

**Lake Superior College  
Annual Security Report**



**September 2018**

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## Report Introduction

Lake Superior College (LSC) encourages all students and College community members to be fully aware of the safety and security issues on the campus and to take action to prevent and report illegal and/or inappropriate activities. Personal awareness and applying personal safety practices are the foundation of a safe community.

In 1990, Congress enacted the *Crime Awareness and Campus Security Act of 1990* (Title II of Public Law 101-542), which amended the *Higher Education Act of 1965 (HEA)*. This act required all postsecondary institutions participating in HEA's Title IV student financial assistance programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998, 2000 and 2008. The 1998 amendments renamed the law the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* in memory of a student who was slain in her dorm room in 1986. It is generally referred to as the *Clery Act* and is in section 485(f) of the *HEA*.

On March 7, 2013, the *Violence Against Women Reauthorization Act of 2013 (VAWA)* (Public Law 113-14) was signed into law. *VAWA* includes amendments to the *Clery Act*. These changes require institutions to disclose statistics, policies and programs related to dating violence, domestic violence, sexual assault and stalking, among other changes.

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

The LSC Department of Public Safety and Security Department is recognized as the primary campus department responsible for providing security services for students, faculty, staff and campus visitors. Security and Public Safety Officers are **NOT** licensed police officers and do not possess the power of arrest as defined by Minnesota State Statute, but have been granted the authority by the Institution's President to enforce institution policy, which is not inconsistent with federal, state or local law, and to make citizens arrests when necessary.

The Duluth Police Department provides fully licensed police protection for LSC. The Department of Public Safety and Security has developed a working relationship with the Duluth Police Department that allows for immediate response to all crimes, emergencies, or requests for service generated by the campus.

The LSC Department of Public Safety and Security compiles all required information and statistics for this report. Statistics are collected using incident reports and from other reporting authorities including, but not limited to, local law enforcement agencies and officials of LSC who have significant responsibility for student and campus activities. These college officials include individuals in departments such as: Campus Security ([Security@lsc.edu](mailto:Security@lsc.edu), Security Office East Building, 218-733-6911) and the Health and Safety Officer ([Brandon.Peterson@lsc.edu](mailto:Brandon.Peterson@lsc.edu), Office W1628, 218-733-1057).

It is the policy of LSC to report all criminal activity to the Duluth Police Department by reporting incidents directly to their office or to the Department of Public Safety and Security Department. All crimes or potential crimes that are reported to the campus Department of Public Safety and Security Department will be forwarded to the Duluth Police Department. It is also LSC's position that all campus

community members are responsible for reporting any criminal activity they become aware of to the Security Department, at 2101 Trinity Road / Duluth, MN 55811 – **(218) 733-6911**, or the Duluth Police Department, or (emergency **911**), **9-911** (on Campus).

LSC urges all campus entities that are excluded from mandatory reporting, such as professional mental health counselors and pastoral counselors, to advise clients who are victims of crime to report those incidents to campus or local law enforcement authorities, and to report confidential information used strictly for statistical purposes to the Department of Public Safety and Security Department.

## **Geography**

Pursuant to the Act, the Department of Public Safety and Security Department or Health and Safety Officer monitors criminal activity and publishes this report containing a three-year statistical history of select crimes or incidents that occur. The statistics are gathered from four specific geographic areas; 1) campus, 2) residence halls (subset of campus if applicable), 3) non-campus property or institution sanctioned buildings or property and 4) public property that is adjacent to campus, and are submitted on an annual basis to the U.S. Department of Education.

The following definitions are taken from the Higher Education Act of 1965, 485(f) (20 U.S.C. 1092(f)), the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act”, and are used to classify the locations listed in the LSC Crime Statistics.

**Campus:** The term “campus” means 1) any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and 2) property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

**Campus property includes:**

**LSC Main Campus**

2101 Trinity Road  
Duluth, MN 55811

**LSC ERTC**

11501 Highway 23  
Duluth, MN 55808

**LSC Center for Advanced Aviation**

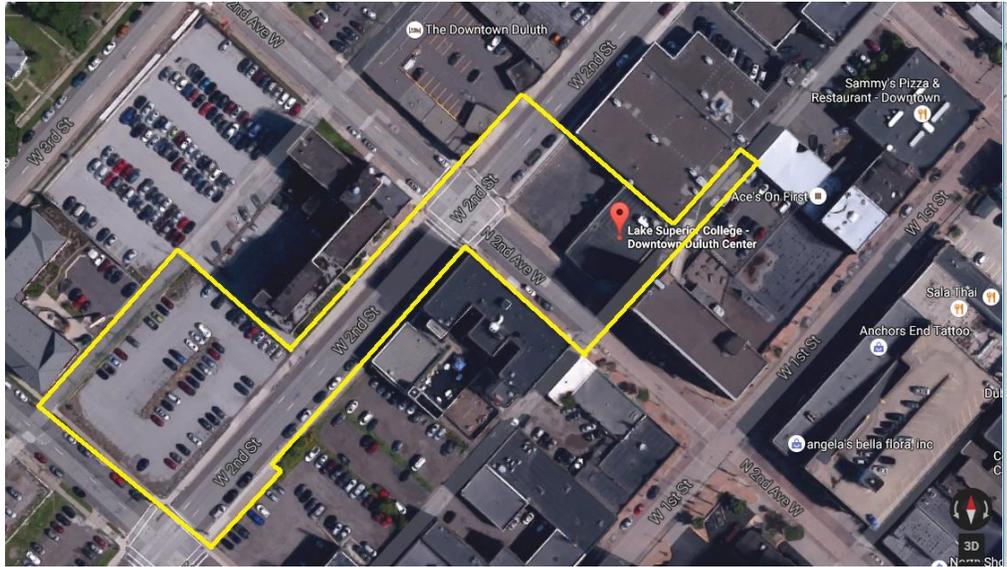
Hangar 103 4960 Airport Rd  
Duluth, MN 55811

**LSC Downtown Center**

120 N 2<sup>nd</sup> Ave W  
Duluth, MN 55802



**Main Campus Aerial View Clery Reporting Area**



**Aerial View Downtown Center Clery Reporting Area**



**Aerial View Emergency Response Training Center Clery Reporting Area**



**Center for Advanced Aviation Aerial View Clery Reporting Area**

**Non-Campus Building or Property:** The term “non-campus building or property” means 1) any building or property owned or controlled by an institution; and 2) any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution’s educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

**Non-campus property includes:**

Central High School (soccer field and adjacent parking lots only)  
800 East Central Entrance  
Duluth, MN 55811

Duluth Public Schools Stadium (soccer field and parking lot)  
401 N 44<sup>th</sup> Ave W  
Duluth, MN 55807

Lincoln Park Middle School (soccer field and parking lot)  
3215 W 3<sup>rd</sup> St  
Duluth, MN 55806

Duluth Area Family YMCA (including adjacent streets, parking lots, sidewalks, stairwells)  
302 W 1<sup>st</sup> St  
Duluth, MN 55802

Campus Park Townhomes and Villas (including adjacent streets, parking lots, sidewalks, stairwells)  
2338 Rice Lake Rd  
Duluth, MN 55811

Boulder Ridge Luxury Apartments (including adjacent streets, parking lots, sidewalks, stairwells)  
502 Boulder Dr.  
Duluth, MN 55811

University of Wisconsin Superior Residence Halls (including adjacent streets, parking lots, sidewalks, stairwells)  
2231 Catlin Ave.  
Superior, WI 54880

Proctor Gun Club (including adjacent streets, parking lots, sidewalks, stairwells)  
5389 US-2  
Duluth, MN 55810

**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.

LSC public property includes adjacent streets, parking lots, sidewalks, stairwells.

Lake Superior College also contracts with UW-Superior to provide aid in offering housing options for students. The UW-Superior 2017 Clery Report and Statistics may be accessed at the following link:  
<https://www.uwsuper.edu/safety/clery/index.cfm>

## **Types of Crimes required Under the Clery Act, (Include definitions) – (See Appendix 1)**

### 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 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, 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
- Ethnicity
- National origin
- Disability

- Dating violence

Domestic violence  
Stalking

## Statistics

<b>CRIME STATISTICS FOR 2015 – 2017 – LSC Main Campus / 2101 Trinity Road / Duluth, MN 55811</b>						
<b>(January through December)</b>	<b>2015</b>		<b>2016</b>		<b>2017</b>	
Reports of:	Main Campus	Non Campus Sites	Main Campus	Non Campus Sites	Main Campus	Non Campus Sites
<b>Criminal Offenses (OC-on campus, NC-non-campus, PP-Public Property)</b>						
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Forcible Sex Offenses (including forcible rape)	0	0	0	0	0	0
Non-Forcible Sex Offenses:	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	1	0	0	0
Arson	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
<b>Hate Offenses (OC-on campus, NC-non-campus, PP-Public Property)</b>						
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
All forcible sex offenses, including forcible rape)	0	0	0	0	0	0
Forcible Rape	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0
<b>Arrests (OC-on campus, NC-non-campus, PP-Public Property)</b>						
Liquor law violations	0	0	0	0	0	0
Drug law violations	0	0	0	1	1	0

Illegal weapons possessions	0	0	0	0	0	0
<b>VAWA Offenses (OC-on campus, NC-non-campus, PP-public property)</b>						
Domestic Violence			0	0	0	0
Dating Violence			1	0	0	0
Stalking			0	0	0	0

All above categories and reported alleged criminal activity do not necessarily constitute an arrest or conviction.  
They are allegations of wrongdoing.

*Lake Superior College endorses and implements a policy of equal opportunity in employment and admission to its programs and services for all persons regardless of race, color, religion, national origin, ancestry, sex/gender, marital status, age, disability and status as a disabled veteran or sexual orientation. Reasonable accommodations and support for students with disabilities are available.*

<b>CRIME STATISTICS FOR 2015 – 2017 – Downtown Center / 120 N 2<sup>nd</sup> Ave W / Duluth, MN 55802</b>						
(January through December)	2015		2016 (First Year Reporting)		2017	
Reports of:	Main Campus	Non Campus Sites	Main Campus	Non Campus Sites	Main Campus	Non Campus Sites
<b>Criminal Offenses (OC-on campus, NC-non-campus, PP-Public Property)</b>						
Murder/Non-negligent manslaughter			0	0	0	0
Forcible Sex Offenses (including forcible rape)			0	0	0	0
Non-Forcible Sex Offenses:			0	0	0	0
Robbery			0	0	0	0
Aggravated Assault			0	0	0	0
Burglary			0	0	0	0
Motor Vehicle Theft			0	0	0	0
Arson			0	0	0	0
Negligent Manslaughter			0	0	0	0
<b>Hate Offenses (OC-on campus, NC-non-campus, PP-Public Property)</b>						
Murder/Non-negligent manslaughter			0	0	0	0
Aggravated Assault			0	0	0	0
All forcible sex offenses, including forcible rape)			0	0	0	0
Forcible Rape			0	0	0	0
Arson			0	0	0	0
Negligent manslaughter			0	0	0	0
Simple assault			0	0	0	0
<b>Arrests (OC-on campus, NC-non-campus, PP-Public Property)</b>						
Liquor law violations			0	0	0	0
Drug law violations			1	0	0	0
Illegal weapons possessions			0	0	0	0

<b>VAWA Offenses (OC-on campus, NC-non-campus, PP-public property)</b>						
Domestic Violence			0	0	0	0
Dating Violence			0	0	0	0
Stalking			0	0	0	0

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<b>CRIME STATISTICS FOR 2015 – 2017 –Emergency Response Training Center / 11501 Highway 23 / Duluth, MN 55808</b>						
<b>(January through December)</b>	<b>2015</b>		<b>2016</b>		<b>2017</b>	
Reports of:	Main Campus	Non Campus Sites	Main Campus	Non Campus Sites	Main Campus	Non Campus Sites
<b>Criminal Offenses (OC-on campus, NC-non-campus, PP-Public Property)</b>						
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Forcible Sex Offenses (including forcible rape)	0	0	0	0	0	0
Non-Forcible Sex Offenses:	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
<b>Hate Offenses (OC-on campus, NC-non-campus, PP-Public Property)</b>						
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
All forcible sex offenses, including forcible rape)	0	0	0	0	0	0
Forcible Rape	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0
<b>Arrests (OC-on campus, NC-non-campus, PP-Public Property)</b>						
Liquor law violations	0	0	0	0	0	0

Drug law violations	0	0	0	0	0	0
Illegal weapons possessions	0	0	0	0	0	0
<b>VAWA Offenses (OC-on campus, NC-non-campus, PP-public property)</b>						
Domestic Violence			0	0	0	0
Dating Violence			0	0	0	0
Stalking			0	0	0	0

The above categories and reported alleged criminal activity do not necessarily constitute an arrest or conviction. They are allegations of wrongdoing.

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<b>CRIME STATISTICS FOR 2015 – 2017 – Center for Advanced Aviation / Hangar 103 4960 Airport Rd / Duluth, MN 55811</b>						
<b>(January through December)</b>	<b>2015 (First Year Reporting)</b>		<b>2016</b>		<b>2017</b>	
Reports of:	Main Campus	Non Campus Sites	Main Campus	Non Campus Sites	Main Campus	Non Campus Sites
<b>Criminal Offenses (OC-on campus, NC-non-campus, PP-Public Property)</b>						
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Forcible Sex Offenses (including forcible rape)	0	0	0	0	0	0
Non-Forcible Sex Offenses:	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
<b>Hate Offenses (OC-on campus, NC-non-campus, PP-Public Property)</b>						
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
All forcible sex offenses, including forcible rape)	0	0	0	0	0	0
Forcible Rape	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0
<b>Arrests (OC-on campus, NC-non-campus, PP-Public Property)</b>						

Liquor law violations	0	0	0	0	0	0
Drug law violations	0	0	0	0	0	0
Illegal weapons possessions	0	0	0	0	0	0
<b>VAWA Offenses (OC-on campus, NC-non-campus, PP-public property)</b>						
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0

The above categories and reported alleged criminal activity do not necessarily constitute an arrest or conviction. They are allegations of wrongdoing.

*Lake Superior College endorses and implements a policy of equal opportunity in employment and admission to its programs and services for all persons regardless of race, color, religion, national origin, ancestry, sex/gender, marital status, age, disability and status as a disabled veteran or sexual orientation. Reasonable accommodations and support for students with disabilities are available.*

## Emergency Response and Timely Warning

Lake Superior College is required by policy and fire code to have evacuation and emergency operations plans in place. Evacuation plans and emergency procedures are posted in each classroom and can be found on the LSC safety/security website. Lake Superior College also has a current Emergency Operations Plan based on the all-hazards concept, incorporating the National Incident Management System and coordinated with the system office and local emergency response agencies. This plan is used to respond to any level of emergency impacting LSC and outlines the responsibilities and actions necessary to protect life, property and the environment. Some of the processes and procedures are included in this report.

**Emergency Response:** Lake Superior College will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students, faculty or staff occurring on campus. (Minnesota State) has numerous 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 but are not limited to:

**Active messaging:** Lake Superior College has the ability to address the campus through a VoIP phone system to reach all campus offices and classrooms.

**Passive messaging:** Lake Superior College will provide emergency information via the main web page. The administration will use campus wide mass email and any other available media such as signs to disseminate emergency notifications to students, faculty and staff. Twitter and Facebook social media will also be used to disseminate emergency notification either individually or through the Star Alert system.

**Individual messaging:** Lake Superior College utilizes an emergency notification system branded Star Alert, provided by Blackboard Connect, which disseminates emergency notification through SMS text, direct phone calls and email, at the selection of the recipient. This is an opt out/in system.

Upon enrollment or hiring students/faculty/staff are automatically enrolled in the system using the Star ID to associate them with Lake Superior College. Students, faculty and staff are sent an automatic email, activating their account and encouraging them to enter additional phone and/or cell numbers, email addresses and selecting other deliver options for receiving emergency notifications. The emergency notification system is updated (daily, weekly, etc.)

Students, faculty and staff have the option of permanently opting out of Star Alert should they choose. For additional information on access, issues concerning individual accounts or other questions contact: *Ryan Schaeffer, Enterprise Technology System Administrator – 218.733.7787*

Lake Superior College, upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees occurring on campus:

1. A Lake Superior College official will verify that a legitimate emergency or dangerous situation exists, even if all of the pertinent details are not known or are available at the time.
2. Lake Superior College officials, in coordination with and at the advice of local first responders, will determine the appropriate segment(s) of the campus community to receive notification.
3. Lake Superior College will, immediately, and taking into account the safety of the community, determine the content of the notification, unless issuing a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The following persons or organization(s) are responsible for emergency notification dissemination:

Those responsible for emergency notification dissemination include the Vice President of Administration, Access Security, Dean of Student Affairs, Safety and Health Office, IT, Information Officer, Chief Information Officer, and Enterprise Technology System Administrator.

Lake Superior College, after ensuring that local first responders are notified, will activate the active messaging system to provide emergency notification to the campus community. An immediate Star Alert containing pertinent emergency notification and information will be disseminated. Other passive and individual messaging will provide redundant and detailed emergency information as soon as reasonably possible.

Lake Superior College will test the emergency response and evacuation procedures annually in accordance with this policy and applicable state and federal regulations. Tests may be announced or unannounced and emergency response and evacuation procedures will be publicized in conjunction with at least one test per calendar year. Results of each test will be documented and include a description of the exercise, the date, time, and whether it was announced or unannounced. This information will be maintained. The Safety and Health Officer maintains this information. Records for all Clery related requirements are maintained for seven years and available upon request.

**Timely Warning:** Lake Superior College will issue a timely warning for all Clery Act crimes reported to Campus Security Authorities or local police agencies and considered by Lake Superior College officials to represent a serious or continuing threat to students, faculty and staff. Timely warning will not be limited

to violent crimes or crimes against persons, and may include crimes against property or other types of serious or continuing threats.

Issuance of a Timely Warning is determined on a case-by-case basis. Factors included are the nature of the crime or threat, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts. Lake Superior College will consult with local law enforcement and other officials when determining the need and content of any Timely Warning.

The intent of a Timely Warning is to enable the campus community to protect themselves and will include all information that would promote safety and aid in the prevention of similar crimes or protection from specific threats. Timely Warnings will be disseminated using the Star Alert text and email features, campus email system, or any other passive or individual method of notification to students, faculty and staff.

## **Campus Security Policies**

Any Lake Superior College student, faculty or staff member should call 9-911 from campus phone or 911 from a cell phone to report an emergency situation or crime.

Crimes can also be reported directly to Security at 218.733.6911. Please notify those listed above anytime 911 services are requested (fire, law enforcement, medical) on campus.

All criminal activity occurring on campus should be reported immediately to Lake Superior College Security or others listed above, in person at LSC Security or by telephone at 218-733-6911. If the victim chooses, an additional report can be filed with the appropriate local law enforcement agency. Lake Superior College Security or others listed above can assist the complainant in completing reports. Internal reports may be shared with other departments on campus as necessary to complete an investigation and/ or to ensure the safety of the campus community. The Security Department or others listed above will assist Police Department(s) with investigations as required. Depending on many factors, Lake Superior College may or may not hold reports of crime in confidence and may be required by law to release information based on the events or nature of the crime. Whenever possible Lake Superior College will attempt to protect the identity of crime victims.

## **Campus Security Authorities**

All employees who become aware of an allegation or violation of College policy, Student Code of Conduct, civil or criminal law are encouraged to report the allegation to their supervisor and to the Security Department.

While we prefer that reports are made directly to the Security Department or through the reporting feature on the Safety Website (explained below), the campus community is invited to make a report of crime to any Campus Security Authority on campus.

If a Campus Security Authority becomes aware of any alleged crime, they must report it to the Security Department.

Campus Security Authorities do not investigate crime reports. They ensure that any alleged crimes that they are made aware of are forwarded to the Security Department for classification and investigation.

Campus security authority is defined as:

A campus police department or a campus security department of an institution.

Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department.

Any individual or organization specified in the institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.

Lake Superior College offers a "Silent Witness" or "Campus Eye" program on the Safety/Security webpage for victims and/or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual security report. Lake Superior College officials will share information as necessary to appropriately address a situation, but will make efforts to maintain confidentiality. **Absolute confidentiality of reports made to Lake Superior College officials cannot be promised.**

Lake Superior College is not required to report statistics for crimes reported to a pastoral or professional counselor. Pastoral and professional counselors, if and when they deem appropriate, are encouraged to inform the persons they are counseling, of any procedures to report crimes on a voluntary, confidential basis for including in the annual disclosure of crime statistics.

Lake Superior College security personnel and officials ARE NOT certified or sworn peace officers and do not possess law enforcement (arrest) authority. Lake Superior College personnel may utilize private person arrest authority pursuant to Minnesota State Statute 629.37 when appropriate.

Lake Superior College works closely with Duluth Police Department, State Patrol, Bureau of Criminal Apprehension, and other state and federal law enforcement agencies as required. Lake Superior College has a memorandum of understanding with the Duluth Police Department.

Lake Superior College, in partnership with these agencies, monitors and records criminal activity and violations of student conduct by students at non-campus locations of student organizations officially recognized by the institution.

Lake Superior College encourages students, faculty and staff to accurately and promptly report all crimes to one of the above listed agencies and offices.

Lake Superior College continuously reviews the physical security infrastructure to ensure appropriate steps are taken to maintain and enhance the safety and security of the campus. Landscaping and lighting are checked regularly and discrepancies are addressed immediately. The campus works closely and routinely with the system Emergency Preparedness and Security Specialist and the Facilities department to evaluate campus physical security and vulnerability, programming resources to address any potential threats, vulnerabilities or contingencies.

**The campus and all facilities is/are open during the following hours:**

**Main Campus:**

**Regular Hours**

Monday–Thursday: 6:30 am–10:00 pm

Friday: 6:30 am–9:00 pm

Saturday: 8:00 am–4:00 pm

Sunday: Closed

**Winter / spring break**

Monday–Friday: 6:30 am–6:00 pm

Saturday: Open by arrangement

Sunday: Closed

**Summer hours**

May 17, 2017 – July 25, 2017

Monday–Thursday: 7:30 am–5:00 pm

Friday: 7:30 am–11:30 am

Saturday & Sunday: Closed

**Center for Advanced Aviation:**

**Regular hours**

Monday–Friday: 8:30 am–4:30 pm

Variable, flight hours: 6:00 am–10:00 pm

Saturday & Sunday: Closed

**Winter / spring break**

Monday–Friday: Closed

Saturday & Sunday: Closed

**Downtown Center:**

**Regular hours**

Monday–Thursday: 6:30 am–10:00 pm

Friday: 6:30 am–4:00 pm

Saturday: Open by arrangement

Sunday: Closed

**Winter / spring break**

Monday–Friday: Open by arrangement

Saturday: Open by arrangement

Sunday: Closed

**Emergency Response Training Center**

**Regular hours**

Monday–Friday: 6:30 am–10:30 pm

Saturday & Sunday: Closed

**Winter / spring break**

Monday–Friday: 6:30 am–10:30 pm

Saturday & Sunday: Closed

Campus facilities, offices, classrooms and other spaces use a combination of keyless entry, keys issued to authorized personnel only, and manually operated locks. Typically, Security/maintenance opens and/or grants access, and secures all facility access points after hours. All exterior doors are controlled electronically. Gates are opened with keys – exterior doors at the Emergency Response Training Center are keyed and will become electronic within the year.

Lake Superior College provides the following programs at the frequency noted, to inform students, faculty and staff about campus security procedures and practices:

Campus Duty Days offer opportunity to provide safety training. First Aid, AED, CPR, Active Shooter, MOAB training, etc. are offered throughout the year upon request. Training is offered by the Safety and Health Officer or contracted professionals. Emails regarding safety procedures are sent to students, faculty and staff throughout the school year.

Lake Superior College encourages students, faculty and staff to be responsible for their own security and the security of others by following the tips provided

**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 Campus Security.
- Be security conscious at all times.

**Daily Crime Log**

Lake Superior College has a Security Department, and therefore maintains a written daily crime log. The crime log records by date the crime was reported, any crime that occurred within the institutions designated Clery geography and that is reported to the Security Department. The information in the crime log contains the nature, date, time and general location of each crime and disposition of the complaint, if known. Lake Superior College MUST make an entry or an addition to an entry to the log within two business days of the report of the information to the Security Department unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.

The institution may withhold information required if there is clear and convincing information that the release of the information would:

- 1) Jeopardize an ongoing criminal investigation or the safety of an individual,
- 2) Cause a suspect to flee or evade detection, or
- 3) Result in the destruction of evidence.

Lake Superior College may disclose any information withheld once the adverse effect described above is no longer likely to occur. The institution can withhold only that information that would cause the adverse effect.

The Security Department makes the crime log for the most recent 60-day period open to public inspection during normal business hours. Lake Superior College must also make any portion of the crime log, older than 60 days available within two business days or a request for inspection. This request must be made directly to the Security Department.

## Sexual Assault and Related Offenses

Lake Superior College does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Sexual violence includes a continuum of conduct that includes sexual assault, non-forcible sex acts, dating and relations violence, stalking, as well as aiding acts of sexual violence. As a result, Lake Superior College issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a Lake Superior College official. In this context, Lake Superior College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

For a complete copy of Lake Superior College's policy governing sexual misconduct, visit <https://www.lsc.edu/policies/1b-3-sexual-violence/>

**Definitions:** The following definitions apply:

**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.

**Sexual Assault:** an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. An actual, attempted, or threatened sexual act with another person without that a 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 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.

**Rape:** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Fondling:** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest:** is defined as nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

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

**Domestic Violence:** The term “domestic violence” means felony or misdemeanor crimes of violence committed—

1. By a current or former spouse or intimate partner of the victim;
2. By a person with whom the victim shares a child in common;
3. By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
4. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
5. By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Dating Violence:** The term “dating violence” means violence committed by a person – who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Stalking:** The term “stalking” means engaging in a course of conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated; and that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress.

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

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

Lake Superior College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking. Lake Superior College has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students and participating in and presenting information and materials during new employee orientation. Primary prevention and awareness programs are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome. Environmental risk and protective factors are considered as they occur on the individual, relationship, institutional, community and societal levels.

Name of Program	Date Held	Location Held	Prohibited Behavior Covered
PAVSA Support Group	Every Thursday at 2pm.	Student Life Conference Room W1626	Domestic violence, sexual assault, date rape, local resources & support groups etc.

**Procedures for Reporting a Complaint:** Lake Superior College has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. Lake Superior College will make such accommodations, if the complainant requests them and if they are reasonably available, regardless of whether the complainant chooses to report the crime to the Lake Superior College Security Department or local law enforcement. Students and employees should contact the Security Department at the Lower East Concourse Entrance, 218-733-6911 OR Jayce Mayberry at office W1618, [jayce.mayberry@lsc.edu](mailto:jayce.mayberry@lsc.edu), or 218.733.6960

After an incident of sexual assault or domestic violence, the victim should consider seeking medical attention at or with the help of the following as soon as possible:

St. Luke’s Hospital	218.249.5555
Essentia Health	218.786.4000
PAVSA	218.726.1931
CASDA	715.392.3136
Duluth Police Department	911
Bethany Crisis Center	218.626.1479
Safe Haven	218.728.6481

In Minnesota, evidence may be collected even if you chose not to make a report to law enforcement. Evidence collected during a medical forensic exam will only be tested if a report is made to law enforcement.

Under Minnesota law, the county in which the sexual assault or rape occurred is responsible for the cost of collecting evidence during your medical forensic examination. The county must pay regardless of whether or not you report to law enforcement. After your medical forensic examination has been performed, the county may be reimbursed from your insurance with your permission. Counties must obtain your approval prior to billing your insurance. Whether or not the county uses your insurance is your choice. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to Lake Superior College investigators or police. Although Lake Superior College strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. Lake Superior College will assist any victim with notifying local police if they so desire. The Duluth Police Department may also be reached directly by calling 218.730.5400, in person at 2030 North Arlington Avenue, Duluth, MN 55802.

Additional information about the Duluth Police Department may be found online at:

<http://www.duluthmn.gov/police/>

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Jayce Mayberry (office W1618, [jayce.mayberry@lsc.edu](mailto:jayce.mayberry@lsc.edu), 218.733.6960) by calling, writing, going online or going into the office to report in person and Lake Superior College Security Department, if the victim so desires. Lake Superior College will provide resources, on campus, off campus or both, to include medical, health, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Lake Superior College Security Department (if applicable) or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the institution, below are the procedures that the institution will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

Lake Superior College Security Department or Jayce Mayberry (office W1618, [jayce.mayberry@lsc.edu](mailto:jayce.mayberry@lsc.edu), 218.733.6960) when informed of an alleged incident of sexual violence shall promptly assist the complainant, as requested. Lake Superior College will:

1. Provide complainant with written information to access medical care, depending on when reported (immediate vs. delayed report).
2. Assess immediate safety needs of complainant.
3. Assist complainant with contacting local police if complainant requests and provide contact information for local police department.
4. Provide complainant with referrals to on and off campus mental health providers.
5. Assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, "No Contact" directive between both parties
6. Provide a "No Trespass" directive to accused party if deemed appropriate
7. Provide written instructions on how to apply for an Order of Protection
8. Provide a copy of the Sexual Violence Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution
9. Inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is
10. Enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.

When appropriate, Lake Superior College 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.

**Assistance for Victims - Rights and Options:** Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, Lake Superior College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. In Minnesota, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

1. Be informed of prosecutor's decision to decline prosecution or dismiss the case along with information about seeking a protective or harassment order at no fee
2. Protection against employer retaliation for victims to take reasonable time off to attend order for protection or harassment restraining order proceedings
3. Domestic abuse victims have the ability to terminate a lease without penalty
4. Sexual assault victims can make a confidential request for HIV testing of a convicted offender
5. Sexual assault victims do not have to pay the cost of a sexual assault examination
6. Sexual assault victims may not be required to undergo a polygraph examination in order for an investigation or prosecution to proceed.

Further, Lake Superior College complies with Minnesota law in recognizing Orders of Protection and Harassment Restraining Orders. Any person who obtains an order of protection from Minnesota or any reciprocal state (Under VAWA's full faith and credit provision, every state must recognize and enforce protection orders issued in other states, as if issued in the enforcing state) should provide a copy to Lake Superior College Security Department and the Office of the Title IX Coordinator. A complainant may then meet with Lake Superior College Security Department of Public Safety to develop a Safety Action Plan,

which is a plan for campus officials and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.) Lake Superior College cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services. Protection from abuse orders may be available through the local county court at no cost. Lake Superior College may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, Lake Superior College offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal investigation of the complaint. If reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/ adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Further, Lake Superior College will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Type of Order	Who Can File For One	Where to go for assistance	Criteria for Order
Order for Protection (OFP)  Domestic Abuse	<ul style="list-style-type: none"> <li>• Spouses</li> <li>• Former Spouses</li> <li>• Parents and Children</li> <li>• Persons related by blood</li> <li>• Persons who live together or who have lived together in the past</li> <li>• Persons who have a child in common, even if they have not been married or lived together</li> <li>• Persons who have an unborn child in common</li> <li>• Persons involved in a significant romantic or sexual relationship</li> </ul>	Visit the St. Louis County Courthouse. District Court staff will help you complete the paperwork (Affidavit and Petition) needed to ask for a temporary "ex parte" Order for Protection. You are called the "Petitioner" and the person you are filing against is called the "Respondent."  Jayce Mayberry (office W1618, <a href="mailto:jayce.mayberry@lsc.edu">jayce.mayberry@lsc.edu</a> , 218.733.6960) or Security (218.733.6911) can assist students in completing and filing OFP's and harassment orders.	<ul style="list-style-type: none"> <li>• physical harm, bodily injury, or assault;</li> <li>• the infliction of fear of imminent physical harm, bodily injury, or assault; or</li> <li>• terroristic threats, within the meaning of section 609.713, subdivision 1; criminal sexual conduct, within the meaning of section 609.342, 609.343, 609.344, 609.345, or 609.3451; or interference with an emergency</li> </ul>

			call within the meaning of section 609.78, subdivision 2.
<b>Harassment Restraining Order (HRO)</b>	Anybody who does not fall under the criteria for the Order for Protection.	To file a Harassment Restraining Order, you must first fill out a Court Administration form titled "Petitioner's Affidavit and Petition for Harassment Restraining Order." You may pick up a copy of this form from the St. Louis County Service Center, or download it from the Minnesota Court System's web site. Provide as many details as possible on the form, and return it to Court Administration.	A single incident of physical or sexual assault or repeated incidents of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless of the relationship between the actor and the intended target.

\*Criteria for Order reflects Minnesota Statutes

The institution does not publish the name of crime victims nor house identifiable information regarding victims in the Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request. Contact the Security Department at 218.733.6911.

**Resources for victims (On-Campus)**

Counseling	Sheila Sumner/Marie Carter Brooks	218.733.7630
Health	Roxanne Frederick	218.733.1092
Mental Health	Sheila Sumner/Marie Carter Brooks	218.733.7630
Victim Advocacy	Sheila Sumner/Marie Carter Brooks	218.733.7630
Legal Assistance	Security	218.733.6911
Visa and Immigration Assistance	Victoria Shaw Carlson	218.733.7634

**Off Campus Resources**

Counseling	Shelia Sumner/Marie Carter Brooks	218.733.7630
Health	Roxanne Frederick	218.733.1092
Mental Health	Sheila Sumner/Marie Carter Brooks	218.733.7630
Victim Advocacy	Sheila Sumner/Marie Carter Brooks	218.733.7630
Legal Assistance	Security	218.733.6911

Visa and Immigration Assistance	Victoria Shaw Carlson	218.733.7634
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Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

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

<http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice

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

**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, and/or 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.

**Reducing the Risk of Sexual Assault:** You can reduce the chances of sexual assault by doing the following:

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 do not know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably is not 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. Do not allow yourself to be isolated with someone you do not trust or someone you do not 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. Do not leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you have left your drink unattended, just get a new one.
12. Do not accept drinks from people you do not 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, do not 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. Do not feel obligated to do anything you do not 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 do not 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 do not 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.

**Complainants' rights:** are as follows:

1. Complainants have the right to file criminal charges with local law enforcement officials in any sexual assault case
2. They have all of the rights under the crime victims bill of rights, Minn. Stat. §§ 611A.01 – 611A.06, including the right to assistance from the Crime Victims Reparations Board and the commissioner of public safety
3. Complainants are afforded the 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
4. Campus Security Authorities will assist in preserving for a sexual violence complainant materials relating to a campus disciplinary proceeding
5. Complaints of incidents of sexual violence made to campus security authorities must be promptly and appropriately investigated and resolved

6. Upon a sexual assault complainant's request, Lake Superior College will 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 to a work site or to alternative college-owned housing, if such alternatives are available and feasible. Any accommodations or protective measures provided to the victim will be maintained in confidence, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.
7. Upon the request of the complainant, students who report sexual assaults to (Minnesota State) and subsequently chose to transfer to another college or university will be provided with information about resources for victims of sexual assault at the college or university to which the complainant is transferring

**Investigation and Disciplinary Procedures:** Investigations and disciplinary procedures will be conducted by Lake Superior College officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. Lake Superior College officials who conduct investigations and disciplinary procedures will not have any bias or conflict of interest toward either the accuser or the accused.

Procedures used in response to a complaint of sexual violence complainants should avoid requiring complainants to follow any plan of action, to prevent the possibility of re-victimization. The process will be respectful of the needs and rights of individuals involved and they will be treated with dignity. It is never assumed or suggested that the complainant or victim was at fault for the sexual assault or should have behaved differently to prevent the assault. All proceedings will be acted on promptly and conducted within reasonable timeframes. The process will allow for extensions of those timeframes for good cause with written notice to the complainant and the respondent of the delay and the reason for the delay. The process will be consistent with these policies and transparent to the complainant and the respondent. Student complainants and respondents will 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. Employees have the right to representation consistent with the appropriate collective bargaining agreement or personnel plan. All procedures will be conducted in accordance with applicable due process standards and privacy laws. The complainant and respondent will simultaneously be informed, in writing, of the outcome in a timely manner, as permitted by applicable privacy law. Outcomes will be based on a preponderance of evidence standard, meaning that it is more likely than not that the policy, procedure, or code has been violated. The past sexual history of the complainant and respondent are 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.

Lake Superior College 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 who provides false information 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.

If a complainant no longer desires to pursue a complaint through Lake Superior College proceeding, Lake Superior College reserves the right to investigate and resolve the complaint as it deems appropriate. Lake Superior College 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 Lake Superior College.

### **Procedures for Campus Disciplinary Action for Sex Offenses**

As a state agency, Lake Superior College follows Minnesota State System Office procedures. All investigators are trained by the Minnesota State System Office for conducting any investigation that may lead to reprimand, termination or expulsion.

1. The College disciplinary process is an option for any person wishing to report a case of student misconduct. In order for Lake Superior College to proceed, a written complaint (whether by the victim or a third party) must be filed with the Vice President of Academic and Student Affairs. If the complaint is criminal in nature, it will also be forwarded to law enforcement.
2. There are different standards of proof in the College conduct proceeding than in the possible criminal action. The College conduct proceeding determines whether the accused's status as a student will be altered, whereas the criminal process determines if there will be limitations on the accused's liberty. As there are different standards and the purpose of each proceeding is different, Lake Superior College encourages students who are the victims of sexual assault to go forward with the College process.
3. Both the accuser and the accused are entitled to have an advocate present during the disciplinary proceeding. This person may not, however, speak for the accused/accuser or ask questions of witnesses.
4. Both the accuser and the accused have the right to call a reasonable number of witnesses during the investigation to testify on their behalf. The witnesses may be asked questions by the other party.
5. Both the accuser and the accused shall be informed of the outcome of the College disciplinary proceeding concerning the complaint of sexual offense. This information should not be disclosed to the public generally.

Sanctions following a College disciplinary proceeding include, but are not limited to, expulsion, suspension and eviction from student housing.

**Sanctions:** Lake Superior College may, at any time during the report/complaint process, reassign or place on administrative leave an employee alleged to have violated Board Policy 1B.3, 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.

Lake Superior College may summarily suspend or take other temporary measures against a student alleged to have committed a violation of Board Policy 1B.3, in accordance with System Procedure 1B.1.1 or Board Policy 3.6.

Sanctions that may be imposed if a finding is made that sexual violence has occurred include, but are not limited to, suspension, or expulsion of students, or termination from employment for employees. 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. Witnesses or victims who report in good faith an incident of sexual violence will not be sanctioned by

Lake Superior College for admitting in the report to a violation of the student conduct policy on the use of alcohol or drugs.

Actions by a student or employee intended as retaliation, coercion, discrimination, 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.

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne *Clery Act*, section 121 of the Adam Walsh Child Protection and Safety Act of 2006, and the Family Educational Rights and Privacy Act of 1974, the Lake Superior College Security Department is providing a link to the Minnesota Sex Offender Registry. This act requires institutions of higher education issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student.

The Minnesota Level 3 Sex Offender Registry is available via Internet. **Information regarding Level 3 sex offenders can be found at <https://mn.gov/doc/family-visitor/search-offenders-fugitives/> and <http://www.house.leg.state.mn.us/hrd/pubs/sexofdr.pdf> and information regarding Level 2 offenders is available at the (Local Law Enforcement) Police Department.**

**Filing an Appeal:** The complainant or the respondent may appeal the decision of the decision maker. An appeal must be filed in writing with the president or designee within ten (10) business days after notification of the decision. The appeal must state specific reasons why the complainant or respondent believes the decision was improper. In a complaint against a president or other official who reports directly to the chancellor, an appeal may be considered by the chancellor whether or not the chancellor served as the decision maker.

For employees represented by a collective bargaining agreement, an appeal under this procedure is separate and distinct from, and is not in any way related to, any contractual protections or procedures. During the pendency of the appeal disciplinary or corrective action taken as a result of the decision shall be enforced. In addition, in cases involving sanctions of suspension for ten (10) days or longer, students shall be informed of their right to a contested case hearing under Minnesota Statutes Chapter 14.

The president or designee shall review the record and determine whether to affirm or modify the decision. The president or designee may receive additional information if the president or designee believes such information would aid in the consideration of the appeal. The decision on appeal shall be made within a reasonable time and the complainant, respondent and designated officer shall be notified in writing of the decision, consistent with applicable state and federal data privacy laws. The decision on appeal exhausts the complainant's and respondents administrative remedies under this procedure except as provided herein.

## **Drug and Alcohol Policies:**

Lake Superior College prohibits the unlawful possession, consumption (use), sale, or distribution of alcohol by all students and employees and enforces all applicable drinking/liquor laws and policies on campus, including Federal law, Minnesota State law, Duluth Ordinances and institution policy.

The possession or consumption of alcohol is prohibited in all Lake Superior College campus buildings, and applies regardless of age. Consuming alcohol and loitering with an open container of alcohol is a violation of the law in accordance with Minnesota Statute § 169A.35 subd. 1(4). The only exception is for special events authorized by the Minnesota State Colleges and Universities Board of Trustees.

Students are subject to the Student Code of Conduct while participating in school-sponsored activities at off campus locations- any violations of the Student Code of Conduct while participating in any such activities will be investigated by Lake Superior College Security Department.

**Students** who are found to be in possession of an open container or consuming alcohol while on campus will be subject to disciplinary action for violating the Student Code of Conduct. If students are not cooperative the Duluth Police Department may be called to assist, and the student may be subject to citation or arrest. **Employees** who are found to be in possession of an open container or consuming alcohol while on campus will be subject to disciplinary action. **Non-students/ non-employees** who are found to be in possession of an open container or consuming alcohol while on campus may be asked to leave campus, may be prohibited from returning for one year, if uncooperative the Duluth Police Department may be called to assist, and the individual may be subject to citation or arrest.

The state of being under the influence of alcohol is prohibited in all Lake Superior College campus buildings.

**Students** who are believed to be under the influence of alcohol may be subject to disciplinary action for violating the Student Code of Conduct. **Employees** who are believed to be under the influence of alcohol may be subject to disciplinary action. **Non-students/ non-employees** who are believed to be under the influence of alcohol may be asked to leave campus, may be prohibited from returning for one year, and if uncooperative the Duluth Police Department may be called to assist, and the individual may be subject to citation or arrest.

**Illegality of Drugs on Campus and the Enforcement of Federal and State Drug Laws:** Lake Superior College enforces Federal, State, and local drug laws regarding the use, possession, and sale of illegal drugs and drug paraphernalia. Lake Superior College forbids the possession, use, or distribution of illegal drugs on campus. This includes but is not limited to possession, sale, and use, growing, manufacturing and making of narcotic drugs. Exceptions would be drugs prescribed by a doctor's order.

The state of being under the influence of a controlled substance is prohibited in all Lake Superior College campus buildings.

**Students** who are believed to be under the influence of a controlled substance may be subject to disciplinary action for violating the Student Code of Conduct. **Employees** who are believed to be under the influence of a controlled substance may be subject to disciplinary action. **Non-students/ non-employees** who are believed to be under the influence of a controlled substance may be asked to leave campus, may be prohibited from returning for one year, and if uncooperative the Duluth Police Department may be called to assist, and the individual may be subject to citation or arrest.

**For petty misdemeanor crimes, such as possession of marijuana, the following actions will be taken:** **Students** who are found to be in violation of the law may be subject to disciplinary action for

violating the Student Code of Conduct. If students are not cooperative the Duluth Police Department may be called to assist, and the student may be subject to citation or arrest. **Employees** who are found to be in violation of the law while on campus may be subject to disciplinary action. **Non-students/ non-employees** who are found to be in violation of the law while on campus may be asked to leave campus, may be prohibited from returning for one year, if uncooperative the Duluth Police Department may be called to assist, and the individual may be subject to citation or arrest for misdemeanor and felony level drug crimes the Duluth Police Department will be contacted.

**Drug and Alcohol Abuse Education Programs:** Lake Superior College recognizes the reality of chemical dependency and is aware of its occasional presence in the higher education community. As a safeguard against this dependency, numerous campus organizations provide prevention programs to the campus community. Lake Superior College encourages and provides reasonable assistance to any student, faculty or staff member who seeks information on chemical dependency or treatment for chemical dependency. Various offices, including Counseling and Human Resources, provide information and referral to prevention programs for those seeking help with substance abuse.

Lake Superior College is part of the Tri Campus Coalition on College Student Alcohol and Drug Use that meets 4 times per academic year as a large group and 3-4 times as an education group per academic year; a collaboration of University of MN Duluth, College of St. Scholastica, and Lake Superior College, community, and law enforcement that seeks to decrease dangerous use of alcohol and drugs by implementing risk reduction approaches. Lake Superior College works individually and jointly to promote and share prevention and intervention techniques intended to promote alcohol and drug risk reduction.

Lake Superior College presents alcohol education to First Year Experience classes and provide sessions on Alcohol Safety and Legal Consequences throughout the year. Lake Superior College hosts special events with local law enforcement and Driving4Safe Communities to provide hands on learning prevention education and sober driving. Lake Superior College offers resources and educational materials that relate to alcohol and drug abuse. Lake Superior College is a site for a weekly Alcoholics Anonymous meeting on Wednesdays at 12:00 pm.

For more information: Roxanne Frederick, Health Services, [r.frederick@lsc.edu](mailto:r.frederick@lsc.edu) or 218-733-1092

## **Firearms Policy: Board Policy 5.21 Possession or Carry of Firearms**

<http://www.mnscu.edu/board/policy/521.html>

**Purpose and Scope.** The purpose of this policy is to establish restrictions on possession or carry of firearms applicable to the Minnesota State Colleges and Universities System, in accordance with the Minnesota Citizens' Personal Protection Act of 2003, Minnesota Statutes section 624.714, and other applicable law.

### **Definitions.**

**Employee.** "Employee" means any individual employed by Minnesota State Colleges and Universities, its colleges and universities and the system office, including student employees.

**Firearm.** "Firearm" means a gun, whether loaded or unloaded, that discharges shot or a projectile by means of an explosive, a gas or compressed air.

**Pistol.** Means a weapon as defined in Minnesota Statutes section 624.712, subd. 2

**Student.** "Student" means an individual who is:

1. registered to take or is taking one or more courses, classes, or seminars, credit or noncredit, at any system college or university; or
2. between terms of a continuing course of study at the college or university, such as summer break between spring and fall academic terms; or
3. expelled or suspended from enrollment as a student at the college or university, during the pendency of any adjudication of the student disciplinary action.

**Campus property.** "Campus property" means the facilities and land owned, leased, or under the primary control of Minnesota State), Minnesota State Colleges and Universities, its Board of Trustees, and system office.

**Visitor.** "Visitor" means any person who is on campus property, but does not include (1) an employee of the Minnesota State Colleges and Universities acting in the course and scope of their employment; or (2) a student, when that student is on campus property.

No person is permitted to carry or possess a firearm on campus property except as provided in this policy.

**Employees.**

1. Prohibition. Employees are prohibited from possessing or carrying a firearm while acting in the course and scope of their employment, either on or off campus property, regardless of whether the employee has a permit to carry a firearm, except as otherwise provided in this policy.
2. Employee reporting responsibility. An employee with a reasonable basis for believing an individual is in possession of or carrying a firearm in violation of this policy has a responsibility to report the suspected act in a timely manner, unless doing so would subject the employee or others to physical harm. Reports should be made to the official designated in the applicable policy included in this report. This policy shall not prohibit prompt notification to appropriate law enforcement authorities when an immediate threat to personal safety exists. Employees shall not make reports of a suspected violation knowing they are false or in reckless disregard of the truth.

**Students.** Students are prohibited from possessing or carrying a firearm while on campus property, regardless of whether the student has a permit to carry a firearm, except as otherwise provided in this policy.

**Visitors.** Visitors are prohibited from possessing or carrying a firearm while on system property, except as otherwise provided in this policy.

**Exceptions.** The following are exceptions to this policy:

**Parking areas.** This policy does not prohibit the lawful possession or carry of firearms in a parking area or parking facility.

**Authorized uses.** This policy does not prohibit:

1. Lawful possession or carry related to an academic use or use at a campus shooting range, such as law enforcement programs, approved in writing by the college or university president; or
2. Transport of an unloaded firearm directly between a parking area or parking facility and the location authorized for its use, or transport of an unloaded firearm directly between a parking area or parking facility and a storage facility provided by the college or university.
3. Possession or carry of a pistol by a visitor who has a lawful permit to carry a pistol pursuant to Minnesota Statutes section 624.714, subd. 1a ([see related documents below](#)).
4. Possession or carry of a firearm by a licensed peace officer under Minnesota Statutes section 626.84, subd.1(c) or by a qualified law enforcement officer pursuant to 18 United States Code section 926B ([see related documents below](#)), when possession or carry is otherwise authorized by law.

**Violations.** Violations of this policy by students or employees are misconduct subject to discipline, up to and including expulsion or termination.

**Referral to Law Enforcement.** Lake Superior College may refer suspected violations of weapons law to appropriate law enforcement authorities, and provide access to investigative or other data as permitted by law.

## **Appendix 1 Terms and Definitions**

### **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).

### **Arson**

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

### **Burglary**

The unlawful entry of a structure with the intent to commit a felony or theft.

### **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, 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.

### **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).

### **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.

**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.

### **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.

**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.

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

### **Liquor law violations**

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

### **Motor Vehicle Theft**

The theft or attempted theft of a motor vehicle.

Note: 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.

### **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).

### **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.

## **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 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.

**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.

## **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).
- **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**

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.

### **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.

### **Weapons law violations**

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

**Resources:** 2016 Handbook for Campus Safety and Security Reporting  
Title 34: Education [PART 668—STUDENT ASSISTANCE GENERAL PROVISIONS](#)  
[Subpart D—Institutional and Financial Assistance Information for Students](#)  
Bystander intervention strategies Stanford University's Office of Sexual Assault & Relationship Abuse  
Various Minnesota State Colleges and Universities Annual Security Reports.