. The SCTCC Office of Safety and Security maintains a highly professional working relationship with the St. Cloud Police Department and all criminal incidents are referred to the local police. On occasion, the Office of Safety and Security as well as the SCSU Public Safety Department work with other law enforcement agencies such as the Stearns County Sheriff’s Office, the Minnesota Bureau of Criminal Apprehension, the Central Minnesota Violent Offender Taskforce, the Federal Bureau of Investigation, and the Minnesota State Patrol.

All crime victims and witnesses are strongly encouraged to immediately report the crime to either an SCSU Public Safety Office or the Office of Safety and Security, as well as the appropriate law enforcement agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

ACCURATE AND PROMPT CRIME REPORTING

SCTCC Safety and Security encourages accurate and prompt reporting of all crimes to security personnel, campus security authorities, and the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report.

Accurate and prompt crime reports allow SCSU Department of Public Safety, The SCTCC Safety and Security Office, the St. Cloud Police Department, and others to effectively track crime patterns and alert the community. SCSU Public Safety Officers are NOT sworn police officers but can assist crime victims in making a police report.

CRIME REPORT RESPONSES

All reports will be investigated. Violations of the law will be referred to law enforcement agencies and when appropriate, to the College Disciplinary Committee for review. When a potentially dangerous threat the College community arises, timely reports or warnings will be issued through e-mail announcement, the posting of flyers at local campuses, in-class announcements, or other appropriate means.

FACILITY ACCESS

1. The campus is for the use of students, faculty and staff and their escorted guests and those on official business with the college. All others are subject to being charged with trespassing.
2. Access to campus buildings is limited to normal business hours. Normal hours of operation are: Monday thru Friday 7:00am – 10:00pm and Saturdays from 8:00am – 4:00pm. Building hours are subject to change. Employees and students in a building should have a college ID in their possession and present the ID when requested.
3. Students, faculty, staff and visitors are encouraged to report needed repairs to the Director of Facilities for all academic areas.
4. Keys are issued to authorized faculty, staff and students only.
5. Exterior building doors should not be blocked open at any time.
6. Problems relating to people in the buildings after hours should be reported to Campus Security (308-3333) immediately.

CRIME PREVENTION AND SAFETY/SECURITY PROGRAMS

SAFETY ESCORT SERVICE

SCTCC provides a safety escort service for faculty, staff and students all year. Safety escorts are generally provided within 10-15 minutes of a telephone request to 320-308-3333. Occasionally, escorts may be delayed, and people requesting the services are asked to be patient. The safety escort service is limited to on-campus locations.

FIRE DRILL / EVACUATION DRILL / NATURAL DISASTER DRILL

Campus fire drills, evacuation drills, and natural disaster drills will be conducted annually, or as needed, in order to educate the campus community on proper procedures during emergency situations.

FACILITIES SURVEYS

The Director of Safety and Security or a designee; along with the Director of Facilities, The Vice President of Administration and members of the student body do an annual security survey, where they examine physical security issues such as landscaping, locks, alarms, and lighting.

PERSONAL SAFETY RESPONSIBILITY

St. Cloud State Department of Public Safety staff members are available to assist you in protecting yourself by providing regular foot and/or vehicle patrols. Additionally, SCTCC publishes and distributes security and safety related materials throughout campus however, only you can protect yourself by being aware of your surroundings and taking appropriate precautions to avoid being the victim of a crime. Call for and Escort! (See Appendix 2)

OFF-CAMPUS CRIME

All St. Cloud Technical and Community College organizations that are off-campus are monitored by the St. Cloud Police Department, which shares information with the Safety and Security Office. The Safety and Security Office includes the off-campus student organizations’ crime statistics in its annual report under the classification of “Non-Campus Building or Property”. Currently there are no off-campus student organizations recognized by the College.
DAILY CRIME LOG

St. Cloud Technical and Community College Safety and Security Office and St. Cloud State Public Safety Department creates, keeps, and maintains a public crime log recording all crimes reported to the SCTCC Safety and Security Office and SCSU Public Safety Department. The public crime log is viewable at the Safety and Security Office located in the Northway Drive Building, Room 1-401G. The public crime log contains information regarding the nature, date, time and general location of each crime and disposition of the crime if known. Each crime is open to public inspection within two business days of the initial report being made, to either SCTCC Safety and Security Office or SCSU Public Safety. Exceptions to published crimes in the public crime log include; where disclosures of such information is prohibited by law or such disclosure would jeopardize the confidentiality of the victim, jeopardize an on-going investigation, the safety of the individual, cause a suspect to flee or evade detection, and/or result in the destruction of evidence.

SCTCC must disclose any information withheld under 34 CFR 668.46(f)(3) once the adverse effect described in that paragraph is no longer likely to occur. SCTCC may withhold under 34 CFR 668.46(f)(2)and(3) only that information that would cause the adverse effects described in that section.

SCTCC must make the crime log for the most recent 60 day period open to public inspection during normal business hours. SCTCC must make any portion of the log older than 60 days available within two business days of a request for public inspection.

HARASSMENT AND SEXUAL ASSAULT POLICY

Procedure S1.3.1

St. Cloud Technical & Community College

Policies and Procedures

Chapter S1 – College Organization & Administration

S1.3 Sexual Violence Policy

Update Revision Responsibility: Vice President, Student Affairs

On March 7, 2013, President Obama signed into law the Violence Against Women Reauthorization Act (VAWA). The campus Sexual Violence Elimination Act (SaVE) was added within the reauthorization and imposes new requirements on colleges. This policy has been amended to comply with the VAWA/SaVE Act.

Other related Policies

MnSCU/SCTCC Policy 1B.1: Report/Complaint of Harassment/Discrimination
Part 1. Policy statement. Sexual violence is an intolerable intrusion into the most personal and private rights of an individual, and is prohibited at Minnesota State Colleges and Universities, including St. Cloud Technical and Community College. Both the College and Minnesota State Colleges and Universities are committed to eliminating sexual violence in all forms and will take appropriate remedial action against any individual found responsible for acts in violation of this policy. Acts of sexual violence may also constitute violations of criminal or civil law, or other College or Board Policies that may require separate proceedings. To further its commitment against sexual violence, Minnesota State Colleges and Universities and/or the College provides reporting options, an investigative and disciplinary process, and prevention training or other related services as appropriate.

Subpart A. Application of policy to students, employees, and others. This policy applies to all Minnesota State Colleges and Universities students and employees and to others, as appropriate, where incidents of sexual violence on system property have been reported. Reports of sexual violence committed by a student at a location other than on system property are covered by this policy pursuant to the factors listed in Board Policy 3.6, Part 2. Reports of sexual violence committed by a system employee at a location other than system property are covered by this policy.

Reports of sexual violence committed on system property by individuals who are not students or employees are subject to appropriate actions by Minnesota State Colleges and Universities, including, but not limited to, pursuing criminal or civil action against them.

Allegations of discrimination or harassment are governed by Board Policy 1B.1.

Subpart B. College and university policies. Each Minnesota State Colleges and Universities college and university shall adopt a clear, understandable written policy on sexual violence that applies to its campus community, including, but not limited to, its students and employees. The policy content and implementation shall be consistent with the standards in this Policy and Procedure 1B.3.1. This policy and procedures outline St. Cloud Technical and Community College’s compliance with MnSCU Policy and Procedures 1B.3.1.

Part 2. Definitions. The following definitions apply to this Policy and Procedure 1B.3.1.

Subpart A. Sexual violence. Sexual violence includes a continuum of conduct that includes sexual assault, non-forcible sex acts, dating and relationship violence, stalking, as well as aiding acts of sexual violence.

Subpart B. Sexual assault. “Sexual assault” means an actual, attempted, or threatened sexual act with another person without that person’s consent. Sexual assault is often a criminal act that can be prosecuted under Minnesota law, as well as form the basis for discipline under Minnesota State Colleges and Universities student conduct codes and employee disciplinary standards. Sexual assault includes but is not limited to:
1. Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as “date rape” or “acquaintance rape.” This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.

2. Involvement in any sexual act when the victim is unable to give consent.

3. Intentional and unwelcome touching, or coercing, forcing, or attempting to coerce or force another to touch a person’s intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast).

4. Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

Subpart C. Dating and relationship violence. 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.

Subpart D. Stalking. 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.

Subpart E. 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.

Subpart F. Non-forcible sex acts. Non-forcible acts include unlawful sexual acts where consent is not relevant, such as sexual contact with an individual under the statutory age of consent, as defined by Minnesota law, or between persons who are related to each other within degrees wherein marriage is prohibited by law.

Subpart G. System property. “System property” means the facilities and land owned, leased, or under the primary control of Minnesota State Colleges and Universities, its Board of Trustees, system office, colleges and universities.

Subpart H. Employee. “Employee” means any individual employed by Minnesota State Colleges and Universities, its colleges and universities and system office, including student workers.

Subpart I. Student. The term “student” includes all persons who:

1. Are enrolled in one or more courses, either credit or non-credit, through a college or university;
2. Withdraw, transfer or graduate, after an alleged violation of the student conduct code;
3. Are not officially enrolled for a particular term but who have a continuing relationship with the college or university; or
4. Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid; or
5. Are not college or university employees and are not enrolled in the institution but live in a college or university residence hall.

St. Cloud Technical & Community College

Policies and Procedures

Chapter S1 – College Organization & Administration

S1.3.1 Sexual Violence Procedure

Part 1. Procedure objective. This procedure is designed to further implement Minnesota State Colleges and Universities Board Policy 1B.3 prohibiting sexual violence. This procedure provides a process through which individuals alleging sexual violence may pursue a complaint.

This procedure is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation and reprisal.

Part 2. Definitions.

Subpart A. Policy definitions. The definitions in Policy 1B.3 also apply to this procedure.

Subpart B. Campus security authority. Campus security authority includes the following categories of individuals at a college or university:

1. A college or university security department;
2. Other individuals who have campus security responsibilities in addition to a college or university security department;
3. Any individual or organization identified in a college or university security policy as an individual or organization to which students and employees should report criminal offenses;

4. An official of a college or university who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings; advisors to recognized student organizations, and athletic coaches. Professional counselors, whose official responsibilities include providing mental health counseling, and who are functioning within the scope of their license or certification are not included in this definition.


Subpart A. Prompt reporting encouraged. Complainants of sexual violence may report incidents at any time, but are strongly encouraged to make reports promptly in order to best preserve evidence for a potential legal or disciplinary proceeding.

Complainants are strongly encouraged to report incidents of sexual violence to law enforcement for the location where the incident occurred. Complainants are also encouraged to contact the local victim/survivor services office, counseling and health care providers, campus designated officers or Minnesota State Colleges and Universities campus security authorities for appropriate action.

Local reporting resources include:

911 for emergency services
Campus Security 320-308-3333
St. Cloud Police 320-251-1200 (available 24 hours)
Central Minnesota Sexual Assault Center 210-251-4357 (24 crisis hotline)
St. Cloud Hospital Emergency Trauma Center 320-255-5656
SCSU Women’s Center 320-308-4958
SCSU Health Services 320-308-3191
Ana Marie’s Alliance 320-253-6900 (services and safe housing)
SCC Designated Officers - Complaints or instances of sexual harassment and violence may be reported to the college’s designated officers:
Student Complaints – Director of Campus Life, Office 1-401Y Phone: 320-308-5922
Employee Complaints - Human Resources Director, Office 1-403C, Phone: 320-308-3227

Subpart B. Assistance in reporting. When informed of an alleged incident of sexual violence, all Minnesota State Colleges and Universities students and employees are urged to encourage and assist complainants, as needed, to report the incident to local law enforcement, local victim/survivor services, campus designated officers or campus security authorities.

Minnesota State Colleges and Universities campus security authorities, when informed of an alleged incident of sexual violence, shall promptly assist the complainant, as
requested, including providing guidance in filing complaints with outside agencies including law enforcement; obtaining appropriate assistance from victim/survivor services or medical treatment professionals; and filing a complaint with campus officials responsible for enforcing the student conduct code or employee conduct standards.

When appropriate, Minnesota State Colleges and Universities may pursue legal action against a respondent, including, but not limited to, trespass or restraining orders, in addition to disciplinary action under the applicable student or employee conduct standard. A college or university may take actions it deems necessary or appropriate in response to all protection, restraining or no contact orders.


Subpart A. Confidential reports. Because of laws concerning government data contained in Minnesota Statutes §13, the Minnesota Government Data Practices Act, colleges and universities cannot guarantee confidentiality to those who report incidents of sexual violence except where those reports are privileged communications with licensed health care professionals. Some off-campus reports also may be legally privileged by law, such as reports to clergy, private legal counsel, or health care professionals.

Subpart B. Reports to campus security authorities. Complainants of sexual violence may contact any campus security authority for appropriate assistance or to report incidents. Absolute confidentiality of reports made to campus security authorities cannot be promised. However, campus security authorities shall not disclose personally identifiable information about a complainant of sexual violence without the complainant’s consent except as may be required or permitted by law. There may be instances in which Minnesota State Colleges and Universities determines it needs to act regardless of whether the parties have reached a personal resolution or if the complainant requests that no action be taken. In such instances, Minnesota State Colleges and Universities will investigate and take appropriate action, taking care to protect the identity of the complainant and any other reporter in accordance with this procedure.

Subpart C. Required Reports. Any campus security authority or any college or university employee with supervisory or student-advising responsibility who has been informed of an alleged incident of sexual violence must follow college or university procedures for making a report for the annual crime statistics report. In addition, the campus security authority shall report to other school officials, as appropriate, such as the campus affirmative action office, the campus office responsible for administering the student conduct code, and/or the designated Title IX compliance coordinator, in order to initiate any applicable investigative or other resolution procedures.

Campus security authorities may be obligated to report to law enforcement the fact that a sexual assault has occurred, but the name or other personally identifiable information about the complainant will be provided only with the consent of the complainant, except as may be required or permitted by law.

Part 5. Policy notices.
Subpart A. Distribution of policy to students. Each college or university shall, at a minimum, at the time of registration make available to each student information about its sexual violence policy and procedure, and shall additionally post a copy of its policy and procedure at appropriate locations on campus at all times. A college or university may distribute its policy and procedure by posting on an Internet or Intranet Web site, provided all students are directly notified of how to access the policy by an exact address, and that they may request a paper copy.

Subpart B. Distribution of policy to employees. All colleges, universities and the system office shall make available to all employees a copy of its sexual violence policy and procedure. Distribution may be accomplished by posting on an Internet or Intranet Web site, provided all employees are directly notified of the exact address of the policy and procedure and that they may receive a paper copy upon request.

Subpart C. Required Notice. Each college or university shall have a sexual violence policy, which shall include the notice provisions in this part.

1. Notice of complainant options. Following a report of sexual violence the complainant shall be promptly notified of:

   a. Where and how to obtain immediate medical assistance; complainants should be informed that timely reporting and a medical examination within 72 hours are critical in preserving evidence of sexual assault and proving a criminal or civil case against a perpetrator. Complainants should be told, however, that they may report incidents of sexual violence at any time.

   b. Where and how to report incidents of sexual violence to local law enforcement officials, and/or appropriate Minnesota State Colleges and Universities system contacts for employees, students and others. Such contacts should be identified by name, location and phone number for 24-hour availability, as applicable.

   c. Resources for where and how complainants may obtain on- or off-campus counseling, mental health or other support services.

2. Notice of complainant rights. Complainants shall be notified of the following:

   a. Their right to file criminal charges with local law enforcement officials in sexual assault cases;

   b. Rights under the crime victims bill of rights, Minnesota Statutes §611A.01 – 611A.06, including the right to assistance from the Crime Victims Reparations Board and the commissioner of public safety;

   c. Availability of 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 violence incident;

   d. Assistance available from campus authorities in preserving for a sexual violence complainant materials relating to a campus disciplinary proceeding;
e. That complaints of incidents of sexual violence made to campus security authorities shall be promptly and appropriately investigated and resolved;

f. That, at a sexual assault complainant’s request, the college, university or system office may take action to prevent unwanted contact with the alleged assailant, including, but not limited to, transfer of the complainant and/or the respondent to alternative classes, or a work site or to alternative college-owned housing, if such alternatives are available and feasible.

**Part 6. Investigation and disciplinary procedures.**

**Subpart A. Immediate action.** A college or university may, at any time during the report/complaint process, reassign or place on administrative leave an employee alleged to have violated this policy, in accordance with the procedures in System Procedure 1B.1.1. Such action must be consistent with the applicable collective bargaining agreement or personnel plan.

A college or university may summarily suspend or take other temporary measures against a student alleged to have committed a violation of this policy, in accordance with System Procedure 1B.1.1 or Board Policy 3.6.

**Subpart B. General Principles.** Colleges, universities and the system office shall use system procedure 1B.1.1 Report/Complaint of Discrimination/Harassment Investigations and Resolution when investigating complaints of sexual violence. Procedures used in response to a complaint of sexual violence should avoid requiring complainants to follow any plan of action, to prevent the possibility of re-victimization.

College and university investigation and disciplinary procedures concerning allegations of sexual violence against employees or students shall:

1. Be respectful of the needs and rights of individuals involved;

2. Proceed as promptly as possible;

3. Permit a student complainant and a student respondent to have the same opportunity to have an appropriate support person or advisor present at any interview or hearing, in a manner consistent with the governing procedures and applicable data practices law;

4. Employees shall have the right to representation consistent with the appropriate collective bargaining agreement or personnel plan;

5. Be conducted in accordance with applicable due process standards and privacy laws;

6. Simultaneously inform both the complainant and respondent of the outcome in a timely manner, as permitted by applicable privacy law.

7. Be based on a preponderance of evidence standard, meaning that it is more likely than not that the policy or code has been violated.

The past sexual history of the complainant and respondent shall be deemed irrelevant except as that history may directly relate to the incident being considered.
A respondent’s use of any drug, including alcohol, judged to be related to an offense may be considered to be an exacerbating rather than mitigating circumstance.

**Subpart C. Relationship to parallel proceedings.** In general, Minnesota State Colleges and Universities investigation and disciplinary procedures for allegations of sexual violence will proceed independent of any action taken in criminal or civil courts. A college or university need not, and in most cases should not, delay its proceedings while a parallel legal action is on-going. If a college or university is aware of a criminal proceeding involving the alleged incident, they may contact the prosecuting authority to coordinate when feasible. Criminal or civil court proceedings are not a substitute for Minnesota State Colleges and Universities procedures.

**Subpart D. False statements prohibited.** Minnesota State Colleges and Universities takes allegations of sexual violence very seriously and recognizes the consequences such allegations may have on a respondent as well as the complainant. Any individual who knowingly provides false information regarding the filing of a complaint or report of sexual violence or during the investigation of such a complaint or report may be subject to discipline or under certain circumstances, legal action. Complaints of conduct that are found not to violate policy are not assumed to be false.

**Subpart E. Withdrawn complaint.** If a complainant no longer desires to pursue a complaint through the college or university’s proceeding, the college or university reserves the right to investigate and resolve the complaint as it deems appropriate.

**Subpart F. Minnesota State Colleges and Universities discretion to pursue certain allegations.** Minnesota State Colleges and Universities reserves discretion whether to pursue alleged violations of policy under appropriate circumstances, including, but not limited to, a determination that an effective investigation is not feasible because of the passage of time, or because the respondent is no longer a student or employee of the college or university.

**Subpart G. Minnesota State Colleges and Universities discretion to deal with policy violations disclosed in investigation.** Minnesota State Colleges and Universities reserves the right to determine whether to pursue violations of policy by students or employees other than the respondent, including a complainant or witness, that come to light during the investigation of an incident of sexual violence. In order to encourage reporting of sexual violence, under appropriate circumstances college or university administrators may choose to deal with violations of Minnesota State Colleges and Universities policy in a manner other than disciplinary action.

**Subpart H. Sanctions.** Sanctions that may be imposed if a finding is made that sexual violence has occurred include, but are not limited to, suspension, expulsion of students or termination from employment. The appropriate sanction will be determined on a case-by-case basis taking into account the severity of the conduct, the student’s or employee’s previous disciplinary history, and other factors as appropriate.

**Subpart I. Retaliation prohibited.** Actions by a student or employee intended as retaliation, reprisal or intimidation against an individual for making a complaint or
participating in any way in a report or investigation under this policy are prohibited and are subject to appropriate disciplinary action.

Part 7. Sexual violence prevention and education.

Subpart A. Campus-wide training. SCTCC employs several methods to ensure the security of students and staff to reduce the risk of violence occurring on campus property. Campus security patrolling, an extensive video monitoring system, escort services, informational brochures, educational programs, staff training, and the presence of the St. Cloud Police Department liaison officers work to mitigate the opportunity for sexual violence to occur.

To further implement Policy 1B.3 and Procedures 1B.3.1 all new and incoming SCTCC students and staff participate in at least one educational program prior to beginning classes or employment. Content includes:
- SCTCC policies and procedures in preventing and responding to sexual assaults
- Awareness of sexual violence, and recognizing signs of abusive behavior
- Sexual violence prevention
- Reporting and responding to incidents of sexual violence – including bystander intervention, taking immediate action, evidence preservation, complainants rights and options, and victim support
- Penalties for perpetrating sexual violence and the provisions of Policy 1b.3.1

Subpart B. Other training and education. Colleges and universities and affiliated student organizations are encouraged to develop educational programs, brochures, posters and other means of information to decrease the incidence of sexual violence and advise individuals of the legal and other options available if they are the complainants of an incident or they learn of such an incident.

Subpart C. Training for individuals charged with decision making authority. Prior to serving as either an investigator or decision maker for complaints under this procedure, administrators must complete investigator or decisionmaker training provided by the system office. Investigators/decisionmakers and anyone else involved in the adjudication process must receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Part 8. Maintenance of report/complaint procedure documentation. Data that is collected, created, received, maintained or disseminated about incidents of sexual violence will be handled in accordance with the privacy requirements of the Minnesota Statutes §13 (Minnesota Government Data Practices Act), and other applicable laws.

Information on reports of incidents of sexual violence that are made to Campus Security Authorities shall be documented in accordance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, codified at 20 United States Code section 1092 (f). Such information will be used to report campus crime statistics on college and university campuses as required by that Act.
During and upon the completion of the complaint process, the complaint file shall be maintained in a secure location. Access to complaint file information shall be in accordance with the applicable collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act and other applicable law and policy.

CAMPUS ALCOHOL POLICY AND ENFORCEMENT:

St. Cloud Technical and Community College forbids the use (consumption), possession, manufacture, sale, transportation or furnishing of alcoholic beverages on campus. The college also forbids the maintenance of unlawful drinking places on campus. This prohibition of possession or consumption of alcoholic beverages on campus applies regardless of age. The only exception is authorized use for special (non-student) functions. Only the President may authorize such programming use.

Any alcohol related incident that are brought to the attention of the Safety and Security Office will be referred to the St. Cloud Police Department. Violations of law regarding underage consumption or possession may result in criminal prosecution and are subject to fines and/or imprisonment. In addition to any action taken by law enforcement, any person violating the campus alcohol policy will be referred for disciplinary action.

ILLEGAL DRUG USE AND ENFORCEMENT:

St. Cloud Technical & Community College forbids the illegal possession, sale, use, manufacturing, or distribution of drugs in campus buildings, on the grounds of the college, in college vehicles or during college sponsored activities.

The college enforces both Minnesota and federal drug laws regarding the use, possession, and sale of illegal drugs and any drug related incident that are brought to the attention of the Safety and Security Office will be referred to the St. Cloud Police Department. Violations of law regarding drugs may result in criminal prosecution and violators are subject to fines and/or imprisonment. In addition to any action taken by law enforcement, any person violating the campus drug policy will be referred for disciplinary action.
DRUG AND ALCOHOL ABUSE EDUCATION PROGRAMS

The purpose of this policy is to set forth the campus policy regarding alcohol and other drug use, including unlawful drug use or abuse in the workplace in accordance with the Drug Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D) and Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101-266).

The campus recognizes the reality of chemical dependency and is aware of its occasional presence in the campus community. As a safeguard against this dependency, numerous college organizations provide prevention programs to the college community.

The college encourages and provides reasonable assistance to any student, faculty or staff member who seeks information on chemical dependency or treatment for chemical dependency. The Counseling Department provides information and prevention programs for those seeking help with substance abuse.

Minnesota State Alcohol Violations

Minnesota has many statutes which regulate and control alcohol use and misuse. Fines and penalties are given on the basis of minimum requirements and prior violations. Some crimes and violations are as follows:

**Driving under the influence** (blood alcohol content .08) First offense: $700 fine, max. 90 days in jail, revocation of driver license min. 30 days. Second offense (within five years): $3000 fine, max. One year in jail, revocation of license min. 90 days. Driving with an alcohol concentration of .04 or more is relevant evidence of whether or not the person is under the influence of alcohol and therefore subject to arrest.

**Implied Consent** By driving a motor vehicle in this state, a person agrees to submit to testing for intoxication.

**Persons under the age of 21** "Not A Drop" Law, If you drink any amount of alcohol and drive, you lose your license in for 30 days on a first offense, 6 months for a second violation in Minnesota. **Misdemeanors**: Consumption and possession unless in parent or guardian’s home, purchase or attempts to purchase alcohol, entering licensed premises, misrepresenting age.

**Aiding Minors** Gross Misdemeanor: to sell, furnish or give a minor alcohol, to induce a minor to purchase alcohol, to lend or permit use of license to a minor.

**Consent for Sexual Activity** A person under the influence of any amount of an intoxicating substance including alcohol, marijuana, narcotics, or other substances, whether ingestion of the substance is known or unknown, cannot give legal consent for sexual activity. Sexual activity is defined as oral, anal, or vaginal penetration or contact on or near contact of breasts or genitals.

**Misrepresentation of Age** It is unlawful for any person under the age of 21 years to claim to be 21 years old or older for the purpose of purchasing alcoholic beverages.
**Furnishing Alcohol to Persons Under 21** It is unlawful to sell, barter, furnish or give alcoholic beverages to persons under 21. People who are injured by an underage drinker may sue adults who supplied alcohol to the underage drinker.

### 2016 Drug and Alcohol Programs Provided to the SCTCC Campus Community

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APPENDIX 1 – TERMS AND DEFINITIONS

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

As a general rule, any death caused by injuries received in a fight, argument, quarrel, assault, or commission of a crime is classified as Murder and Non-negligent Manslaughter (1a).

**Criminal Homicide – Negligent Manslaughter** The killing of another person through gross negligence.

As a general rule, any death caused by the gross negligence of another is classified as Criminal Homicide—Manslaughter by Negligence (b).

**Sex Offenses – Defined**

**Forcible Sex Offenses.** Any sexual act directed against another person, forcibly and/or against that person’s will or not forcibly or against the person’s will in instances where the victim is incapable of giving consent. Reported offenses may include:

- **Forcible Rape** - The carnal knowledge of a person, forcibly and/or against that person’s will or not forcibly or against the person’s will in instances where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

  Carnal knowledge is defined by Black’s Law Dictionary, 6th ed. as “the act of a man having sexual bodily connections with a woman; sexual intercourse.” There is carnal knowledge if there is the slightest penetration of the sexual organ of the female (vagina) by the sexual organ of the male (penis).

  “Against her will” includes instances in which the victim is incapable of giving consent because of her temporary or permanent mental or physical incapacity (or because of her youth). The ability of the victim to give consent must be a professional determination by the law enforcement agency. The age of the victim, of course, plays a critical role in this determination. Individuals do not mature mentally at the same rate. For example, no 4-year-old is capable of consenting; whereas victims aged 10 or 12 may need to be assessed within the specific circumstances regarding the giving of their consent.

- **Forcible Sodomy** - Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will or not forcibly or against the person’s will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

  Sexual Assault with an Object - To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another
person, forcibly and/or against that person's will or not forcibly or against the person's will where in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Note: An object or instrument is anything used by the offender other than the offender's genitalia. Examples include but are not limited to a finger, bottle, handgun, or a stick.

- **Forcible Fondling** - The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Note: Forcible Fondling includes Indecent Liberties and Child Molesting. Because Forcible Fondling is an element of Forcible Rape, Forcible Sodomy, and Sexual Assault with an Object, it should be reported only if it is the sole Forcible Sex Offense committed against a victim.

**Sex Offenses, Non-forcible.** Unlawful, non-forcible sexual intercourse. Reported offenses may include:

- **Incest** - non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

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

Note: If force was used or threatened, or if the victim was incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity, then the offense should be classified as forcible rape, not statutory rape.

**Sexual Violence** includes a continuum of conduct that includes sexual assault, and non-forcible sex acts, dating and relationship violence, stalking, as well as aiding acts of sexual violence.

**Sexual Assault** means an actual, attempted, or threatened sexual act with another person without that person's consent. Sexual assault is often a criminal act that can be prosecuted under Minnesota law, as well as form the basis for discipline under Saint Paul College student conduct codes and employee disciplinary standards. Sexual assault includes but is not limited to:

1. Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as “date rape” or
“acquaintance rape.” This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.

2. Involvement in any sexual act when the victim is unable to give consent.

3. The intentional touching or coercing, forcing, or attempting to coerce or force another to touch an unwilling person’s intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast).

4. Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

**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.

**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.

**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, and the condition was known or would be known to a reasonable person, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

**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 that force will be used.

Robbery is a vicious type of theft in that it is committed in the presence of the victim. The victim, who usually is the owner or person having custody of the property, is directly confronted by the perpetrator and is threatened with force or is put in fear that force will be used. Robbery involves a theft or larceny but is aggravated by the element of force or threat of force.

**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 displays weapon in a threatening manner) or by means likely to produce death or great bodily harm (e.g., victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness).

**Burglary** The unlawful entry of a structure with the intent to commit a felony or theft.
Motor Vehicle Theft  The theft or attempted theft of a motor vehicle. A motor vehicle is a self-propelled vehicle that runs on the surface of land and not on rails and that fits one of the following property descriptions:

- **Automobiles** - sedans, coupes, station wagons, convertibles, taxicabs, or other similar motor vehicles that serve the primary purpose of transporting people
- **Buses** - motor vehicles that are specifically designed (but not necessarily used) to transport groups of people on a commercial basis
- **Recreational Vehicles** - motor vehicles that are specifically designed (but not necessarily used) to transport people and also provide them temporary lodging for recreational purposes
- **Trucks** - motor vehicles that are specifically designed (but not necessarily used) to transport cargo
- **Other Motor Vehicles** - any other motor vehicles, e.g., motorcycles, motor scooters, trail bikes, mopeds, snowmobiles, or golf carts.

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.

Liquor law violations Arrests or referrals for the violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, or possessing of intoxicating liquor.

Drug law violations Arrests or referrals for the violation of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Weapons law violations Arrests or referrals for the violation of laws or ordinances dealing with weapon offenses.

Larceny-theft The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another person.

Simple Assault An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack. Note: This offense includes stalking.

Destruction/Damage/Vandalism of Property 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.
APPENDIX 2 – Crime Prevention Tips

Protect your room or apartment:
- Lock your door – even if you are only going out for a short time. It only takes 8 seconds to walk into an open room and steal your valuables.
- Always lock your door and windows when you are asleep. You are also encouraged to lock your door and windows when you are awake.
- Do not prop open locked exterior building doors. These doors are locked for your protection and protection of other residents.
- Never open exterior doors of the building for strangers or non-residents. Always escort your guests to and from the main entrance doors.
- Do not loan your keys or Student ID card swipe to anyone – even a classmate or friend. They may not be careful with them and may misplace them, giving the wrong person access.
- 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.
- Smoke detectors are provided in each housing unit for your safety. AT NO TIME SHOULD THEY BE DISCONNECTED OR REMOVED (or a fee may be imposed).

Protect your property:
- Personal property (purses, backpacks, calculators, cell phones, etc.) should never be left unattended. Take such items with you if you are leaving the office, classroom, or your residence.
- Take valuables home with you during vacations and school breaks.
- Park your bike where you can keep an eye on it if possible. Always lock your bike.

Protect your automobile:
- Always lock your car doors and never leave your keys or valuable items such as cameras, wallets, etc. in plain sight or on the seats in the vehicle.
- Try to park your car in a well-lit area.

Protect yourself at night:
- Avoid walking alone at night.
- Refrain from taking shortcuts; walk where there is plenty of light and traffic.
- Call for an escort in advance.

Protect yourself walking and jogging:
- Avoid walking and jogging alone after dark. If you must travel alone at night, call for someone to escort you to your on-campus destination.
- Walk along well-lit routes.
- 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 or apartment, and keep your personal or valuable items concealed and close to your body.

Help us protect you:
- Watch for suspicious persons in and around college buildings and in parking lots. Do not pursue them. Call 911 first and then
  1. Suspicious activity:
     (a) If you see any suspicious activity or people on or near campus, call law enforcement. Do not assume that what you observe is an innocent activity or that it has already been reported.
     (b) Do not assume the person is a visitor or college staff member that you have not seen before.
  2. Suspicious people may be:
(a) Loitering about at unusual hours and locations; running, especially if something of value is being carried.
(b) Exhibiting unusual mental or physical symptoms. Person(s) could be under the influence of drugs or otherwise needing medical or psychiatric assistance.
(c) Carrying property that might be suspicious, depending on the circumstances, going from room to room trying door handles.

- Report all thefts and property loss immediately to the (Whomever designated).
- Be security conscious at all times.
Reducing the Risk of Sexual Assault:

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas, it is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don’t know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
5. Try not to load yourself down with packages or bags as this can appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cab money.
7. Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (call 911)
11. Don’t leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink unattended, just get a new one.
12. Don’t accept drinks from people you don’t know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they have had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
   a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
   b. Be true to yourself. Don’t feel obligated to do anything you don’t want to do. “I don’t want to” is always a good enough reason. Do what feels right to you and what you are comfortable with.
   c. Have a code word with your friends or family so that if you don’t feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come and get you or make up an excuse for you to leave.
   d. Lie. If you don’t want to hurt the person’s feelings it is better to lie and make up a reason to leave that to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgement before doing anything you may regret later.

Bystanders:

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. 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 of the ways to be an active bystander. If you or someone else is in immediate danger, call 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are OK.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in the Annual Security Report or other resources for support in health, counseling, or with legal assistance.
APPENDIX 4 – CLERY GEOGRAPHY MAPS

This map depicts the St. Cloud Technical and Community College’s approximate On-Campus and Public Property geography. Though not used for campus specific activities, SCTCC includes crime statistics the Minnesota Workforce Center as well as the Campus Playhouse Child Care Center (Northeast corner of map) due to their location within our Contiguous Clery Geography.

### On Campus Property

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<th>Location Type</th>
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<tr>
<td>Health Science Building</td>
<td>On Campus</td>
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<td>Training and Admin</td>
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<td>Heartland Building</td>
<td>On Campus</td>
<td>Academic</td>
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<td>Rental</td>
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### Non-Campus Property

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<th>Location Type</th>
<th>Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eden Prairie Water Treatment Facility</td>
<td>Non-Campus Property</td>
<td>Academic</td>
</tr>
</tbody>
</table>

### Public Property

Public Property: The term “public property” means 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.
Minnesota Office of Higher Education
Sexual Assault Reporting Guidelines

Postsecondary institutions are required to submit sexual assault data if they:

- offer in-person courses on a campus located in Minnesota;
- are eligible institutions as defined in Minn. Stat. § 136A.103; and,
- have system-wide enrollment of 100 students or greater in the prior academic year.

The timeframe of incidents in institutions’ reports to OHE is incidents of sexual assault reported to the institution during the prior calendar year. For the first data submission to OHE, incidents reported to the institution between January 1, 2015 and December 31, 2015 will be included in the data submission due to OHE by October 1, 2016. Note that the report of the incident must have occurred between January 1, 2015 and December 31, 2015, not the incident itself. Additionally, though the report of an incident must have occurred between January 1, 2015 and December 31, 2015, the institutional responses and processes detailed by the categories do not have to be concluded during that timeframe. Institutional responses can include those actions taken until the beginning of the data submission window, August 1, 2016.

Incident was reported to institution: Between January 1, 2015 – December 31, 2015
Data submission due to OHE: Between August 1 and October 1, 2016

Scope of Incidents

The report must include, but not be limited to, the number of incidents of sexual assault reported to the institution in the previous calendar year in which:

- Either the alleged victim or respondent was a member of the campus community (employee or student) at the time of the incident; or,
- The incident occurred on the institution’s campus (or on property owned/rented by the institution); or,
- The incident occurred at an institutionally-sponsored event.

Categories

Institutions must submit to the following to OHE.

1. The number of incidents of sexual assault reported to the institution during the prior calendar year within the scope defined above (total incidents)

   - Include incidents that were reported as sexual assault but were later found not to be sexual assault or where the report was unfounded
   - Reports include those incidents reported by the alleged victim as well as from other parties
   - Excludes anonymous reports and aggregate deidentified data provided to the institution from confidential resources
2. Of those in #1, the number that were investigated by the institution to determine whether the institution’s policy was violated

- An investigation includes a formal investigation, an informal investigation, and an institutional inquiry
- Incidents may be reported to the institution but not investigated because:
  - The victim chose not to proceed with the investigation and the institution determined there was no overriding concern to campus safety;
  - An incident occurred but the allegation was not of sexual assault;
  - A respondent was not a member of the campus community; or,
  - A respondent was not identified.

3. Of those in #2, the number that were referred for a disciplinary process at the institution

- A disciplinary process includes any process by which the institution investigates, adjudicates, and makes a determination regarding an allegation in accordance with the institution’s own code of conduct or similar internal policy or rules.

4. The number of total incidents (category 1) in which the alleged victim chose to report to local or state law enforcement, to the extent that the institution is aware

- Includes any local or state law enforcement agency, not just those within Minnesota. Sexual Assault Data Reporting Manual 6

5. The number for which a campus disciplinary process is pending, but has not reached a final resolution as of August 1, 2016

- The incident was reported to the institution by December 31, 2015, but by August 1, 2016 the case was not finalized.
- Pending cases include those that have been referred to an investigator but a recommendation has not been made whether there is sufficient grounds to refer the matter to an adjudicator; are still under investigation; are still under adjudication; a final determination has not been made; hearings have not reached their conclusion; appeal period has not yet expired; or the incident is under appeal.

6. The number in which the respondent(s) was/were found responsible for sexual assault by the disciplinary process at the institution;

- Includes only final (not initial) determinations of responsibility

7. The number that resulted in any action by the institution greater than a warning issued to the respondent.

- A warning is an issuance of an oral or written reprimand that has no adverse consequence.
- Examples of actions greater than a warning include required counseling, required training, a no-contact order, placing a hold on the students’ record/transcript, being issued a no-trespass order, being issued a partial no-trespass order that significantly limits campus access, removal from campus housing, disciplinary probation, suspension, or expulsion.
8. The number that resulted in a disciplinary process at the institution that closed without resolution
9. Of those in #8, the number that resulted in a disciplinary process at the institution that closed without resolution because the respondent withdrew from the institution
10. Of those in #8, the number that resulted in a disciplinary process at the institution that closed without resolution because the alleged victim chose not to participate in the process
11. The number of reports made through the online reporting system established in Minn. Stat. § 135A.15, subd. 5, excluding reports submitted anonymously

Note that each category is based on the number of incidents. If an incident involves more than one respondent, and the respondents have different outcomes in the institution's disciplinary process, that incident may be reported in more than one category. For example, an incident with more than one respondent could be counted as “1” in #1, #2, #3, and because the two respondents are at different places in the disciplinary process, that incident could also be counted as “1” in #5 and #6.

**Reporting Sexual Violence**

St. Cloud Technical & Community College is committed to eliminating sexual violence in all forms including rape and sexual assault. SCTCC will take appropriate remedial action against any individual found responsible for acts in violation with the College's Sexual Violence Policy.

To improve communication, SCTCC has implemented a new campus–wide reporting solution called Campus Eye. It provides a direct line of communication across our entire campus for reporting sexual violence. Please visit [http://www.sctcc.edu/sexual-violence](http://www.sctcc.edu/sexual-violence) for more information on reporting sexual violence and how to download the app.

Incidents are instantly reported to the designated officers of SCTCC so the appropriate departments can take immediate action and handle sexual violence issues as they arise. Multiple ways of reporting are available. *In case of an emergency, call 911.*

**Report an Incident Online**

- *Campus Eye Web Reporting Form*
  - An account or username is NOT required to send web reports
  - You have the option of reporting anonymously, if desired.
Report Using *Campus Eye* Mobile App

Students, faculty and staff members also have the option of downloading the mobile app and signing up using the 4-digit code for SCTCC.

- Search *Campus Eye* in your Apple or Android app store to download the app.
- Use the 4-digit campus code: QZCC
- [User guide for mobile app](#) [.PDF, requires StarID and password for access]

If you have any questions about reporting sexual violence, please contact SCTCC Director of Campus Life, Missy Majerus at 320-308-5922 or [mmajerus@sctcc.edu](mailto:mmajerus@sctcc.edu).

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**St. Cloud Technical & Community College Resources**

- [Sexual Violence Policy and Reporting Procedure](#) [.PDF]
- [Complaint/Grievance Policy](#)
- [Discrimination/Harrassment Form](#) [.PDF]

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**Local Resources for Victims of Sexual Violence**

**Counseling Centers**

- [The Center for Family Counseling](#)
- [St. Cloud State University Counseling and Psychological Services](#)
- [Catholic Charities Caritas Mental Health Services](#)

**Advocacy Groups**

- [Central MN Sexual Assault Center (CMSAC)](#)
- [St. Cloud State University Women's Center](#)
- [Minnesota Coalition Against Sexual Assault (MNCASA)](#)
- [OutFront Minnesota](#)
• Minnesota Day One Emergency Shelter & Crisis Hotline

Health Centers/Mental Health Care Centers
• CentraCare Health
• St. Cloud VA Health Care System
• St. Cloud Regional Medical Center
• Central Minnesota Mental Health Center

Legal Resources
• Mid-Minnesota Legal Aid – St. Cloud Office