Message from the chancellor

Safety and security at the University of Minnesota Duluth are of the utmost importance to us. Whether you work, study, or live at UMD, the university needs your cooperation and active participation to create a safe campus. Be alert, and if you observe a public safety problem or a possible crime, don’t hesitate to report it.

Our staff is available to serve you 24 hours a day, seven days a week. We strive to provide a safe and secure campus environment by protecting and providing assistance for students, faculty, staff, and visitors.

Thank you for joining us as we keep our campus safe.

Lendley C. Black

University of Minnesota Duluth Chancellor
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University of Minnesota Duluth Police Department

UMD Police

The University of Minnesota Duluth Police Department (UMDPD) serves the UMD campus, the surrounding area, and is responsible for safety and security at all property owned by the University of Minnesota Duluth. The department seeks to maintain a staff of ten full-time licensed police officers who provide proactive patrol, crime prevention, investigative law enforcement and emergency services. The UMDPD provides 24-hour per day coverage throughout the year.

Officers of the UMDPD are licensed as peace officers by the State of Minnesota Board of Peace Officers Standards and Training. Minnesota State Statute 629.40 gives peace officers statewide arrest powers while acting in the course and scope of employment. The department investigates all crimes that occur on UMD property. By working closely with federal, state, and local police agencies, the department strives to provide a safe environment for all students, staff, faculty, and visitors. The UMDPD has mutual aid agreements with the Duluth Police Department, St. Louis County Sheriff’s Office, Minnesota State Patrol, the Hermantown Police Department and most other law enforcement agencies in the Duluth area. When the department receives information on an off-campus crime that requires investigation, it forwards the information to the proper law enforcement agency.

The UMDPD can be contacted via telephone through the St. Louis County 911 Emergency Communications Center; UMD Police Department officers can be contacted directly for non-emergencies at 218-726-7000. The UMD Police Department is located in the Darland Administration Building (DAdB), office #287, at 1049 University Dr. in Duluth, MN 55812.

The UMDPD is also staffed by a full-time Associate Administrator, a full-time Principal Office and Administrative Specialist, two part-time Community Service Officers, and two student employees.

It is the University’s policy to encourage the prompt reporting of all crimes committed on campus to the UMD Police Department and other appropriate law enforcement agencies and to assist the victims of those crimes.

Crime Prevention

Ensuring the safety of the University community is a group effort. We all must do our part. When working, visiting, or attending classes on campus, keep in mind the following.

• Report any suspicious persons or activities to the UMD Police Department.

• Do not leave valuables unattended or unsecure.

• Do not prop open entrances to buildings.

• Lock your work and living areas every time you leave.
• Report any maintenance problems to UMD Facilities Management.
• Contact the UMD Police or Safewalk service for protective escorts.
• Be mindful of your surroundings.
• Report lost keys and access cards immediately to UMD Facilities Management.

Securing Valuables

Property theft is one of the most frequently occurring crimes on college campuses. Stolen items are rarely returned to the owner and most thieves are not arrested. However, victims may aid in recovery of property and criminal apprehension by recording and storing serial numbers and other identifying information of their valuables. Students, staff, faculty, and visitors are encouraged to secure all their valuables while at UMD.

Public Log

A public log of Campus Clery Act offenses is available for public viewing at the UMD Police Department, located at 287 Darland Administration Building on the UMD campus during University business hours - Monday through Friday from 8:00am to 4:30pm.

The daily crime log is also available on the UMD Police Department website at: http://www.d.umn.edu/police

Crime Reporting and the University’s Response

Call police immediately if you witness a crime, are a victim of one, or observe suspicious activity. You can report a crime by calling 911. The appropriate law enforcement agency will respond.

If you witness or are a victim of a crime, write down as much accurate information as you can remember. Try to obtain a description of the offender’s clothing, age, gender, height, weight, and voice. Also try to describe details such as ethnicity, eye color, hair color, facial structure and distinguishing characteristics.

Try to obtain a description and license number of any vehicles involved. Note the direction of travel if the vehicle leaves. Do not touch any items involved in the incident. Discourage others from entering the incident area unless they do so to lend aid to injured parties.

Employees of the University of Minnesota Duluth who become aware of violation of university policy, or the Student Conduct Code, or illegal activity are encouraged to report the incident to their supervisor or to the UMD Police Department. In cases of illegal activity, employees should notify UMD Police by calling 911 immediately.

The UMD Police Department encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the UMD Police
Department cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other UMD security authorities.

University Response to Crime Reports

The UMD Police Department will investigate all criminal allegations. These investigations may be done in conjunction with law enforcement agencies that participate in mutual aid agreements with UMDPD, or any law enforcement agency involved in the matter.

The UMD Police Department will classify reports in conjunction with the appropriate police agency according to the Minnesota State Law.

Students are members of the University community and citizens of the state. As citizens, students are responsible to the community of which they are a part, and the University neither substitutes for nor interferes with regular legal processes. Students are also responsible for offenses against the academic community. Therefore, an action involving the student in a legal proceeding in civil or criminal court does not necessarily free the student of responsibility for this conduct in a University proceeding. When a student is charged in both jurisdictions, the University will decide on the basis of its interest and the interest of the student whether or not to proceed with its internal review simultaneously or defer action.

The major objective of the disciplinary system at the University of Minnesota Duluth is to maintain standards of conduct and order commensurate with the educational goals of the institution. These procedures help students understand and accept the consequences of their behavior in relation to themselves and others. The procedures are designed to guarantee the rights of the accused and to protect the welfare of all members of the University community.

Crime Statistics

This brochure is published annually by the University in compliance with The Clery Act and made available to all current and prospective students, staff, and faculty. Statistics are compiled by the University of Minnesota Duluth Police Department in consultation with Duluth and other area law enforcement agencies and a wide range of University personnel called Campus Security Authorities (CSA). Campus Security Authorities, as defined by the Clery Act, have an obligation to report allegations of Clery Act-defined crimes to UMDPD if they conclude the allegations were made in good faith.

The Clery Act definition of a Campus Security Authority includes faculty and staff beyond just police officers. A faculty or staff member who has significant responsibility for student and campus activities, including but not limited to student housing, student discipline, and campus judicial proceedings, is a Campus Security Authority. The intent of including non-law enforcement personnel as Campus Security Authorities is to acknowledge that many individuals and students in particular, are hesitant about reporting crimes to police, but may be more inclined to report incidents to other campus-affiliated individuals.

Examples of Campus Security Authorities who report statistics to the University of Minnesota Duluth Police Department are the Vice Chancellor for Student Life; faculty/ staff advisors to student groups; Housing &
Residential Life; Office of Student Conduct and Community Standards; Athletics; Recreational Sports and Outdoor Programs; and Parking Services.

**U-report (confidential reporting for non-criminal violations)**

Reporting incidents of misconduct (e.g., misuse of University property or equipment, violation of safety rules, NCAA violations, misuse of University computers) by a University staff or faculty member can be difficult for employees.

You are not required to provide your name or other information that might identify you. The reporting website will not track the identity of the computer you use. If you choose to remain anonymous, the University may be limited in its investigation and response. If you do provide your name, or if your identity becomes known during an investigation, your name may need to be released to the person who is potentially responsible for the conduct. The University forbids retaliation against people who make good faith reports of violations of law or University policy. Information you provide will be used to help determine whether there has been a violation of law or policy.

Information may be shared with persons within the University if they have a need to know. Other persons, organizations, or agencies may obtain access to this information if they have statutory or judicial authority to gain access.

For more information or to file a report, go to [U-Report](#).

**Counselor’s Confidential Reporting**

Campus pastoral counselors and campus professional counselors, when acting as such, are not considered to be Campus Security Authorities and are not required to report crimes for inclusion into the annual disclosure of crime statistics.

The Clery Act Definitions of Counselors:

A Pastoral Counselor includes an employee of an institution, who is associated with a religious order or denomination and is recognized by that denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

A Professional Counselor includes an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

As a matter of policy these counselors are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

Crime statistics from the past three calendar years can be found later in this report. Please review this section for the definitions used in categorizing different crimes and locations.
Emergency Response and Notification

Campus Crisis Emergency Response Team

The Chancellor, or in his/her absence a Chancellor’s Cabinet member identified as Officer of the Day, has the responsibility and authority to implement the Emergency Operations Plan and provide overall policy direction of UMD resources during an emergency situation. Emergency operations include coordination of campus and community resources to save lives, protect property and provide for the continuity of UMD operations. The Chief Law Enforcement Officer (or designee), Vice Chancellor for Student Life are lead personnel in campus crisis response. When an emergency situation occurs that impacts the campus community, these administrators, in consultation with the Chancellor, identify a crisis response team (typically four to six people) to coordinate a campus crisis response. Specific team members will vary to meet the needs of the situation at hand.

UMD Emergency Operations Plan (pdf)

Timely Warnings/Crime Alerts

The Chancellor/Officer of the Day, in conjunction with emergency response personnel, will direct the need for emergency communications. Except in the event of imminent threat, UMD External Affairs and UMD Information Technology Systems and Services (ITSS) will coordinate on the communication approach taken.

Imminent Threat

In the event of a potential emergency or dangerous situation that poses an imminent threat to members of the UMD campus community, the University will immediately notify the campus. The situation will dictate which of the following notification methods are used. These include information in the media; online at the UMD home page at www.umn.edu; through TXT-U, the University’s text message emergency notification system; and through email; tone-alert radios; phone and fax trees; outdoor warning system; digital signage, social media and posted emergency notices on the entrances and exits to buildings’ and by on-scene public safety personnel.

In these cases, the Chief Law Enforcement Officer or designee has the authority to immediately activate the emergency notification system. This authorization supersedes any established structure or chain of command relating to emergency warning and notification at the University of Minnesota Duluth as outlined below and in the University of Minnesota Duluth Emergency Operations Plan.

Non-Imminent Threat

The Chancellor/Officer of the Day, in collaboration with the Chief Law Enforcement Officer (or designee), Vice Chancellor for Finance and Operations, Executive Vice Chancellor for Academic Affairs and Vice Chancellor for Student Life, will confirm the significance of an event and activate the appropriate level of the emergency notification system. Activation of the emergency notification system must be approved by
University officials. If the Chancellor/ Officer of the Day is not available, delegation of authority for emergency notification will be as follows: Executive Vice Chancellor for Academic Affairs, Vice Chancellor for Finance and Operations, Vice Chancellor for Student Life, Chief Law Enforcement Officer (or designee).

The university will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system(s), unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

The University has set responses for different emergencies that could occur on campus. These include which notification methods will be used in an emergency and at what point during an emergency they will be activated. These set responses allow for quick and consistent activation of the emergency notification system.

Dissemination of emergency information to the larger community (i.e.: parents/families, the Duluth community, etc.) will take place at the discretion of the Chancellor/Officer of the Day or Emergency Response Team, as appropriate and as time allows. The UMD Police Department will work with these entities to determine how much information is appropriate to disseminate at different times. Depending on the nature of the incident, the University could utilize such avenues as the University home page at www.d.umn.edu or local media. The first concern of the University will be to disseminate information to those people directly affected by the emergency.

Crime Alerts

The UMD Police Department issues timely crime alerts to the campus community for crimes that we are made aware of that occur on University property or in areas near campus that are frequented by members of the University community, and are determined to represent a serious or ongoing threat. The alerts are timely and designed to aid in the prevention of similar occurrences.

With approval from the Chief Law Enforcement Officer or designee, alerts are forwarded to the Office of the Vice Chancellor for Finance and Operations for distribution approval. Alerts are electronically distributed to all UMD students, staff, and faculty via UMD email. In certain cases (most often burglary), the alerts may be distributed to a localized area of the University if it is determined that the threat is specific to a particular area. The alerts may include the following details (if available)

- Description of the incident
- Physical description of the suspect, including gender and race
- Composite drawing of the suspect or actual photos and video footage
- Apparent connection to previous incidents, if applicable
- Protected class status of the victim, if there was an apparent bias motive
- Sex of the victim, if relevant
- Injury sustained by the victim
- Date and time the campus crime alert was released
- Pertinent crime prevention tips
• The alerts are posted on the UMDPD website and archived on the site for approximately one year.

Monitoring Off-Campus Activities

The UMD Police Department monitors criminal activity occurring off-campus with the assistance of the Duluth Police Department and other area law enforcement agencies.

Public Safety Advisories

The UMD Police Department may also from time to time issue Public Safety Advisories to the UMD community. Public safety advisories are issued to relay important information that will help increase community awareness and enhance public safety. Public safety advisories may be sent to the UMD campus community via email or posted on the UMD Police website.

Confidentiality Statement

The University of Minnesota Duluth will protect the confidentiality of crime victims by withholding identifying victim information within its communications in its continual effort to inform the campus community and aid and prevent similar occurrences.

Emergency Notification

The University of Minnesota Duluth has a variety of communication systems available to inform the campus community about an emergency situation. Which systems may be used is dependent upon the scope and type of emergency.

Emergency Notification Systems

TXT-U Emergency Notification

TXT-U is the University’s emergency notification text messaging system. Students, faculty, and staff can stay informed about critical campus safety information by registering to receive TXT-U messages. Only University of Minnesota students, faculty, and staff can register for TXT-U. However, you can add more than one mobile device to an account, so parents, family, friends, or others can be registered. TXT-U will be used infrequently and specifically for real emergency situations. To register for TXT-U, go to http://www.d.umn.edu/emergency/TXT-U.html

Tone Alert Radio System (TARS)

A tone alert radio is a radio that is programmed to receive emergency broadcasts directly from the UMD Police Department. Information sent to the tone alert radios includes crimes that threaten safety, severe weather warnings, hazardous material incidents, bomb threats, civil disturbances, or any other immediate
threat on campus. Many departments, offices, reception desks, etc. have a tone alert radio and pass
information on to others in their area when they receive a message.

Campus Wide Emergency Alert System (CWEAS)

CWEAS is the University of Minnesota Duluth’s outdoor emergency notification system. The University
currently has one speaker on the Duluth campus located at its upper northwest corner near Goldfine Hall.

Blastmail for Emergency Email

UMD has developed an email system call Blastmail, intended to deliver a large number of messages as quickly
as possible. New mailing lists of all students and all faculty and staff are generated on a regular basis, so that
they will be ready to use at a moment’s notice.

UMD Facebook and Twitter

Emergency information may also be communicated on UMD Facebook and Twitter accounts.

Digital Signs

Most digital signs on campus can be updated quickly to include an emergency message.

Web Announcements

Weather-related closings and other emergencies may be announced by placing an announcement on the UMD
home page and on the Emergency Closings page. In the case of a severe emergency, where we need to reach
the maximum number of people immediately the entire UMD web site will be replaced with a single page for
emergency information.

On Scene Emergency Personnel

On scene emergency personnel may be able to provide valuable emergency communication depending upon
the emergency situation.

The UMD Police Department and Environmental Health and Safety work with other departments at the
University to ensure that emergency evacuation and response procedures are up-to-date and effective. The
Department of Health and Environmental Safety is working with each area of the University to develop and
maintain emergency procedures and guidelines for their buildings and employees. The Office of Housing and
Residential Life is responsible for developing and maintaining emergency evacuation procedures for all
University Residence Halls. The UMD Police Department has procedures in place for the response to
incidents such as active shooters and bomb threats.
Services and Resources

Access to Campus Facilities

The UMD campus is for use by the students, faculty, staff, and guests. Access is limited to normal business and building hours. Most campus facilities are accessible throughout the work day, Monday through Friday, and for limited hours on weekends.

Requests for access to facilities for events or other purposes should be directed to contacts noted in UMD scheduling policies. UMD reserves the right to deny access to facilities and services to those people or groups who do not meet campus guidelines and policies.

Policies and Procedures for Safe Access to Campus Buildings

- Keys and access cards are issued only to authorized faculty, staff, students, and approved contractors.
- Exterior doors should not be propped open when the doors are locked.
- Building evacuation is mandatory for all fire alarms.
- Individual academic buildings are normally open by 7:00am. Employees and students in buildings after normal working hours should have University ID in possession.
- Only authorized individuals will be allowed to stay after building hours.

Access and Security in UMD Housing

UMD Housing has nine on-campus residential facilities for students.

University Housing staff receives training on security measures and emergency/crisis management. Residence hall staff members inform residents of safety and security information via handbooks, floor meetings, and programming in the halls. Staff members work closely with the UMD Police Department in maintaining security in all residence halls and apartment units and in dealing with situations that affect the safety of residents.

Campus visitors will only be allowed in the Residence Halls when they are guests of and accompanied by a resident of that building. Residents are encouraged not to allow access to anyone other than their guests.

Campus Lighting

The University of Minnesota Duluth encourages notification of Facilities Management to report defective or poor lighting on campus. Contact Facilities Management at 218-726-8262 or 218-726-8263.
Emergency Telephone Access

Campus courtesy phones are placed in public areas around the campus. Courtesy phones provide free campus and local calling and can be used to report emergencies or to request assistance.

Parking Facilities

Parking lots are well lit and checked frequently by the UMD Police Department and Facilities Management. Security cameras placed in locations around the campus are monitored by University of Minnesota Central Security.

Escorts

The University’s “Safewalk” walking escort service is available Sunday through Thursday from 8:00pm to 12:00am. Volunteers can be reached at 218-726-6100 or in the Greek office near the Kirby Student Center Lounge.

The UMD Police Department may also provide escorts to students, faculty, and staff from all campus locations to other on-campus or nearby locations, circumstances permitting.

Crime Prevention and Education Programs

Crime prevention and security awareness programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year.

During orientation in August, students are informed of services offered by the UMD Police Department. The presentations outline ways to maintain personal safety and residence hall security. Students are told about crime on campus and in surrounding neighborhoods. Similar information is available to new employees.

UMD Police Department personnel facilitate programs for students, parents, faculty, staff, resident advisors and directors, student organizations, and community organizations. They provide a variety of educational strategies and tips on how to protect themselves from criminal activity.

The UMD Police Department, UMD Housing, and other departments and organizations often collaborate in presenting crime prevention awareness sessions on sexual assault, relationship violence, stalking, alcohol and drug abuse, as well as educational sessions on personal safety and residence hall safety.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

*See tables on pages 28-37 for all crime prevention and safety education programs provided to students, faculty, and staff for calendar year 2013
Sexual Offender Registration

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The federal law requires state law enforcement agencies (in Minnesota, it is the Minnesota Bureau of Criminal Apprehension) to provide UMD with a list of registered sex offenders who have indicated that they are enrolled, employed, or carrying on a vocation at UMD.

UMD is required to inform the campus community that a registration list of sex offenders is available by going to the UMD Police Department website, click on Sex Offender Locator.

Or go to: http://www.doc.state.mn.us/level3/search.asp.

The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

The Student Behavioral Management Committee (SBMC)

Purpose:

The Student Behavioral Management Committee (SBMC) is a committee that collaboratively addresses issues related to student behavior on campus. The SBMC brings representatives from a variety of campus departments together to develop a general sense of patterns of student behavior, to share advice and counsel, to collaborate on dealing with acting-out behavior, and to recommend strategies, policies and procedures that proactively address student behavior.

The Student Behavioral Management Committee (SBMC) reports to the UMD Vice Chancellor for Student Life and Dean of Students, and has the following responsibilities:

• Threat Assessment

Threat assessment is defined as using a collaborative process to address situations that have the potential to be disruptive to the UMD community, in order to facilitate maximizing safety for students and the university community. SBMC focuses on situations as they arise from student behavior and decides the most productive course of action to minimize impact to the community and to facilitate the most positive outcome possible for the student acting out. Threats are generally lower level threats that affect a limited number of students. UMD’s emergency procedures take precedence and are employed when significant threats arise.

• Recommend Strategies, Policies and Procedures

SBMC recommends strategies, policies and procedures for dealing with issues such as sexual assault, alcohol and drug abuse, self-harm, mental health concerns and parental notification.

Membership
The SBMC is chaired by the Vice Chancellor for Student Life and Dean of Students, and includes membership from the following offices:

- Office of Cultural Diversity
- Office of Student Life
- Office of Student Conduct
- Health Services
- Housing and Residential Life
- University of Minnesota Duluth Police Department

Guests are invited as needed.

Meetings

The SBMC meets every other week throughout the year, and more frequently if situations necessitate more immediate action. If a student exhibits behaviors that indicate IMMEDIATE DANGER to SELF or SOMEONE ELSE, CALL 9-911 from a campus phone or 911 from a cell phone or other off-campus phone.

If a student exhibits behaviors of concern that should be addressed, contact the SBMC through the Office of Student Life.

UMD Student Life

245 Kirby Plaza

vcsl@d.umn.edu

(218) 726-8501

Campus Climate Response Team (CCRT)

Purpose

The University of Minnesota Duluth seeks to “create a positive and inclusive campus climate for all by advancing equity, diversity, and social justice.” The Campus Climate Response Team was created to respond to issues or incidents that degrade or threaten the campus climate and that require a response beyond that provided by established processes.
Campus Climate Response Team (CCRT)

The Campus Climate Response Team (CCRT) reports to the UMD Chancellor, and has the following responsibilities.

• The CCRT develops and facilitates the implementation of a timely and appropriate response to a campus climate incident.

• CCRT evaluates and analyzes an incident; CCRT coordinates a “real time” response, involving all critical parties and/or stakeholders.

• CCRT coordinates communication with the campus, public, media, etc. in a timely manner.

• The CCRT receives data from other processes and offices that also respond to campus climate incidents. CCRT conducts regular reviews of the data to analyze how incidents are handled on campus and to identify trends and patterns occurring over time.

• The CCRT provides regular reports summarizing campus climate incidents to the campus in order to ensure transparency (see below).

• The CCRT designs and recommends strategies to improve responses to issues and incidents and addresses outcomes of data analyses. This includes recommendations for programming, education and other proactive approaches.

CCRT Membership

The CCRT comprises a visible, high-level core (or “front-line”) team. It includes broad representation, and convenes ad hoc teams as the situation demands.

• Vice Chancellor for Student Life and Dean of Students, convener

• Executive Vice Chancellor for Academic Affairs

• Vice Chancellor for Finance and Operations

• Chancellor’s Chief of Staff/Associate to the Chancellor

• Director of Human Resources and Equal Opportunity

• Director of the UMD Police Department

• Director of External Affairs
CCRT RESPONSE PROTOCOL

Actions that undermine and damage a safe, respectful and diverse campus climate should be reported (see the box to the right). After a report has been made, referrals may be made to any member of the CCRT. Upon receiving a referral, the following steps are taken.

• The Equity and Diversity administrator will convene the CCRT (and others as appropriate) immediately.

• The CCRT will review and analyze the issue and either 1) delegates it to an appropriate UMD office or 2) convenes an ad hoc team based on the specifics of the incident.

• If the CCRT creates an ad hoc working group, the ad hoc group will take the following steps:
  • The ad hoc group will gather information.
  • The ad hoc group will identify any need for further investigation.
  • The ad hoc group will assign responsibilities (including further investigation, if needed) and coordinate actions.
  • The ad hoc group will communicate with the CCRT, stakeholders, and other constituents.
  • The ad hoc group will debrief and report at the conclusion of the process.

University of Minnesota Duluth Policies and Procedures

Additional information and copies of relevant policies and procedures are available on the UMD website at http://www.d.umn.edu

Student Conduct Code

The University of Minnesota Student Conduct Code is based in these guiding principles:

• The University seeks an environment that promotes academic achievement and integrity, that is protective of free inquiry, and that serves the educational mission of the University.

• The University seeks a community that is free from violence, threats, and intimidation; that is respectful of the rights, opportunities, and welfare of students, faculty, staff, and guests of the University; that does not threaten guests of the University; and that does not threaten the physical or mental health or safety of members of the University community.

• The University is dedicated to responsible stewardship of its resources and protection of its property and resources from theft, damage, destruction, or misuse.

• The University supports and is guided by state and federal law while also setting its own standards of conduct for its academic community.

• The University is dedicated to the rational and orderly resolution of conflict.
The University-wide Student Conduct Code specifically prohibits scholastic dishonesty; disruptive classroom conduct; falsification; refusal to identify and comply; attempts to injure or defraud; threatening, harassing, or assultive conduct; disorderly conduct; illegal or unauthorized possession or use of weapons; illegal or unauthorized possession of drugs or alcohol; unauthorized use of University facilities and services; theft, property damage, and vandalism; unauthorized access; disruptive behavior; hazing; rioting; violation of University rules; and violation of federal or state law. The entire Student Conduct Code including Duluth proceedings is available on the UMD website at Office of Student Conduct.

University of Minnesota Policy Statement on Sexual Assault, Stalking, Dating and Relationship (Domestic) Violence

The University of Minnesota Duluth does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, University of Minnesota Duluth 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 University official. In this context, University of Minnesota Duluth 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.

No one acting on behalf of the University may retaliate against an individual for having made a report in good faith under this policy or having participated in an investigation of a sexual assault. Any individual employee who engages in retaliation may be subject to disciplinary action up to and including termination of employment. Reports of retaliation will be reviewed and investigated in the same manner in which other allegations of misconduct are handled. This provision aligns with Board of Regents Policy: Code of Conduct.

For a complete copy of University of Minnesota’s policy governing sexual assault, stalking and relationship (domestic) violence, visit http://www.policy.umn.edu/Policies/Operations/Safety/SEXUALASSAULT.html.

A. Definitions

There are numerous terms used by the University of Minnesota Duluth in our policy and procedures.

Consent is defined in Minnesota as state statute 609.341 Subdivision 4.Consent.

(a) "Consent" means words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the complainant or that the complainant failed to resist a particular sexual act.
(b) A person who is mentally incapacitated or physically helpless as defined by this section cannot consent to a sexual act.

(c) Corroboration of the victim's testimony is not required to show lack of consent.

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

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

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

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

Domestic Violence: The term “domestic violence” means

1) Felony or misdemeanor crimes of violence committed

   (i) By a current or former spouse or intimate partner of the victim; (ii) By a person with whom the victim shares a child in common; (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (iv) 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 (v) 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.

2) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Minnesota Domestic Assault State Statute:

609.2242 DOMESTIC ASSAULT.

Subdivision 1. Misdemeanor. Whoever does any of the following against a family or household member as defined in section 518B.01, subdivision 2, commits an assault and is guilty of a misdemeanor:

   (1) Commits an act with intent to cause fear in another of immediate bodily harm or death; or
(2) Intentionally inflicts or attempts to inflict bodily harm upon another.

Subdivision 2. Gross misdemeanor. Whoever violates subdivision 1 within ten years of a previous qualified domestic violence-related offense conviction or an adjudication of delinquency is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than $3,000, or both.

Subdivision 3. Domestic assaults; firearms.

(a) When a person is convicted of a violation of this section or section 609.221, 609.222, 609.223, 609.224, or 609.2247, the court shall determine and make written findings on the record as to whether:

(1) The assault was committed against a family or household member, as defined in section 518B.01, subdivision 2;

(2) The defendant owns or possesses a firearm; and

(3) The firearm was used in any way during the commission of the assault.

(b) If the court determines that the assault was of a family or household member, and that the offender owns or possesses a firearm and used it in any way during the commission of the assault, it shall order that the firearm be summarily forfeited under section 609.5316, subdivision 3.

(c) When a person is convicted of assaulting a family or household member and is determined by the court to have used a firearm in any way during commission of the assault, the court may order that the person is prohibited from possessing any type of firearm for any period longer than three years or for the remainder of the person's life. A person who violates this paragraph is guilty of a gross misdemeanor. At the time of the conviction, the court shall inform the defendant whether and for how long the defendant is prohibited from possessing a firearm and that it is a gross misdemeanor to violate this paragraph. The failure of the court to provide this information to a defendant does not affect the applicability of the firearm possession prohibition or the gross misdemeanor penalty to that defendant.

(d) Except as otherwise provided in paragraph (c), when a person is convicted of a violation of this section or section 609.224 and the court determines that the victim was a family or household member, the court shall inform the defendant that the defendant is prohibited from possessing a pistol for three years from the date of conviction and that it is a gross misdemeanor offense to violate this prohibition. The failure of the court to provide this information to a defendant does not affect the applicability of the pistol possession prohibition or the gross misdemeanor penalty to that defendant.

(e) Except as otherwise provided in paragraph (c), a person is not entitled to possess a pistol if the person has been convicted after August 1, 1992, of domestic assault under this section or assault in the fifth degree under section 609.224 and the assault victim was a family or household member as defined in section 518B.01, subdivision 2, unless three years have elapsed from the date of conviction and, during that time, the person has not been convicted of any other violation of this section or section 609.224. Property rights may not be
abated but access may be restricted by the courts. A person who possesses a pistol in violation of this paragraph is guilty of a gross misdemeanor.

Subdivision 4. Felony. Whoever violates the provisions of this section or section 609.224, subdivision 1, within ten years of the first of any combination of two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency is guilty of a felony and may be sentenced to imprisonment for not more than five years or payment of a fine of not more than $10,000, or both.

Dating Violence: The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and the existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition—

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

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

*Minnesota does not have a state statute specific to Dating Violence*

Stalking: The term “stalking” means

1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(i) Fear for the person’s safety or the safety of others; or

(ii) Suffer substantial emotional distress.

2) For the purposes of this definition—

(i) 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, surveys, threatens, or communicates to or about, a person, or interferes with a person’s property.

(ii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

(iii) Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.

3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
Minnesota Stalking State Statute:

609.749 STALKING & PENALTIES.

Subdivision 1. Definition. As used in this section, "stalking" means to engage in conduct which the actor knows or has reason to know would cause the victim under the circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated, and causes this reaction on the part of the victim regardless of the relationship between the actor and victim.

Subdivision 1a. No proof of specific intent required. In a prosecution under this section, the state is not required to prove that the actor intended to cause the victim to feel frightened, threatened, oppressed, persecuted, or intimidated, or except as otherwise provided in subdivision 3, paragraph (a), clause (4), or paragraph (b) that the actor intended to cause any other result.

Subdivision 1b. Venue. (a) When acts constituting a violation of this section are committed in two or more counties, the accused may be prosecuted in any county in which one of the acts was committed for all acts in violation of this section.

(b) The conduct described in subdivision 2, clauses (4) and (5), may be prosecuted at the place where any call is made or received or, in the case of wireless or electronic communication or any communication made through any available technologies, where the actor or victim resides or in the jurisdiction of the victim's designated address if the victim participates in the address confidentiality program established by chapter 5B.

The conduct described in subdivision 2, clause (2), may be prosecuted where the actor or victim resides. The conduct described in subdivision 2, clause (6), may be prosecuted where the actor or victim resides or in the jurisdiction of the victim's designated address if the victim participates in the address confidentiality program established by chapter 5B.

Subdivision 1c. Arrest. For all violations under this section, except a violation of subdivision 2, clause (7), a peace officer may make an arrest under the provisions of section 629.34. A peace officer may not make a warrantless, custodial arrest of any person for a violation of subdivision 2, clause (7).

Subdivision 2. Stalking crimes. A person who stalks another by committing any of the following acts is guilty of a gross misdemeanor:

(1) Directly or indirectly, or through third parties, manifests a purpose or intent to injure the person, property, or rights of another by the commission of an unlawful act;

(2) Follows, monitors, or pursues another, whether in person or through any available technological or other means;

(3) Returns to the property of another if the actor is without claim of right to the property or consent of one with authority to consent;
(4) Repeatedly makes telephone calls, sends text messages, or induces a victim to make telephone calls to the actor, whether or not conversation ensues;

(5) Makes or causes the telephone of another repeatedly or continuously to ring;

(6) repeatedly mails or delivers or causes the delivery by any means, including electronically, of letters, telegrams, messages, packages, through assistive devices for people with vision impairments or hearing loss, or any communication made through any available technologies or other objects; or

(7) Knowingly makes false allegations against a peace officer concerning the officer's performance of official duties with intent to influence or tamper with the officer's performance of official duties.

Subdivision 3. Aggravated violations. (a) A person who commits any of the following acts is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than $10,000, or both:

(1) commits any offense described in subdivision 2 because of the victim's or another's actual or perceived race, color, religion, sex, sexual orientation, disability as defined in section 363A.03, age, or national origin;

(2) Commits any offense described in subdivision 2 by falsely impersonating another;

(3) Commits any offense described in subdivision 2 and possesses a dangerous weapon at the time of the offense;

(4) stalks another, as defined in subdivision 1, with intent to influence or otherwise tamper with a juror or a judicial proceeding or with intent to retaliate against a judicial officer, as defined in section 609.415, or a prosecutor, defense attorney, or officer of the court, because of that person's performance of official duties in connection with a judicial proceeding; or

(5) Commits any offense described in subdivision 2 against a victim under the age of 18, if the actor is more than 36 months older than the victim.

(b) A person who commits any offense described in subdivision 2 against a victim under the age of 18, if the actor is more than 36 months older than the victim, and the act is committed with sexual or aggressive intent, is guilty of a felony and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than $20,000, or both.

Subdivision 4. Second or subsequent violations; felony. (a) A person is guilty of a felony who violates any provision of subdivision 2 within ten years of a previous qualified domestic violence-related offense conviction or adjudication of delinquency, and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than $10,000, or both.

(b) A person is guilty of a felony who violates any provision of subdivision 2 within ten years of the first of two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency,
and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than $20,000, or both.

Subdivision 5. Pattern of stalking conduct. (a) A person who engages in a pattern of stalking conduct with respect to a single victim or one or more members of a single household which the actor knows or has reason to know would cause the victim under the circumstances to feel terrorized or to fear bodily harm and which does cause this reaction on the part of the victim, is guilty of a felony and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than $20,000, or both.

(b) For purposes of this subdivision, a "pattern of stalking conduct" means two or more acts within a five-year period that violate or attempt to violate the provisions of any of the following or a similar law of another state, the United States, the District of Columbia, tribe, or United States territories:

(1) this section;
(2) Sections 609.185 to 609.205 (first- to third-degree murder and first- and second-degree manslaughter);
(3) Section 609.713 (terroristic threats);
(4) Section 609.224 (fifth-degree assault);
(5) Section 609.2242 (domestic assault);
(6) Section 518B.01, subdivision 14 (violations of domestic abuse orders for protection);
(7) Section 609.748, subdivision 6 (violations of harassment restraining orders);
(8) Section 609.605, subdivision 1, paragraph (b), clauses (3), (4), and (7) (certain trespass offenses);
(9) Section 609.78, subdivision 2 (interference with an emergency call);
(10) Section 609.79 (obscene or harassing telephone calls);
(11) Section 609.795 (letter, telegram, or package; opening; harassment);
(12) Section 609.582 (burglary);
(13) Section 609.595 (damage to property);
(14) Section 609.765 (criminal defamation);
(15) Sections 609.342 to 609.3451 (first- to fifth-degree criminal sexual conduct); or
(16) Section 629.75, subdivision 2 (violations of domestic abuse no contact orders).
(c) Words set forth in parentheses after references to statutory sections in paragraph (b) are mere catchwords included solely for convenience in reference. They are not substantive and may not be used to construe or limit the meaning of the cited statutory provision.

Subdivision 6. Mental health assessment and treatment. (a) When a person is convicted of a felony offense under this section, or another felony offense arising out of a charge based on this section, the court shall order an independent professional mental health assessment of the offender's need for mental health treatment. The court may waive the assessment if an adequate assessment was conducted prior to the conviction.

(b) Notwithstanding sections 13.384, 13.85, 144.291 to 144.298, 260B.171, or 260C.171, the assessor has access to the following private or confidential data on the person if access is relevant and necessary for the assessment:

1. Medical data under section 13.384;
2. Welfare data under section 13.46;
3. Corrections and detention data under section 13.85;
4. Health records under sections 144.291 to 144.298; and

Data disclosed under this section may be used only for purposes of the assessment and may not be further disclosed to any other person, except as authorized by law.

(c) If the assessment indicates that the offender is in need of and amenable to mental health treatment, the court shall include in the sentence a requirement that the offender undergo treatment.

(d) The court shall order the offender to pay the costs of assessment under this subdivision unless the offender is indigent under section 563.01.

Subdivision 7. Exception. Conduct is not a crime under this section if it is performed under terms of a valid license, to ensure compliance with a court order, or to carry out a specific lawful commercial purpose or employment duty, is authorized or required by a valid contract, or is authorized, required, or protected by state, federal, or tribal law or the state, federal, or tribal constitutions. Subdivision 2, clause (2), does not impair the right of any individual or group to engage in speech protected by the federal, state, or tribal constitutions, or federal, state, or tribal law, including peaceful and lawful handbilling and picketing.

Subdivision 8. Stalking; firearms. (a) When a person is convicted of a stalking crime under this section and the court determines that the person used a firearm in any way during commission of the crime, the court may order that the person is prohibited from possessing any type of firearm for any period longer than three years or for the remainder of the person's life. A person who violates this paragraph is guilty of a gross misdemeanor. At the time of the conviction, the court shall inform the defendant whether and for how long the defendant is prohibited from possessing a firearm and that it is a gross misdemeanor to violate this
paragraph. The failure of the court to provide this information to a defendant does not affect the applicability of the firearm possession prohibition or the gross misdemeanor penalty to that defendant.

(b) Except as otherwise provided in paragraph (a), when a person is convicted of a stalking crime under this section, the court shall inform the defendant that the defendant is prohibited from possessing a pistol for three years from the date of conviction and that it is a gross misdemeanor offense to violate this prohibition. The failure of the court to provide this information to a defendant does not affect the applicability of the pistol possession prohibition or the gross misdemeanor penalty to that defendant.

(c) Except as otherwise provided in paragraph (a), a person is not entitled to possess a pistol if the person has been convicted after August 1, 1996, of a stalking crime under this section, unless three years have elapsed from the date of conviction and, during that time, the person has not been convicted of any other violation of this section. Property rights may not be abated but access may be restricted by the courts. A person who possesses a pistol in violation of this paragraph is guilty of a gross misdemeanor.

(d) If the court determines that a person convicted of a stalking crime under this section owns or possesses a firearm and used it in any way during the commission of the crime, it shall order that the firearm be summarily forfeited under section 609.5316, subdivision 3.

B. Education and Prevention Programs

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

Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and

Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

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

Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;

Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;

Defines what behavior and actions constitute consent to sexual activity in the State of Minnesota and/or using the definition of consent found in the Student Code of Conduct if state law does not define consent;

Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention
includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;

Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victim/survivors in order to promote safety and to help individuals and communities address conditions that facilitate violence.


The University of Minnesota Duluth has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation;

The University offered the following primary prevention and ongoing awareness programs for students, faculty, and staff in 2013:

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<tr>
<th>Name of Program</th>
<th>Date Held</th>
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<th>Topics Covered</th>
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<td>Human Trafficking/Sexual</td>
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<td>UMDPD</td>
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C. Procedures for Reporting a Complaint

The University of Minnesota Duluth 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 victim/survivor and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations if the victim/survivor requests them and if they are reasonably available, regardless of whether the victim/survivor chooses to report the crime to the University of Minnesota Duluth Police Department or local law enforcement. Students should contact Dr. Lisa Erwin, Vice Chancellor for Student Life and Dean of Students at 218-726-8501 and employees should contact Tim Caskey, Director of Human Resources at 218-726-6326 who will handle these accommodations.

After an incident of sexual assault and domestic violence, the victim/survivor should consider seeking medical attention as soon as possible. Victim/survivors can have this exam at a hospital of their choice. In Duluth victims can go to Essentia Health Center-St. Mary’s hospital or St. Luke’s. Both medical facilities employee Sexual Assault Nurse Examiners (SANE) nurses. PAVSA or the University of Minnesota Duluth Police Department can assist the victim/survivor with contact information. In Minnesota, evidence may be collected even if you chose not to make a report to law enforcement by making an anonymous/confidential report.

Anonymous/Confidential Report: Victims/survivors may choose to speak confidentially with PAVSA without making a report to law enforcement or the University. Should a victim/survivor seek a sexual assault exam at St. Luke’s or Essentia Health (St. Mary’s Hospital Emergency Department), s/he may opt to make an anonymous report to law enforcement through a sexual assault nurse examiner (see Medical Assistance section). In this case, an Incident Criminal Report (ICR) number will be assigned. Evidence collected will be turned over to law enforcement marked only with the ICR number – no identifying information will be shared. Should the victim/survivor decide to pursue a criminal investigation, evidence may be used by law enforcement at that time.
http://www.d.umn.edu/umdoeo/sexual_assault_protocol.html

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 120 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 victim/survivors do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to 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 University hearing boards/investigators or police. Although the university strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim/survivor’s choice whether or not to make such a report and victims have the right to decline involvement with the police. The University will assist any victim/survivor with notifying local police if they so desire. The University of Minnesota Duluth Police Department may also be reached directly by calling 218-726-7000, in person at 1049 University Dr., Suite 287 Dadb., Duluth, MN. Additional information about the University of Minnesota Duluth Police Department may be found online at: www.d.umn.edu/police.

Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not “require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both.

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(s),

Employees: Timothy J. Caskey, Director UMD Human Resources (218) 726-6326 Darland Administration Building, Room 269-273

Students: Nathaniel Schultz, Assistant Director, UMD Office of Student Conduct (218) 726-7647 245 Kirby Plaza

Student Athletes: Karen Stromme, Associate Director, UMD Athletics (218) 726-7143 Sports and Health Center, Room 170 SpHC

or, by calling, writing or coming into the office to report in person and the University of Minnesota Duluth Police Department (if the victim so desires.)

The University will provide resources, on campus and/or off campus 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/survivor chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date. Below is the University of Minnesota’s administrative procedure for responding to incidents of sexual assault, stalking and relationship violence. The full document can be found at: http://www.policy.umn.edu/Policies/Operations/Safety/SEXUALASSAULT_PROC01.html

University of Minnesota Duluth Process for Resolving Sexual Assault, Dating Violence and Stalking Complaints Involving Students
Victims/Survivors

Any University of Minnesota Duluth student or employee who has been sexually assaulted or physically harmed is strongly encouraged to contact the police department for the location where the assault occurred. University police or campus security departments can assist in making the contact to the appropriate law enforcement agency.

Victims/survivors are also encouraged to contact the campus or local victim/survivor service office and/or counseling and health care services. These services are strictly confidential.

The University strongly encourages individuals to report sexual assault and relationship violence to appropriate officials because it is the only way that action can be taken against an alleged violator of the policy. Timely reporting and a medical examination within 120 hours is critical in preserving evidence of sexual assault, and the ability to respond effectively, but a victim/survivor can report an incident at any time.

Victims/survivors are also encouraged to contact University officials for appropriate action. In general:

University housing residents should contact any Housing/Residential Life staff.

If a student is accused, report it to the Office of Student Conduct.

If an employee is accused, report it to the campus's Equal Opportunity officer.

Reports of misconduct by University employees can be made to the University through U Report. These reports can be made anonymously.

University Employees and Students (when informed of an incident of assault)

Mandatory Reporting of Child Abuse. If the assault was against a child, you must immediately report the abuse to your university or local police department, county sheriff, or local county social services agency. In addition, inform your supervisor you have made the report. For further information about mandatory reporting for the protection of minors, consult Administrative Policy: Safety of Minors or the Office of General Counsel.

Encourage Prompt Reporting to Police. If the assault was against an adult, encourage the victim/survivor to report the incident to the police.

Encourage Contact with Victim Services. Encourage the victim/survivor to contact the campus program against sexual violence or the local victim/survivor service office and/or counseling and health care services.

Make Appropriate University Reports. If you are a University employee with supervisory or advising responsibilities, contact your campus student conduct office, or Equal Opportunity office, to inform them of the reported assault and to obtain guidance on next steps. You may also contact your campus's program against sexual violence for guidance on responding to the report. Once informed, appropriate University offices will work to assist the victim/survivor, including by providing guidance in reporting to law enforcement.
enforcement, obtaining counseling or other health or academic services, and filing a complaint with University conduct offices. All other (nonsupervisory) employees, talk to your supervisor for guidance for any next steps. You may also contact your campus’s program against sexual violence for guidance on responding to the report.

Confidentiality. University employees cannot guarantee confidentiality, except when the reports are privileged communications with counselors or health care professionals. If a complainant requests confidentiality, the University must take all reasonable steps to investigate and respond consistent with that request, taking into account that confidentiality may not be possible in every case given the University’s responsibility to provide a safe environment for all. To ensure that the University has met its obligations, University employees must consult with appropriate University offices concerning whether and what identifying information they can or must share within the institution to respond to the report and to promote campus safety.

University Offices Receiving a Report

Victim/survivor support services will:

Maintain the contacts as strictly confidential.

Provide crisis intervention and advocacy, in some cases including assisting victims/survivors in seeking restraining orders.

Assist and support the victim/survivor in contacting police and/or reporting to other University offices, if the victim/survivor consents.

Assist the victim/survivor in obtaining medical assistance and counseling, changing academic programs or housing, transportation, working situations, etc.

Counseling and health care services will:

Maintain the contact as confidential

Encourage, assist (as needed) and support the victim/survivor in reporting the incident to the police

Provide appropriate counseling and medical services.

Police departments will:

Contact PAVSA or WRAC for victim/survivor assistance

Investigate and refer for prosecution when warranted.

Determine whether to issue a crime alert.

Housing/Residential Life Offices will:
Contact, or encourage contact with, PAVSA and WRAC, and assist in obtaining medical care if needed.

Encourage the victim/survivor to report the incident to the police, and assist in making the report if requested by the victim/survivor. Housing/Residential Life may report to the police the fact that an assault was reported and may share the alleged perpetrator's name, but the name of the victim/survivor will only be provided with the victim/survivor's consent, except in extenuating circumstances.

If the person accused is a student, report the incident to OSCAI.

Report for appropriate investigation by campus authorities or police.

Make determinations regarding temporary relocation of residents, and regarding interim suspensions from Housing pending Student Conduct Code proceedings.

Equal Opportunity Office will:

Contact, or encourage contact with PAVSA and WRAC, and assist in obtaining medical care if needed.

Encourage the victim/survivor to report the incident to the police, and assist in making the report if requested by the victim/survivor. The Equal Opportunity officer may report to the police the fact that an assault was reported and may share the alleged perpetrator’s name, but the name of the victim will only be provided with the victim/survivor's consent, except in extenuating circumstances.

If the person accused is an employee, promptly investigate, and make recommendations for action, as appropriate (in many cases the police may conduct the investigation).

Proceed independently of any action taken in the criminal or civil courts, as determined on a case-by-case basis. Criminal court proceedings are not a substitute for University procedures.

The Office of Student Conduct will:

Contact, or encourage contact with, PAVSA and WRAC, and assist in obtaining medical care if needed.

Encourage the victim/survivor to report the incident to the police, and assist in making the report if requested by the victim/survivor. Campus conduct offices may report to the police the fact that an assault was reported and may share the alleged perpetrator's name, but the name of the victim/survivor will only be provided with the victim/survivor's consent, except in extenuating circumstances.

Respond promptly to the allegations and discipline if needed, consistent with the Student Conduct Code and the campus’s student disciplinary process (in many cases the police may conduct the investigation).

Proceed independently of any action taken in the criminal or civil courts, as determined on a case-by-case basis. Criminal court proceedings are not a substitute for University procedures.
The Title IX Coordinator is regarded as a “Responsible Employee” under Title IX and also a “Campus Security Authority” under the Clery Act. Statistical information less the victims identifying information will be provided to campus public safety or whoever at the institution compiles the annual crime statistics even if the victim chooses not to alert campus public safety personally.

D. Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. In Minnesota, a victim/survivor of domestic violence, dating violence, sexual assault or stalking has the following rights per state statute:

https://www.revisor.mn.gov/statutes/?id=611A

UNIVERSITY OF MINNESOTA, DULUTH SEXUAL ASSAULT VICTIMS' RIGHTS POLICY

If you are the victim of a sexual assault, you may file a criminal charge with the University police at 218-726-7000, Monday through Friday from 8:00 a.m. to 4:30 p.m. After hours, please call 911. If you would like personal support or assistance in notifying the proper law enforcement and University authorities, you may call:

• 24-Hour Sexual Assault Crisis Line - 218-726-1931
• UMD Office of Equal Opportunity - 218-726-6827 (TTY: 218-726-6115)
• UMD Student Health Services - 218-726-8155
• UMD Support Group/Individual Counseling for Survivors of Sexual Assault (Students) Contact Jean Baribeau-Thoennes - 218-726-6967 or 218-726-8155
• St. Luke’s -- Employee Assistance Program (Faculty and Staff) 218-249-7077 or 1-888-355-8495
• UMD Women’s Resource and Action Center - 218-726-6292 or 218-726-8444
• Program for Aid to Victims of Sexual Assault (PAVSA) - 218-726-1442 {Monday through Friday from 8:30 a.m. to 4:30 p.m.}
24-Hour Crisis Line - 218-726-1931
You also have the right to assistance from:

- State of Minnesota Crime Victims Reparations Board - 612-282-6256
- Office of the Crime Victim Ombudsman - 612-282-6258

Upon receipt of a complaint, the University will conduct an investigation and respond to you. You may participate in any University disciplinary proceeding concerning your sexual assault complaint. If you wish, you may also have a support person present with you. You have the right to be notified of the outcome of any University disciplinary proceeding concerning your complaint, subject to the limitations of the Minnesota Government Data Practices Act. The University will follow the direction of law enforcement authorities in obtaining, securing, and maintaining evidence relating to your sexual assault incident. University authorities will also assist in preserving materials which are relevant to a University disciplinary proceeding. At your request, the University will assist you, as is reasonable and feasible (in cooperation with law enforcement authorities), in shielding you from your alleged assailant. This may include providing you alternative work, academic, or living arrangements if these options are available and feasible.

Further, the University of Minnesota Duluth complies with Minnesota law in recognizing Orders for Protection and Harassment Orders. Any person who obtains an order should provide a copy of the order to the University of Minnesota Duluth Police Department. If a person needs assistance in obtaining an Order for Protection or Harassment Order, they can contact: Safe Haven at 218-623-1000, 414 W. 1st Street (across from city hall) Duluth, MN 55803, Hours: Monday through Friday 8:00am – 4:00pm. University Departments who know of an Order of Protection or Harassment Order and need assistance with accommodating the order can contact Dr. Lisa Erwin, Vice Chancellor for Student Life and Dean of Students at 218-726-8501 for cases involving students or Tim Caskey, Director of Human Resources at 218-726-6326 for cases involving employees. Any person who witnesses a violation of an Order for Protection or Harassment Orders should immediately call 911 for police response.

The University does not publish the name of crime victims nor house identifiable information regarding victims in the Daily Crime Log. Victims may request that directory information on file be removed from public sources by request. Students should contact Carla L. Boyd, UMD Registrar, 139 DAdB, 218-726-8795. Employees should contact Tim Caskey, Director of Human Resources, 261 DAdB, 218-726-6326. Certain directory information suppression changes can also be made online using the following link:
http://hrss.umn.edu/

Resources

General On-Campus Resources for Students, Staff, and Faculty

Women’s Resource and Action Center

Support and advocacy for sexual assault, relationship violence, stalking, 24-hour help line
Website: [http://www.d.umn.edu/mlrc/wrac/](http://www.d.umn.edu/mlrc/wrac/)
266 Kirby Student Center
218-726-6292

**Student Health Services/Women's Health Services**

Gynecology; birth control, pregnancy, and treatment for sexually transmitted infections and diseases

Website(s): [http://www.d.umn.edu/hlthserv/counseling/](http://www.d.umn.edu/hlthserv/counseling/)

Health Services, UMD

University of Minnesota Duluth

Health Services 104

615 Niagara Court

Duluth, MN 55812-3065

218 726-8155

**Campus Police** (University of Minnesota Duluth Police Department)/911

Campus law enforcement

Website: [www.d.umn.edu/police](http://www.d.umn.edu/police)

287 Dadb

1049 University Dr.

Duluth, MN 55812

**Emergencies: 911** Non-Emergency: 218-726-7000

**Disability Services** (Support/advocacy)

Website: [http://www.d.umn.edu/access/](http://www.d.umn.edu/access/)

Office of Disability Resources

258 Kirby Student Center 218-726-8217 tty: 218-726-7380
**Multicultural Center**
Support and inclusivity/multicultural resources
Website: [http://www.d.umn.edu/mlrc/](http://www.d.umn.edu/mlrc/)
270 Kirby Student Center  218-726-6522

**Office for Student Conduct**
Student Conduct Code violations
Website: [http://www.d.umn.edu/conduct/](http://www.d.umn.edu/conduct/)  245 Kirby Plaza 218-726-7255

**UMD Safe Walk**
Kirby Student Center
218-726-6100

**Staff- and Faculty-specific Resources**
Employee Assistance Program/UMD Human Resources
Professional consultation/mental health
Website: [http://www.d.umn.edu/umdhr/About/eap.html](http://www.d.umn.edu/umdhr/About/eap.html)
255 Dadb.
218-726-7161
888-243-5744
612-625-2820

**Equal Opportunity and Affirmative Action**
Harassment/discrimination
Website: [www.eoaffact.umn.edu](http://www.eoaffact.umn.edu)
274 McNamara Alumni Center
Business: 612-624-9547
**Off-Campus/Local Resources**

Program for Aid to Victims of Sexual Assault (PAVSA)
Website: [http://www.pavsa.org/](http://www.pavsa.org/)
32 E 1st Street Suite 200
Duluth, MN 55802
24-Hour Crisis Line - 218-726-1931 office - 218-726-1442

**Safehaven**
Relationship violence/legal/safe housing/counseling/youth and family services
Website: [http://www.safehavenshelter.org/about/](http://www.safehavenshelter.org/about/)
414 W. 1st St.
Duluth, MN 55802
24hr Crisis Line 218-728-6481
218-623-1000

**Domestic Abuse Intervention Programs (DAIP)**
Relationship violence/legal/safe housing/counseling/youth and family services
Website: [http://www.theduluthmodel.org/](http://www.theduluthmodel.org/)
202 East Superior Street Duluth, MN 55802
(218) 722-2781

**MNCASA (Minnesota Coalition Against Sexual Assault)**
Assists local programs in providing state of the art advocacy and prevention programming and to affect public perception and policy in relation to sexual assault
Website: www.mncasa.org
St. Paul
Business: 651-209-9993
Outfront Minnesota
(GLBT community specific) sexual assault/relationship violence/advocacy
Website: www.outfront.org
Minneapolis
Business: 612-822-0127

Domestic Abuse Project
Relationship violence/legal/treatment for men
Website: www.domesticabuseproject.org
Minneapolis
Business: 612-874-7063

Crisis Connection/Men's Line
Help for men
Website: www.crisis.org
Richfield - Crisis: 612-379-6363

Deaf and Hard of Hearing Domestic Violence Program
Relationship violence
Website: http://new.vawnet.org
St. Paul
Crisis: 612-619-2323 TTY
Business: 651-297-6700 V, 651-487-8867

Note: Resources are listed only for your information. The University of Minnesota Duluth does not endorse any off-campus programs

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
How to be an Active Bystander

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

- 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.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one’s risk of sexual assault or harassment. (taken from Rape, Abuse, & Incest National Network, http://www.rainn.org)

- 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.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don’t know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cab money.
- Don't allow yourself to be isolated with someone you don’t trust or someone you don't know. Avoid putting music headphones in both ears so that you can be more aware of your surroundings,
especially if you are walking alone.

- 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 to find a way out of a bad situation.

- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).

- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.

- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.

- 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've had, or is acting out of character, get him or her to a safe place immediately.

If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

If you need to get out of an uncomfortable or scary situation here are some things that you can try:

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.

Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.

Have a code word with your friends or family so that if you don’t feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.

Lie if you don’t want to hurt the person’s feelings it is better to lie and make up a reason to leave than 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.

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?

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

Reports of all domestic violence, dating violence, sexual assault and stalking made to the University of Minnesota Duluth Police Department will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

The university disciplinary process is consistent with the institution’s policy and will include a prompt, fair, and impartial investigation and resolution process transparent to the accuser and the accused.

Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the accused person to criminal and civil penalties under federal and state law.

Students (Resolving Alleged Student Conduct Code Violations)

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

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

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

For cases involving violations of sexual assault, sexual harassment, stalking, or relationship violence, the University of Minnesota’s disciplinary process will:

- be conducted by officials who receive annual training on the issues related to sexual assault, sexual harassment, stalking, and relationship violence and how to conduct an investigation and hearing process that protects the safety of victim/survivors and promotes accountability;
- provide equitable access to an appeal by both the accused student and the reporting party;
- allow equitable access to a support person of their choice for both the accused student and the reporting party at any related meeting or proceeding;
- allow equitable access to an advocate, if permitted for either, for both the accused student and the reporting party at any related meeting or proceeding; and
- provide simultaneous written notice to both the accused student and the reporting party:
of the results of any disciplinary proceeding;
- of the procedure for the accused student and the reporting party to appeal the results of the
disciplinary proceeding;
- of any change to the results prior to the time the results become final; and
- when the results become final.

Hearings for sexual assault, sex harassment, stalking and relationship violence will be heard by the Student
Hearing Panel.

Sanctions for Students

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

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

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

Possible sanctions:

- Academic Sanction
- Warning
- Probation
- Required compliance
- Confiscation
- Restitution
- Restriction of Privileges
- University Housing Suspension
- University Housing Expulsion
- Suspension
- Expulsion
- Withholding of Diploma or Degree
- Revocation of Admission or Degree
Sanctions for Employees

The Office for Equal Opportunity will promptly investigate any incidents of sexual assault, stalking or relationship violence where the accused party is an employee. The Office for Equal Opportunity will make recommendations for actions based on their investigation.

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

Employees are not allowed a formal hearing.

The Office for Equal Opportunity will inform both victim/survivor and accused employee of the outcome.

Sanctions

- Discipline
- Termination

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the university’s policy against Sexual Harassment (http://www.policy.umn.edu/Policies/hr/HRMisc/SEXUALHARASSMENT.html) in order to remedy any hostile environment. All conduct proceedings against students, however, will be resolved through the Office of Student Conduct and Academic Integrity (OSCAI).

1. The accuser and the accused student each have the opportunity to attend a hearing before a properly trained hearing board that protects the safety of victims and promotes accountability;

2. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;

3. The institution will allow for timely access to the accuser, the accused and appropriate officials to any information that will be used after the fact-finding investigation but during formal and informal disciplinary meeting and hearings;

4. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;

5. The institution provides the accuser and accused the same opportunities to have others present during an institutional disciplinary proceeding. The accuser and the accused student each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or proceeding. YOU SHOULD ADDRESS WHAT THE
ADVISOR IS AND IS NOT PERMITTED TO DO—MAKE SURE THE RESTRICTIONS APPLY TO BOTH. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing.

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the university's policy against Sexual Harassment (http://www.policy.umn.edu/Policies/hr/HRMisc/SEXUALHARASSMENT.html) in order to remedy any hostile environment. All conduct proceedings against students, however, will be resolved through the Office of Student.

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the university's ability to respond to the complaint may be limited.

Confidentiality

The university will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law and as previously mentioned in this document.

Sexual Offender Registration

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The federal law requires state law enforcement agencies (in Minnesota, it is the Minnesota Bureau of Criminal Apprehension) to provide UMD with a list of registered sex offenders who have indicated that they are enrolled, employed, or carrying on a vocation at UMD.

UMD is required to inform the campus community that a registration list of sex offenders is available by going to the UMD Police Department website, click on Sex Offender Locator. http://www.d.umn.edu/police/ Or go to: http://coms.doc.state.mn.us/level3/ .

The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

Minnesota State Statute 243.166 REGISTRATION OF PREDATORY OFFENDERS.

Subdivision 1. [Repealed, 2005 c 136 art 3 s 31]

Subdivision 1a. Definitions.

(a) As used in this section, unless the context clearly indicates otherwise, the following terms have the meanings given them.

(b) "Bureau" means the Bureau of Criminal Apprehension.
(c) "Dwelling" means the building where the person lives under a formal or informal agreement to do so. However, dwelling does not include a supervised publicly or privately operated shelter or facility designed to provide temporary living accommodations for homeless individuals as defined in section 116L.361, subdivision 5.

(d) "Incarceration" and "confinement" do not include electronic home monitoring.

(e) "Law enforcement authority" or "authority" means, with respect to a home rule charter or statutory city, the chief of police, and with respect to an unincorporated area, the county sheriff.

(f) "Motor vehicle" has the meaning given in section 169.011, subdivision 92.

(g) "Primary address" means the mailing address of the person's dwelling. If the mailing address is different from the actual location of the dwelling, primary address also includes the physical location of the dwelling described with as much specificity as possible.

(h) "School" includes any public or private educational institution, including any secondary school, trade, or professional institution, or institution of higher education, that the person is enrolled in on a full-time or part-time basis.

(i) "Secondary address" means the mailing address of any place where the person regularly or occasionally stays overnight when not staying at the person's primary address. If the mailing address is different from the actual location of the place, secondary address also includes the physical location of the place described with as much specificity as possible. However, the location of a supervised publicly or privately operated shelter or facility designated to provide temporary living accommodations for homeless individuals as defined in section 116L.361, subdivision 5, does not constitute a secondary address.

(j) "Treatment facility" means a residential facility, as defined in section 244.052, subdivision 1, and residential chemical dependency treatment programs and halfway houses licensed under chapter 245A, including, but not limited to, those facilities directly or indirectly assisted by any department or agency of the United States.

(k) "Work" includes employment that is full time or part time for a period of time exceeding 14 days or for an aggregate period of time exceeding 30 days during any calendar year, whether financially compensated, volunteered, or for the purpose of government or educational benefit.

Subdivision 1b. Registration required. (a) A person shall register under this section if:

(1) the person was charged with or petitioned for a felony violation of or attempt to violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances:

(i) murder under section 609.185, paragraph (a), clause (2);

(ii) kidnapping under section 609.25;
(iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451, subdivision 3; or 609.3453; or

(iv) indecent exposure under section 617.23, subdivision 3;

(2) the person was charged with or petitioned for a violation of, or attempt to violate, or aiding, abetting, or conspiring to commit criminal abuse in violation of section 609.2325, subdivision 1, paragraph (b), false imprisonment in violation of section 609.255, subdivision 2; soliciting a minor to engage in prostitution in violation of section 609.322 or 609.324; soliciting a minor to engage in sexual conduct in violation of section 609.352; using a minor in a sexual performance in violation of section 617.246; or possessing pornographic work involving a minor in violation of section 617.247, and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances;

(3) the person was sentenced as a patterned sex offender under section 609.3455, subdivision 3a; or

(4) the person was convicted of or adjudicated delinquent for, including pursuant to a court martial, violating a law of the United States, including the Uniform Code of Military Justice, similar to the offenses described in clause (1), (2), or (3).

(b) A person also shall register under this section if:

(1) the person was convicted of or adjudicated delinquent in another state for an offense that would be a violation of a law described in paragraph (a) if committed in this state;

(2) the person enters this state to reside, work, or attend school, or enters this state and remains for 14 days or longer; and

(3) ten years have not elapsed since the person was released from confinement or, if the person was not confined, since the person was convicted of or adjudicated delinquent for the offense that triggers registration, unless the person is subject to a longer registration period under the laws of another state in which the person has been convicted or adjudicated, or is subject to lifetime registration.

If a person described in this paragraph is subject to a longer registration period in another state or is subject to lifetime registration, the person shall register for that time period regardless of when the person was released from confinement, convicted, or adjudicated delinquent.

(c) A person also shall register under this section if the person was committed pursuant to a court commitment order under chapter 253D or Minnesota Statutes 1992, section 526.10, or a similar law of another state or the United States, regardless of whether the person was convicted of any offense.

(d) A person also shall register under this section if:

(1) the person was charged with or petitioned for a felony violation or attempt to violate any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or the United States, or the person was
charged with or petitioned for a violation of any of the offenses listed in paragraph (a), clause (2), or a similar law of another state or the United States;

(2) the person was found not guilty by reason of mental illness or mental deficiency after a trial for that offense, or found guilty but mentally ill after a trial for that offense, in states with a guilty but mentally ill verdict; and

(3) the person was committed pursuant to a court commitment order under section 253B.18 or a similar law of another state or the United States.

Subdivision 2. Notice. When a person who is required to register under subdivision 1b, paragraph (a), is sentenced or becomes subject to a juvenile court disposition order, the court shall tell the person of the duty to register under this section and that, if the person fails to comply with the registration requirements, information about the offender may be made available to the public through electronic, computerized, or other accessible means. The court may not modify the person’s duty to register in the pronounced sentence or disposition order. The court shall require the person to read and sign a form stating that the duty of the person to register under this section has been explained. The court shall forward the signed sex offender registration form, the complaint, and sentencing documents to the bureau. If a person required to register under subdivision 1b, paragraph (a), was not notified by the court of the registration requirement at the time of sentencing or disposition, the assigned corrections agent shall notify the person of the requirements of this section. When a person who is required to register under subdivision 1b, paragraph (c) or (d), is released from commitment, the treatment facility shall notify the person of the requirements of this section. The treatment facility shall also obtain the registration information required under this section and forward it to the bureau.

Subdivision 3. Registration procedure. (a) Except as provided in subdivision 3a, a person required to register under this section shall register with the corrections agent as soon as the agent is assigned to the person. If the person does not have an assigned corrections agent or is unable to locate the assigned corrections agent, the person shall register with the law enforcement authority that has jurisdiction in the area of the person's primary address.

(b) Except as provided in subdivision 3a, at least five days before the person starts living at a new primary address, including living in another state, the person shall give written notice of the new primary address to the assigned corrections agent or to the law enforcement authority with which the person currently is registered. If the person will be living in a new state and that state has a registration requirement, the person shall also give written notice of the new address to the designated registration agency in the new state. A person required to register under this section shall also give written notice to the assigned corrections agent or to the law enforcement authority that has jurisdiction in the area of the person's primary address that the person is no longer living or staying at an address, immediately after the person is no longer living or staying at that address. The written notice required by this paragraph must be provided in person. The corrections agent or law enforcement authority shall, within two business days after receipt of this information, forward it to the bureau. The bureau shall, if it has not already been done, notify the law enforcement authority having primary jurisdiction in the community where the person will live of the new address. If the person is leaving the state, the bureau shall notify the registration authority in the new state of the new address. The person's registration requirements under this section are suspended after the person begins living in the new state and
the bureau has confirmed the address in the other state through the annual verification process on at least one occasion. The person's registration requirements under this section are reactivated if the person resumes living in Minnesota and the registration time period described in subdivision 6 has not expired.

(c) A person required to register under subdivision 1b, paragraph (b), because the person is working or attending school in Minnesota shall register with the law enforcement authority that has jurisdiction in the area where the person works or attends school. In addition to other information required by this section, the person shall provide the address of the school or of the location where the person is employed. A person shall comply with this paragraph within five days of beginning employment or school. A person's obligation to register under this paragraph terminates when the person is no longer working or attending school in Minnesota.

(d) A person required to register under this section who works or attends school outside of Minnesota shall register as a predatory offender in the state where the person works or attends school. The person's corrections agent, or if the person does not have an assigned corrections agent, the law enforcement authority that has jurisdiction in the area of the person's primary address shall notify the person of this requirement.

Subdivision 3a. Registration procedure when person lacks primary address. (a) If a person leaves a primary address and does not have a new primary address, the person shall register with the law enforcement authority that has jurisdiction in the area where the person is staying within 24 hours of the time the person no longer has a primary address.

(b) Notwithstanding the time period for registration in paragraphs (a) and (c), a person with a primary address of a correctional facility who is scheduled to be released from the facility and who does not have a new primary address shall register with the law enforcement authority that has jurisdiction in the area where the person will be staying at least three days before the person is released from the correctional facility.

(c) A person who lacks a primary address shall register with the law enforcement authority that has jurisdiction in the area where the person is staying within 24 hours after entering the jurisdiction. Each time a person who lacks a primary address moves to a new jurisdiction without acquiring a new primary address, the person shall register with the law enforcement authority that has jurisdiction in the area where the person is staying within 24 hours after entering the jurisdiction.

(d) Upon registering under this subdivision, the person shall provide the law enforcement authority with all of the information the individual is required to provide under subdivision 4a. However, instead of reporting the person's primary address, the person shall describe the location of where the person is staying with as much specificity as possible.

(e) Except as otherwise provided in paragraph (f), if a person continues to lack a primary address, the person shall report in person on a weekly basis to the law enforcement authority with jurisdiction in the area where the person is staying. This weekly report shall occur between the hours of 9:00 a.m. and 5:00 p.m. The person is not required to provide the registration information required under subdivision 4a each time the offender reports to an authority, but the person shall inform the authority of changes to any information provided under this subdivision or subdivision 4a and shall otherwise comply with this subdivision.
(f) If the law enforcement authority determines that it is impractical, due to the person’s unique circumstances, to require a person lacking a primary address to report weekly and in person as required under paragraph (e), the authority may authorize the person to follow an alternative reporting procedure. The authority shall consult with the person’s corrections agent, if the person has one, in establishing the specific criteria of this alternative procedure, subject to the following requirements:

(1) the authority shall document, in the person’s registration record, the specific reasons why the weekly in-person reporting process is impractical for the person to follow;

(2) the authority shall explain how the alternative reporting procedure furthers the public safety objectives of this section;

(3) the authority shall require the person lacking a primary address to report in person at least monthly to the authority or the person’s corrections agent and shall specify the location where the person shall report. If the authority determines it would be more practical and would further public safety for the person to report to another law enforcement authority with jurisdiction where the person is staying, it may, after consulting with the other law enforcement authority, include this requirement in the person’s alternative reporting process;

(4) the authority shall require the person to comply with the weekly, in-person reporting process required under paragraph (e), if the person moves to a new area where this process would be practical;

(5) the authority shall require the person to report any changes to the registration information provided under subdivision 4a and to comply with the periodic registration requirements specified under paragraph (g); and

(6) the authority shall require the person to comply with the requirements of subdivision 3, paragraphs (b) and (c), if the person moves to a primary address.

(g) If a person continues to lack a primary address and continues to report to the same law enforcement authority, the person shall provide the authority with all of the information the individual is required to provide under this subdivision and subdivision 4a at least annually, unless the person is required to register under subdivision 1b, paragraph (c), following commitment pursuant to a court commitment under chapter 253D or a similar law of another state or the United States. If the person is required to register under subdivision 1b, paragraph (c), the person shall provide the law enforcement authority with all of the information the individual is required to report under this subdivision and subdivision 4a at least once every three months.

(h) A law enforcement authority receiving information under this subdivision shall forward registration information and changes to that information to the bureau within two business days of receipt of the information.

(i) For purposes of this subdivision, a person who fails to report a primary address will be deemed to be a person who lacks a primary address, and the person shall comply with the requirements for a person who lacks a primary address.
Subdivision 4. Contents of registration. (a) The registration provided to the corrections agent or law enforcement authority, must consist of a statement in writing signed by the person, giving information required by the bureau, a fingerprint card, and photograph of the person taken at the time of the person's release from incarceration or, if the person was not incarcerated, at the time the person initially registered under this section. The registration information also must include a written consent form signed by the person allowing a treatment facility or residential housing unit or shelter to release information to a law enforcement officer about the person's admission to, or residence in, a treatment facility or residential housing unit or shelter. Registration information on adults and juveniles may be maintained together notwithstanding section 260B.171, subdivision 3.

(b) For persons required to register under subdivision 1b, paragraph (c), following commitment pursuant to a court commitment under chapter 253D or a similar law of another state or the United States, in addition to other information required by this section, the registration provided to the corrections agent or law enforcement authority must include the person's offense history and documentation of treatment received during the person's commitment. This documentation is limited to a statement of how far the person progressed in treatment during commitment.

(c) Within three days of receipt, the corrections agent or law enforcement authority shall forward the registration information to the bureau. The bureau shall ascertain whether the person has registered with the law enforcement authority in the area of the person's primary address, if any, or if the person lacks a primary address, where the person is staying, as required by subdivision 3a. If the person has not registered with the law enforcement authority, the bureau shall send one copy to that authority.

(d) The corrections agent or law enforcement authority may require that a person required to register under this section appear before the agent or authority to be photographed. The agent or authority shall forward the photograph to the bureau.

(1) Except as provided in clause (2), the agent or authority shall require a person required to register under this section who is classified as a level III offender under section 244.052 to appear before the agent or authority at least every six months to be photographed.

(2) The requirements of this paragraph shall not apply during any period where the person to be photographed is: (i) committed to the commissioner of corrections and incarcerated, (ii) incarcerated in a regional jail or county jail, or (iii) committed to the commissioner of human services and receiving treatment in a secure treatment facility.

(e) During the period a person is required to register under this section, the following provisions apply:

(1) Except for persons registering under subdivision 3a, the bureau shall mail a verification form to the person's last reported primary address. This verification form must provide notice to the offender that, if the offender does not return the verification form as required, information about the offender may be made available to the public through electronic, computerized, or other accessible means. For persons who are registered under subdivision 3a, the bureau shall mail an annual verification form to the law enforcement authority where the offender most recently reported. The authority shall provide the verification form to the
person at the next weekly meeting and ensure that the person completes and signs the form and returns it to the bureau. Notice is sufficient under this paragraph, if the verification form is sent by first class mail to the person's last reported primary address, or for persons registered under subdivision 3a, to the law enforcement authority where the offender most recently reported.

(2) The person shall mail the signed verification form back to the bureau within ten days after receipt of the form, stating on the form the current and last address of the person's residence and the other information required under subdivision 4a.

(3) In addition to the requirements listed in this section, a person who is assigned to risk level II or III under section 244.052, and who is no longer under correctional supervision for a registration offense, or a failure to register offense, but who resides, works, or attends school in Minnesota, shall have an annual in-person contact with a law enforcement authority as provided in this section. If the person resides in Minnesota, the annual in-person contact shall be with the law enforcement authority that has jurisdiction over the person's primary address or, if the person has no address, the location where the person is staying. If the person does not reside in Minnesota but works or attends school in this state, the person shall have an annual in-person contact with the law enforcement authority or authorities with jurisdiction over the person's school or workplace. During the month of the person's birth date, the person shall report to the authority to verify the accuracy of the registration information and to be photographed. Within three days of this contact, the authority shall enter information as required by the bureau into the predatory offender registration database and submit an updated photograph of the person to the bureau's predatory offender registration unit.

(4) If the person fails to mail the completed and signed verification form to the bureau within ten days after receipt of the form, or if the person fails to report to the law enforcement authority during the month of the person's birth date, the person is in violation of this section.

(5) For any person who fails to mail the completed and signed verification form to the bureau within ten days after receipt of the form and who has been determined to be a risk level III offender under section 244.052, the bureau shall immediately investigate and notify local law enforcement authorities to investigate the person's location and to ensure compliance with this section. The bureau also shall immediately give notice of the person's violation of this section to the law enforcement authority having jurisdiction over the person's last registered address or addresses.

For persons required to register under subdivision 1b, paragraph (c), following commitment pursuant to a court commitment under chapter 253D or a similar law of another state or the United States, the bureau shall comply with clause (1) at least four times each year. For persons who, under section 244.052, are assigned to risk level III and who are no longer under correctional supervision for a registration offense or a failure to register offense, the bureau shall comply with clause (1) at least two times each year. For all other persons required to register under this section, the bureau shall comply with clause (1) each year within 30 days of the anniversary date of the person's initial registration.

(f) When sending out a verification form, the bureau shall determine whether the person to whom the verification form is being sent has signed a written consent form as provided for in paragraph (a). If the person has not signed such a consent form, the bureau shall send a written consent form to the person along
with the verification form. A person who receives this written consent form shall sign and return it to the
bureau at the same time as the verification form.

Subdivision 4a. Information required to be provided. (a) A person required to register under this section shall
provide to the corrections agent or law enforcement authority the following information:

(1) the person's primary address;

(2) all of the person's secondary addresses in Minnesota, including all addresses used for residential or
recreational purposes;

(3) the addresses of all Minnesota property owned, leased, or rented by the person;

(4) the addresses of all locations where the person is employed;

(5) the addresses of all schools where the person is enrolled; and

(6) the year, model, make, license plate number, and color of all motor vehicles owned or regularly driven by
the person.

(b) The person shall report to the agent or authority the information required to be provided under paragraph
(a), clauses (2) to (6), within five days of the date the clause becomes applicable. If because of a change in
circumstances any information reported under paragraph (a), clauses (1) to (6), no longer applies, the person
shall immediately inform the agent or authority that the information is no longer valid. If the person leaves a
primary address and does not have a new primary address, the person shall register as provided in subdivision
3a.

Subdivision 4b. Health care facility; notice of status. (a) For the purposes of this subdivision, "health care
facility" means a facility:

(1) licensed by the commissioner of health as a hospital, boarding care home or supervised living facility under
sections 144.50 to 144.58, or a nursing home under chapter 144A;

(2) registered by the commissioner of health as a housing with services establishment as defined in section
144D.01; or

(3) licensed by the commissioner of human services as a residential facility under chapter 245A to provide
adult foster care, adult mental health treatment, chemical dependency treatment to adults, or residential
services to persons with disabilities.

(b) Prior to admission to a health care facility, a person required to register under this section shall disclose to:

(1) the health care facility employee processing the admission the person's status as a registered predatory
offender under this section; and
(2) the person's corrections agent, or if the person does not have an assigned corrections agent, the law enforcement authority with whom the person is currently required to register, that inpatient admission will occur.

(c) A law enforcement authority or corrections agent who receives notice under paragraph (b) or who knows that a person required to register under this section is planning to be admitted and receive, or has been admitted and is receiving health care at a health care facility shall notify the administrator of the facility and deliver a fact sheet to the administrator containing the following information: (1) name and physical description of the offender; (2) the offender's conviction history, including the dates of conviction; (3) the risk level classification assigned to the offender under section 244.052, if any; and (4) the profile of likely victims.

(d) Except for a hospital licensed under sections 144.50 to 144.58, if a health care facility receives a fact sheet under paragraph (c) that includes a risk level classification for the offender, and if the facility admits the offender, the facility shall distribute the fact sheet to all residents at the facility. If the facility determines that distribution to a resident is not appropriate given the resident's medical, emotional, or mental status, the facility shall distribute the fact sheet to the patient's next of kin or emergency contact.

Subdivision 5. Criminal penalty. (a) A person required to register under this section who knowingly violates any of its provisions or intentionally provides false information to a corrections agent, law enforcement authority, or the bureau is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than $10,000, or both.

(b) Except as provided in paragraph (c), a person convicted of violating paragraph (a) shall be committed to the custody of the commissioner of corrections for not less than a year and a day, nor more than five years.

(c) A person convicted of violating paragraph (a), who has previously been convicted of or adjudicated delinquent for violating this section or a similar statute of another state or the United States, shall be committed to the custody of the commissioner of corrections for not less than two years, nor more than five years.

(d) Prior to the time of sentencing, the prosecutor may file a motion to have the person sentenced without regard to the mandatory minimum sentence established by this subdivision. The motion must be accompanied by a statement on the record of the reasons for it. When presented with the motion, or on its own motion, the court may sentence the person without regard to the mandatory minimum sentence if the court finds substantial and compelling reasons to do so. Sentencing a person in the manner described in this paragraph is a departure from the Sentencing Guidelines.

(e) A person convicted and sentenced as required by this subdivision is not eligible for probation, parole, discharge, work release, conditional release, or supervised release, until that person has served the full term of imprisonment as provided by law, notwithstanding the provisions of sections 241.26, 242.19, 243.05, 244.04, 609.12, and 609.135.

Subdivision 5a. Ten-year conditional release for violations committed by level III offenders. Notwithstanding the statutory maximum sentence otherwise applicable to the offense or any provision of the sentencing
guidelines, when a court commits a person to the custody of the commissioner of corrections for violating subdivision 5 and, at the time of the violation, the person was assigned to risk level III under section 244.052, the court shall provide that after the person has been released from prison, the commissioner shall place the person on conditional release for ten years. The terms of conditional release are governed by section 609.3455, subdivision 8.

Subdivision 6. Registration period. (a) Notwithstanding the provisions of section 609.165, subdivision 1, and except as provided in paragraphs (b), (c), and (d), a person required to register under this section shall continue to comply with this section until ten years have elapsed since the person initially registered in connection with the offense, or until the probation, supervised release, or conditional release period expires, whichever occurs later. For a person required to register under this section who is committed under section 253B.18 or chapter 253D, the ten-year registration period does not include the period of commitment.

(b) If a person required to register under this section fails to provide the person’s primary address as required by subdivision 3, paragraph (b), fails to comply with the requirements of subdivision 3a, fails to provide information as required by subdivision 4a, or fails to return the verification form referenced in subdivision 4 within ten days, the commissioner of public safety may require the person to continue to register for an additional period of five years. This five-year period is added to the end of the offender's registration period.

(c) If a person required to register under this section is subsequently incarcerated following a conviction for a new offense or following a revocation of probation, supervised release, or conditional release for any offense, the person shall continue to register until ten years have elapsed since the person was last released from incarceration or until the person's probation, supervised release, or conditional release period expires, whichever occurs later.

(d) A person shall continue to comply with this section for the life of that person:

(1) if the person is convicted of or adjudicated delinquent for any offense for which registration is required under subdivision 1b, or any offense from another state or any federal offense similar to the offenses described in subdivision 1b, and the person has a prior conviction or adjudication for an offense for which registration was or would have been required under subdivision 1b, or an offense from another state or a federal offense similar to an offense described in subdivision 1b;

(2) if the person is required to register based upon a conviction or delinquency adjudication for an offense under section 609.185, paragraph (a), clause (2), or a similar statute from another state or the United States;

(3) if the person is required to register based upon a conviction for an offense under section 609.342, subdivision 1, paragraph (a), (c), (d), (e), (f), or (h); 609.343, subdivision 1, paragraph (a), (c), (d), (e), (f), or (h); 609.344, subdivision 1, paragraph (a), (c), or (g); or 609.345, subdivision 1, paragraph (a), (c), or (g); or a statute from another state or the United States similar to the offenses described in this clause; or

(4) if the person is required to register under subdivision 1b, paragraph (c), following commitment pursuant to a court commitment under chapter 253D or a similar law of another state or the United States.
(e) A person described in subdivision 1b, paragraph (b), who is required to register under the laws of a state in which the person has been previously convicted or adjudicated delinquent, shall register under this section for the time period required by the state of conviction or adjudication unless a longer time period is required elsewhere in this section.

Subdivision 7. Use of data. (a) Except as otherwise provided in subdivision 7a or sections 244.052 and 299C.093, the data provided under this section is private data on individuals under section 13.02, subdivision 12.

(b) The data may be used only by law enforcement and corrections agencies for law enforcement and corrections purposes.

(c) The commissioner of human services is authorized to have access to the data for:

(1) state-operated services, as defined in section 246.014, for the purposes described in section 246.13, subdivision 2, paragraph (b); and

(2) purposes of completing background studies under chapter 245C.

Subdivision 7a. Availability of information on offenders who are out of compliance with registration law. (a) The bureau may make information available to the public about offenders who are 16 years of age or older and who are out of compliance with this section for 30 days or longer for failure to provide the offenders' primary or secondary addresses. This information may be made available to the public through electronic, computerized, or other accessible means. The amount and type of information made available is limited to the information necessary for the public to assist law enforcement in locating the offender.

(b) An offender who comes into compliance with this section after the bureau discloses information about the offender to the public may send a written request to the bureau requesting the bureau to treat information about the offender as private data, consistent with subdivision 7. The bureau shall review the request and promptly take reasonable action to treat the data as private, if the offender has complied with the requirement that the offender provide the offender's primary and secondary addresses, or promptly notify the offender that the information will continue to be treated as public information and the reasons for the bureau's decision.

(c) If an offender believes the information made public about the offender is inaccurate or incomplete, the offender may challenge the data under section 13.04, subdivision 4.

(d) The bureau is immune from any civil or criminal liability that might otherwise arise, based on the accuracy or completeness of any information made public under this subdivision, if the bureau acts in good faith.

Subdivision 8. [Repealed, 2005 c 136 art 3 s 31]

Subdivision 9. Offenders from other states. (a) When the state accepts an offender from another state under a reciprocal agreement under the interstate compact authorized by section 243.1605, or under any authorized
interstate agreement, the acceptance is conditional on the offender agreeing to register under this section when the offender is living in Minnesota.

(b) The Bureau of Criminal Apprehension shall notify the commissioner of corrections:

(1) when the bureau receives notice from a local law enforcement authority that a person from another state who is subject to this section has registered with the authority, unless the bureau previously received information about the offender from the commissioner of corrections;

(2) when a registration authority, corrections agent, or law enforcement agency in another state notifies the bureau that a person from another state who is subject to this section is moving to Minnesota; and

(3) when the bureau learns that a person from another state is in Minnesota and allegedly in violation of subdivision 5 for failure to register.

(c) When a local law enforcement agency notifies the bureau of an out-of-state offender's registration, the agency shall provide the bureau with information on whether the person is subject to community notification in another state and the risk level the person was assigned, if any.

(d) The bureau must forward all information it receives regarding offenders covered under this subdivision from sources other than the commissioner of corrections to the commissioner.

(e) When the bureau receives information directly from a registration authority, corrections agent, or law enforcement agency in another state that a person who may be subject to this section is moving to Minnesota, the bureau must ask whether the person entering the state is subject to community notification in another state and the risk level the person has been assigned, if any.

(f) When the bureau learns that a person subject to this section intends to move into Minnesota from another state or has moved into Minnesota from another state, the bureau shall notify the law enforcement authority with jurisdiction in the area of the person's primary address and provide all information concerning the person that is available to the bureau.

(g) The commissioner of corrections must determine the parole, supervised release, or conditional release status of persons who are referred to the commissioner under this subdivision. If the commissioner determines that a person is subject to parole, supervised release, or conditional release in another state and is not registered in Minnesota under the applicable interstate compact, the commissioner shall inform the local law enforcement agency that the person is in violation of section 243.161. If the person is not subject to supervised release, the commissioner shall notify the bureau and the local law enforcement agency of the person's status.

Subdivision 10. [Repealed, 1Sp2001 c 8 art 9 s 8]

Subdivision 10. Venue; aggregation. (a) A violation of this section may be prosecuted in any jurisdiction where an offense takes place. However, the prosecutorial agency in the jurisdiction where the person last registered a primary address is initially responsible to review the case for prosecution.
(b) When a person commits two or more offenses in two or more counties, the accused may be prosecuted for all of the offenses in any county in which one of the offenses was committed.

Subdivision 11. Certified copies as evidence. Certified copies of predatory offender registration records are admissible as substantive evidence when necessary to prove the commission of a violation of this section.

The Discipline Process

Alleged violations of the conduct code, no matter how minor or severe, are matters of concern to the University. Allegations of individual or group misconduct may be reported by the UMD Police Department, University departments, individual students, faculty/staff, or campus guests. All allegations of conduct code violations are reviewed by the UMD Office of Student and Community Standards to determine (1) whether the alleged misconduct appears, as judged by available evidence, to violate the conduct code; (2) which item(s) in the code may have been violated, and (3) to recommend an outcome to resolve the complaint.

Student Hearings

If a disciplinary hearing is conducted, both the Complainant and Respondent will be given the opportunity to have a support person with them during proceedings. If either party does not have a support person and wishes to have one, Student Advocacy will provide the party with options to accommodate their needs.

Once the hearing is concluded and a determination made, the Respondent will be informed of the outcome in writing, including information regarding access to an appeal if responsibility for a violation has been established. The Complainant will be informed verbally of any portion of the disposition that has a direct impact on them. The hearings are closed. Therefore the committee’s actions will not be made public.

Sanctions that may occur as a result of a determination of a violation include a warning and admonition, required compliance, and probation, suspension or expulsion.

Drug and Alcohol Policy

The University is committed to providing a healthy learning and working environment for all students and employees and strives to meet this commitment through prevention and awareness programs. Alcohol abuse and illegal drug use endangers the health and safety of all students and employees. As stated in the University’s Drug-Free Policy

http://policy.umn.edu/Policies/Operations/Safety/DRUGFREE.html

Students, faculty, and staff are prohibited from engaging in:

- The illegal possession, use, or distribution of alcohol, drugs, and drug paraphernalia on all University premises, in University-supplied vehicles, and as part of University activities and business; and

- The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on all University premises, in University-supplied vehicles, and as part of University activities and business.
University students, employees, and others who conduct research and teaching activities with controlled substances must comply with Administrative Policy: Using Controlled Substances for Research in order to ensure that they follow all applicable regulations and safely handle and prevent diversion of controlled substances.

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

Education and Treatment Programs

The University demonstrates its commitment to maintaining appropriate campus environments by offering a variety of drug and alcohol abuse prevention and education services for students and employees, including confidential diagnosis and assessment, short-term counseling, referral, and support groups.

Supervisors who are concerned that employees may have alcohol or drug-related problems should consult with the Employee Assistance Programs. Disciplinary sanctions will not be taken against students for seeking assistance from student health services or against employees for seeking assistance from the Employee Assistance Programs.

Each campus is expected to provide information to students, faculty, and staff regarding available educational and treatment programs and related services.

Risks and Sanctions

To make informed choices about drug and alcohol use, students and employees should educate themselves about the serious health consequences of the use, misuse, and abuse of alcohol and other drugs as described in the Drug and Alcohol Health Risks Chart


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

Students-Disciplinary Sanctions

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

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

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

University of Minnesota Duluth Office of Housing and Residential Life Missing Person Policy and Procedure

The purpose of this policy is to establish a policy and procedures for the University of Minnesota Duluth’s response to reports of missing student residents who reside in University-owned housing facilities, as required by the US Higher Education Opportunity Act of 2008.

For purposes of this policy, a student resident may be considered a missing person if the resident’s absence from residential life and the campus community is suspiciously different to his/her usual pattern of behavior and/or unusual circumstances may have caused the absence.

I. Student designation of missing person contact information

- Students age 18 and above and emancipated minors: Student residents will be given the opportunity to designate an individual or individuals to be contacted by the University no more than 24 hours after the time that the student resident is determined to be missing. A designation will remain in effect until changed or revoked by the student resident via email to umdhouse@d.umn.edu or until the student is no longer a resident of University housing.

- Students under the age of 18 and not emancipated: In the event a student resident who is not emancipated is determined to be missing, the University is required to notify custodial parent or guardian no more than 24 hours after the student resident is determined to be missing. The custodial parent or guardian contact information will remain in effect throughout the duration of the contract period for which they signed when under the age of 18, unless the student turns 18 during the contract period and contacts Office of Housing and Residential Life to change or revoke the designation.
II. Official notification procedures for missing persons:

A) Any individual on campus who has information that a University student resident may be a missing person must notify the UMD Police Department as soon as possible.

B) If a report of a potential missing person is made to UMD Housing, staff will immediately contact and work with the UMD Police Department. Cooperative efforts may include:

- Conduct a health and wellness check on the resident
- Attempt to make contact via cellular phone, e-mail, or other means
- Identify other students who may be aware of the missing person’s whereabouts (i.e. roommate, friends, classmates, etc.).
- Checking attendance at class or on campus employment, use of meal plan, etc.

C) The UMD Police Department will gather all essential information about the University student resident from the reporting person and other individuals who may provide information that will assist with the investigation.

D) No later than 24 hours after the University determines that a student resident is missing, the chief law enforcement on campus or designee will notify the designated missing person contact (for students 18 and above and emancipated minors) or the parent/guardian (for students under the age of 18 and not emancipated) that the student resident is believed to be missing. This individual contact will be updated as to the progress of the investigation into the missing person report.

III. Campus communications in the event of a missing student resident:

In cases involving missing student residents, all inquiries by media or the public regarding missing student residents shall be referred to External Affairs. Law enforcement personnel are best situated to provide information that is designed to elicit public assistance in the search for a missing person. Therefore, all communications regarding missing students will be coordinated through the UMD Police Department and External Affairs.

Information shared with University housing residents.

In accordance with the Higher Education Act of 2008, all student residents may register a missing person contact with the Office of Housing and Residential Life. This is the individual who will be contacted by the University in the event a student resident is determined to be missing.

In the event a student is under 18 years of age and has not been legally emancipated, the missing student resident’s parent/guardian will be contacted. For students who are 18 years of age and above or emancipated minors, the contact may be a parent or any other designated individual(s).
A student resident can be reported missing at any time. The UMD Police Department will conduct a thorough investigation into all reports of potential missing student residents.

If you suspect a student to be missing, please contact the UMD Police Department.

Only authorized campus officials and law enforcement officers in furtherance of a missing person investigation may have access to the missing person contact information. The UMD Police Department will be notified for any missing person whether or not they have designated a missing person contact.

Bias Incidents and Hate Crimes

Policy Statement

The University of Minnesota’s Mission Statement commits us to “establish and nurture an environment that actively acknowledges and values diversity and is free from racism, sexism, and other forms of prejudice, intolerance or harassment.” Members of the UofM community have the right not to be discriminated against by any agent or organization of the UofM for reasons of actual or perceived race, color, creed, religion, national origin, gender, gender identification, age, marital status, disability, public assistance status, veteran status and/or sexual orientation. The University of Minnesota Duluth does not tolerate such incidents and will seek resolution of such matters.

Definitions

Bias Incident: Expressions of disrespectful bias, hate, harassment, or hostility against an individual, group, or their property because of the individual or group’s actual or perceived race, color, creed, religion, national origin, gender, gender identification, age, marital status, disability, public assistance status, veteran status and/or sexual orientation can be forms of discrimination. Expressions vary, and can be in the form of language, words, signs, symbols, threats, or actions that could potentially cause alarm, anger, fear, or resentment in others, or that endanger the health, safety, and welfare of a member(s) of the University community, even when presented as a joke.

Hate Crimes: Minnesota does not have a “hate crimes law.” Instead, the Legislature has identified particular crimes that, if perpetrated because of the victim’s actual or perceived race, color, religion, sex, sexual orientation, disability, age, or national origin, trigger heightened penalties. Included crimes are criminal damage to property, assault, and harassment/stalking.

Bias Incidents not under the jurisdiction of the University of Minnesota: Bias incidents impacting students, faculty, and staff but occurring beyond the campus should be reported through this process.

Conduct and Free Speech: The conduct underlying some bias incidents might be protected speech, but still violate the University of Minnesota’s commitment to civility and diversity. Constitutional rights will continue to be protected, and University community members will also exercise the right to speak, engage in educational dialogue, and seek a constructive response rooted in the university’s mission and vision.
Procedures: Reporting a Possible Bias Incident

Please report any incidents in which it is perceived that you, someone you know, or a group within our university community has experienced bias, discrimination or hostility. UMD is concerned about incidents based on actual or perceived race, color, creed, religion, national origin, gender, gender identification, age, marital status, disability, public assistance status, veteran status and/or sexual orientation. The University of Minnesota is ready and willing to provide support, and address disrespectful bias and discrimination within our community. Details need to be reported so that affected parties can gain needed assistance. Reporting of incidents is an important part of resolving the problem.

It is encouraged that potential crimes and incidents are reported before removing any evidence of bias.

Reasons for reporting an incident:

• So you or someone you know can receive support
• So any damage to property can be repaired
• So we can follow-up with any alleged perpetrators
• So we can track campus climate and work towards improving it
• So we can try to prevent further acts of bias
• Because suffering in silence can be a suffocating experience.

University of Minnesota Duluth Contacts and Reporting:

Many University of Minnesota offices and staff members are willing to assist and provide support. If you have experienced or witnessed a bias incident please contact us for support and to allow us to respond:

<table>
<thead>
<tr>
<th>FIRST RESPONSE</th>
<th>Phone</th>
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<tbody>
<tr>
<td>Emergency Police Assistance/UMD Police Department</td>
<td>911</td>
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<tr>
<td>Human Resources/Equal Opportunity</td>
<td>218-726-7161</td>
</tr>
<tr>
<td>Bias/Discrimination Reporting Form (for all UM campuses)</td>
<td>[<a href="http://www.d.umn.edu/umdoeo/reporting">http://www.d.umn.edu/umdoeo/reporting</a> options.html](<a href="http://www.d.umn.edu/umdoeo/reporting">http://www.d.umn.edu/umdoeo/reporting</a> options.html)</td>
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</tbody>
</table>
Possession or Carrying of Weapons

No person, whether a student, employee, or visitor, shall possess or carry a weapon while on University property, except as authorized below.

Authorized Possession or Carrying of Weapons

This policy authorizes the possession or carrying of weapons on University property under the following circumstances:

Law Enforcement and Military Personnel: Licensed peace officers, security guards, other law enforcement agents, and military personnel may possess or carry weapons on University property when acting in the course of their official duties and when authorized by law to carry weapons.

Military Training: Students, employees, and visitors participating in military training may possess or carry weapons on University property when acting in the course of their official duties or performing duly assigned tasks involving weapons.

Presidential Approval: The president or delegate may in writing permit or revoke permission for the otherwise lawful possession or carrying of a weapon on University property. This may include possession or carrying of a weapon for an academic use, use of a firearm at a campus shooting range, otherwise lawful storage of a weapon on residential property not operated as a residence hall, or any other possession or carrying of a weapon on University property.

Storage of a Firearm: Otherwise lawful storage of a firearm inside a personal motor vehicle is permitted on University property.

Violations

Students: Violation of this policy by a student is a violation of, and will be adjudicated in accordance with, Board of Regents Policy: Student Conduct Code.

Employees: Violation of this policy by an employee constitutes misconduct subject to University discipline up to and including termination.

Visitors: Violation of this policy by a visitor shall result in a request to leave the University property, function, or event, as the case may be, and also may result in a written directive prohibiting presence on University property.

Referral to Law Enforcement Agencies: The University may refer related suspected violations of law to appropriate law enforcement authorities and provide access to investigative and other data as permitted by law.
Definitions

Criminal Offenses

The majority of the definitions are from the FBI’s Uniform Crime Reporting Handbook. Sex offense definitions are from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program.

Aggravated Assault: The unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)

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

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

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

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

Negligent Manslaughter: The killing of another person through gross negligence.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or putting the victim in fear.

Sex Offenses

Forcible Sex Offenses: Any sexual act directed against another person, forcible and/or against the person’s will; or not forcible or against the person’s will where the victim is incapable of giving consent.

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 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 where the victim is incapable of giving consent because of his/her youth or because of temporary or permanent mental or physical incapacity.
Sexual Assault With an Object: The use of 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 the victim is incapable of giving consent because of his/her youth or because of temporary or permanent mental or physical incapacity.

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 temporary or permanent mental or physical incapacity.

Non-Forcible Sex Offenses: Unlawful, non-forcible sexual intercourse.

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

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

Hate Crimes

Hate Crime: A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/national origin.

Although there are many possible categories of bias, under Clery, only the following six categories are reported:

- Race: A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).

- Gender: A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

- Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).

- Sexual orientation: A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).

- Ethnicity/national origin: A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).
• Disability: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Additional Hate Crime categories (Note: these crimes are only reported in the annual statistics if the crime is considered a hate crime.)

• Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Note: constructive possession is defined by Black’s Law Dictionary, sixth ed. as “where one does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.”)

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

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

• Destruction/Damage/Vandalism of Property (Except “Arson”): To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Illegal Weapons Possession

The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

Drug Abuse Violations

Violations of state and local laws relating to the unlawful possession, sale, use, growing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroine, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
Liquor Law Violations

The violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, and/or possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Other Definitions

Pastoral counselor: A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor. (Note: pastoral counselors are not campus security authorities for reporting campus crime statistics.)

Professional counselor: A person whose official responsibilities include providing mental health counseling to members of UMD’s community and who is functioning within the scope of his or her license or certification. (Note: professional counselors are not campus security authorities for reporting campus crime statistics when acting in their counseling capacities.)

Referred for campus disciplinary action: The referral of a student to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction. (Note: These referrals do not include those students already counted in the arrest categories for liquor law violations, drug law violations, and arrests for weapons violations, but will include students referred for disciplinary action for a major crime (murder, sexual offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, and manslaughter). Crime Definitions are from the Uniform Crime Reporting Handbook.

Locations


On Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls. Also, any building or property that is within or reasonably contiguous to the area identified in the first part of this definition that is owned by the institution but controlled by another person, is frequently used by student, and supports institutional purposes (such as a food or other retail vendor).

On-Campus Residence Halls: Any student housing facility that is owned or controlled by the institution, or located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus and is considered an on-campus student housing facility.
Non-Campus Property: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

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

Crime Statistics

This brochure is published annually by the University and made available to all current and prospective students, and to staff and faculty. Statistics are compiled by the UMD Police Department in consultation with the University personnel in Student Affairs, faculty and staff advisors to student groups, Office of Housing and Residential Life, and other University areas.

Statistics from the past three calendar years can be found in the following charts. The Definitions are listed for categorizing different crimes and location.

- These categories are new for the 2013 reporting period and were not required to be reported in this manner in 2011 or 2012. Statistics for 2012, where available, have been provided for your information. NOTE: Sodomy and sexual assault with an object are included in the rape category.
- On-Campus Residence crimes are included in the On-Campus numbers.

Records Retention

Records supporting the statistics reported in the UMD Campus Safety and Security Report are kept for seven years from the date of incident.

Hate Crimes

2013
- None reported

2012
- One on campus (in a residence hall) case of Harassment/Intimidation characterized by disability
- One on campus case of Harassment/Intimidation characterized by race

2011
- Two on campus cases of Intimidation characterized by race
• Two on campus (in a residence hall) cases of Destruction/Damage/Vandalism of Property characterized by race

• One on campus case of Intimidation characterized by Ethnicity National Origin

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<thead>
<tr>
<th></th>
<th>On-Campus</th>
<th>On-Campus Residence**</th>
<th>Non-Campus</th>
<th>Public</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggravated Assault</td>
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<td>2</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Arson</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Negligent Manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Burglary: Total</td>
<td>5</td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Forcible Burglary</td>
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<td>*</td>
<td>*</td>
<td>1</td>
</tr>
<tr>
<td>Non-Forcible Burglary</td>
<td>3</td>
<td>*</td>
<td>*</td>
<td>0</td>
</tr>
<tr>
<td>Attempted Burglary</td>
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<td>*</td>
<td>*</td>
<td>0</td>
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<tr>
<td>Motor Vehicle Theft</td>
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<tr>
<td>Murder/Non-Negligent Manslaughter</td>
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<tr>
<td>Robbery</td>
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<tr>
<td>Sexual Offenses: Total</td>
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<td>Rape*</td>
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<td>Statutory Rape*</td>
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<tr>
<td>Dating Violence*</td>
<td>0</td>
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* These categories are new for the 2013 reporting period and were not required to be reported in this manner in 2011 or 2012.

**2012 amended to include an on-campus residence hall sex offense not previously recorded.
The University of Minnesota Duluth has nine student housing facilities for approximately 3000 student residents. Five are traditional style residence halls and four (as of May 2013) are apartment style facilities. The chart below summarizes fire safety systems in each facility and the number of fire drills held during the 2013 calendar year.

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<tr>
<td>Liquor Law Violations</td>
<td>167</td>
<td>260</td>
<td>253</td>
<td>115</td>
<td>190</td>
<td>187</td>
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<td>Drug Violations</td>
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</tr>
</tbody>
</table>

1-Full Sprinkler System is defined as having sprinklers in both the common areas and individual rooms.
2-Number of drills is the number of evacuation (fire) drills each academic year.
3-Fire Alarm Monitoring indicates if the fire alarms are monitored at a central location.
4- Evacuation Plan - indicates if a location has evacuation plans for fire evacuation.
Policies and Procedures

Policies and procedures for fire safety and evacuation are included in the UMD Housing & Residence Life Guidebook at [http://www.d.umn.edu/housing/guidebook](http://www.d.umn.edu/housing/guidebook). Policies and procedures are also reviewed at “floor” or “area” meetings with the residents living in University housing facilities at the beginning of fall semester.

Appliances, cookware or decorative items with open flames are not allowed. Student residents living in traditional residence halls may bring a microwave up to 1,000 watts, a coffee pot and popcorn popper. No other cooking appliances are allowed in traditional residence halls. Student residents living in University apartments are allowed to bring cooking items that do not have an open flame. Policies are listed at [http://www.d.umn.edu/housing/guidebook](http://www.d.umn.edu/housing/guidebook).

Any fire, fire alarm activation or sprinkler activation needs to be reported to Housing & Residence Life. Typically the first staff to be notified will be the Resident Advisors for the specific living area. An electronic monitoring system monitored by a contract vendor notifies 911 of activated systems.

UMD is a smoke free campus. No smoking is allowed in University facilities or on University grounds.

Education

UMD Housing & Residence Life staff receives training in the use of fire extinguishers and fire safety on an annual basis. Resident Advisors review fire safety and fire evacuation procedures at floor and area meetings at the beginning of fall semester.

Student Housing Evacuation

Fire evacuation drills are coordinated between UMD Housing & Residence Life, UMD Environmental Health and Safety, and the Duluth Fire Department at the beginning of each fall semester.

Fire evacuation maps and/or procedures are posted on the inside of every residence hall room door and University apartment door.

In a fire emergency:

- Pull the fire alarm if able
- Call 9-911
- Remain calm and act quickly
- Wear protective clothing such as a coat and shoes, and carry a damp towel for use in heavy smoke
• Close your room door and windows
• Walk in an orderly manner to the nearest exit. Never use an elevator
• Move a safe distance away from the building and out of the way of fire department personnel
• Remain outside until you are told to return by the staff

*If you think there is a fire in the hallway, feel the door before you open it:*

• If the door does not feel hot, open it slightly, holding your head away and brace the door with your foot
• Put you hand across the opening to test the heat of the air
• If the door is hot and the hallway unsafe, plug any opening or cracks through which smoke may enter your room using wet towels, sheets, blankets, etc.
• If smoke does enter the room, open the window for ventilation, break it if sealed
• DO NOT JUMP
• Make your presence known
• Wait for rescue

*In case of minor fire:*

• Pull the fire alarm if able
• Call 9-911
• Use a fire extinguisher located in the hallway cabinets or a blanket to smother the fire
• Call the Lake Superior Hall Information Desk at 218-726-7381
• Never risk your personal safety!
Fire Statistics

UMD Housing & Residence Life maintains a fire log for fires that occur in UMD student housing facilities. The fire log can be reviewed in the UMD Housing Office during normal business hours, Monday – Friday, 8:00 a.m. – 4:30 p.m.

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<th>Housing Facility</th>
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Fire Details: N/A

System Upgrades

Housing & Residence Life works closely with University code officials to review current systems and plan for future improvements. There are currently no plans deemed necessary for improvements in fire safety systems or procedures.


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UMD Police Department

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287, Duluth, MN  55812
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