Introduction

This document is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act) and the Higher Education Opportunity Act (HEOA). These two acts along with periodic updates and reauthorizations mandate that institutions of higher education provide specific information. The information in this report includes university policies, crime statistics, fire statistics, safety tips, emergency phone numbers and an overview of some of the programs offered by the university. The annual statistics are prepared by collecting crime data from SMSU Public Safety records, the Division of Student Affairs and other Campus Security Authorities. In addition to information provided by on-campus reporters, the SMSU Public Safety Department also requests crime statistics for specified geographic locations from other local law enforcement agencies. After the crime statistics are compiled, they are included in this Annual Security and Fire Report and submitted to the Department of Education.

Annual Security Report

Preparation of the annual security report and disclosure of crime statistics

The Public Safety Department of Southwest Minnesota State University prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crimes Statistics Act of 1998. This report is prepared in cooperation with local law enforcement agencies responsible for providing service to our campus. Internally, departments such as Public Safety, Campus Security Authorities, Director of Health Services, Student Affairs, Academic Affairs, Human Resources, and the coordinator of Judicial Affairs provide information to comply with the Act.

Pursuant to the Student Right to Know and Campus Security Act, SMSU monitors criminal activity, publishes this report, and maintains a three-year statistical history for the main campus and at off campus property or facilities owned or leased by SMSU.

The annual report includes reported crimes alleged to have occurred on the campus, at facilities owned or leased by SMSU and/or the immediately adjacent surrounding public area. The Director of SMSU Public Safety serves as the primary liaison between the Campus and all law enforcement agencies, in order to accurately report crimes alleged to have occurred on campus and public areas immediately adjacent to the campus. The annual report includes the following reports of crime: Murder and non-negligent manslaughter, Negligent Manslaughter, Sex offenses, Forcible and Non-Forcible Robbery, Aggravated Assault, Burglary, Arson, Motor Vehicle Theft, Domestic Violence, Dating Violence and Stalking. The report also includes arrests or persons referred for campus disciplinary action for Liquor law violations, Drug abuse violations and Weapons possession.

In addition to the crimes described above, other reported crimes involving bodily injury to any person, and reported crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property in which the victim is intentionally selected because of the actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin or disability of the victim, must be reported as hate crime statistics, and are recorded as such in this report.

SMSU will notify employees, current students and prospective students of the availability of this report and will provide a copy of the report upon request. Copies of the report may be obtained at SMSU's Public Safety Department located in the basement of founders Hall or by calling 507-537-7252.

Maintenance of Daily Crime Log

The Public Safety Department keeps and maintains an easily understood daily crime log, recording all crimes reported to the SMSU Public Safety Department. The crime log includes information such as the nature, date, time, and general location of each crime, and the disposition of the complaint if known. The daily log includes reported crimes that occur on campus or at facilities owned or leased by SMSU.

All entries except where disclosure of such information is prohibited by law or such disclosure would jeopardize the confidentiality of the victim, are open to public inspection during normal business hours. Any portion of the log older than sixty (60) days must be available within two (2) business days of the initial request being made to the Public Safety Department. If new information regarding a log entry becomes available to
the Public Safety Department within 60 days the log entry will be updated accordingly to reflect the most current information available. The daily crime log is housed in the Public Safety office (Basement of Founders Hall) and may be requested for review at any time.

**SMSU Public Safety Department**

University Security officers are employees of southwest Minnesota State University; **they are not certified or sworn peace officers**. University security is not a police department and personnel do not possess law enforcement (arrest) authority. However, personnel do utilize private person arrest authority pursuant to Minnesota State statute 629.37 when appropriate. As employees of SMSU, University security is responsible for enforcement of University policies.

SMSU Public Safety protects and serves the SMSU community 24 hours a day, 365 days a year. The Department consists of 4 professional staff and approximately 30 student security officers who are responsible for safety and security of the universities community. They are trained in basic law enforcement practices including, defensive tactics, conflict resolution, crisis intervention, CPR and cultural sensitivity. All criminal incidents on Southwest Minnesota State University Campus are investigated by University Public Safety and / or in conjunction with the Marshall Police Department. Violators of state and federal law are reported to local law enforcement, while violations of University policies are administered under Southwest Minnesota State University’s Statement of Student Responsibility or in conformance with employee bargaining unit agreements. All community members are encouraged to immediately report crimes that occur on campus or University property to University Public Safety at 507-537-7252 or immediately by dialing 911.

**Reporting Crime or Emergencies**

Anyone involved in an emergency situation, is the victim of a crime or witnesses any criminal activity, is urged to notify SMSU Public Safety as soon as possible by dialing 507-537-7252 or by dialing 911 to reach the Marshall Police Department. Upon receiving a report of a crime, SMSU Public Safety will make contact with the reportee and gather the facts of the incident. Once the facts are documented, an investigation will begin. Off-campus crimes may be reported to the Marshall Police Department. While criminal activity and emergencies may be reported directly to law enforcement officials, all faculty, staff and students shall also report this information to University Public Safety for the purpose of making timely warning reports and annual statistical disclosures.

**Confidential Reporting**

SMSU encourage all University community members to report crimes promptly to University Public Safety and to participate in and support crime prevention efforts. SMSU does have procedures for voluntary, confidential reporting through a web-based application called Silent Witness. Any member of the SMSU campus community may access this resource through **[http://www.smsu.edu/campuslife/publicsafety/form87.cfm](http://www.smsu.edu/campuslife/publicsafety/form87.cfm)**. Reports made in this manner can be made anonymously and do not have to include the reporting party's information. While we cannot guarantee confidentiality, we will make every effort possible to maintain it to the extent allowable by law. The purpose of reports made in this manner helps the Public Safety Department more accurately assess and track the nature of crime in the area of the campus.

The University is obligated to report crimes back to the college community, which pose a serious or on-going threat in the form of “Timely warnings” or crime alerts. Any crime alert made will not identify the reporting person or victim. If a crime is determined to pose a serious or on-going threat to the campus community the University reserves the right to investigate the report to the extent possible with the information available.

You will never be required to file a police report. Confidential reports are included in the annual disclosure of crime.

**Pastoral and Professional Counselors**

The University does not have procedures that encourage pastoral and professional counselors, at their discretion, to inform those they counsel to report crimes on a voluntary, confidential manner for the purposes of collecting crime statistics. Each year, as part of SMSU's efforts to compile crime
statistics, the Public Safety Director sends a request to the University Counseling Center encouraging counselors to inform the persons they counsel of the procedures to report crimes on a voluntary basis. Reports of crimes gathered from counselors remain confidential and are included in the annual crime statistics for the university.

**Steps to Ensure Prompt and Accurate Crime Reporting**

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

Call Campus Public Safety (507-537-7252) and 911 for any emergency including medical assistance, fires, suspicious people or activities, crime reports, traffic accidents, or illegal activities

When reporting a crime or other incident in progress be sure to provide the dispatcher with the following information: 1. The nature of the criminal activity or incident. 2. The location of the criminal activity or incident. 3. The number of persons involved.

- A description of the offender(s), including; Gender
- Approximate Age Race Height/Weight Hair
- Color -Style -Facial Hair
- Attire -Color -Style -Distinguishing logos
- Other distinguishing physical features- such as scars and tattoos
- Vehicle Description, Year, Make and Model, License Plate Number and State
- Note the direction of travel of offenders or vehicles and report those to Campus Public Safety and 911

**Reporting to Other Campus Security Authorities**

While the University prefers that community members promptly report all crimes and other emergencies directly to University Public Safety at 507-537-7252, we also recognize that some may prefer to report to other individuals or University offices. The Clery Act recognizes certain University officials and offices as Campus Security Authorities (CSA).

The Act defines these individuals as an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

While the University has numerous CSAs at the University, we have officially designated the following offices as places where campus community members should report crimes. While the list following list is not comprehensive, these are some of the identified CSAs at Southwest Minnesota State University.

<table>
<thead>
<tr>
<th>CSA</th>
<th>CONTACT INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>University Public Safety</td>
<td></td>
</tr>
<tr>
<td>Director of public Safety</td>
<td>507---537---7252</td>
</tr>
<tr>
<td>University Security Coordinator</td>
<td>507---537---6470</td>
</tr>
<tr>
<td>University Health &amp; Safety Officer</td>
<td>507---537---6470</td>
</tr>
</tbody>
</table>
Student Affairs

Associate Vice President for Student Affairs and Dean of Students 507---537---6844

Deputy Title IX Coordinator for Students 507---537---6470

Judicial Affairs Coordinator 507---537---6018

West Area Coordinator 507---537---6023

East Area Coordinator 507---537---6136

Director of Health Services 507---537---7202

Director of Diversity & Inclusion 507---537---7285

Director of Disability Services 507---537---7672

Director of Counseling & Testing 507---537---7150

Human Resources

Director of Human Resources/Title IX Coordinator 507---537---6243

Athletics

Athletic Director 507---537---7984

Asst. Athletic Director/Academics 507---537---7985

**Relationship with Local Law Enforcement**

SMSU Public Safety maintains a close working relationship with local law enforcement agencies. SMSU’s DPS cooperates fully with federal, state and local law enforcement agencies in cases involving on-campus and off-campus jurisdiction or when the resources of another agency can be used to facilitate the resolution of an investigation. SMSU Public Safety and the City of Marshall do not have a mutual aid agreement, which formalizes the relationship for sharing patrol, criminal investigations and any other law enforcement related activities. The Marshall Police Department regularly communicates crimes occurring around SMSU’s campus through email and quarterly meetings between MPD’s Chief of Police and SMSU’s Director of Public Safety.

**Monitoring & Recording Criminal Activity of Off-Campus Student Organizations**

SMSU does not have any officially recognized off-campus student organizations.

**SAFETY POLICIES**

SMSU’s Public Safety staff works hard to provide a safe campus. SMSU Public Safety staff actively
cooperates with local law enforcement agencies and groups in order to present programs that are beneficial to the community as a whole. These outreach efforts present both the Department of Public Safety and SMSU in a positive light to the community. Anyone interested in further information is urged to contact the Department of Public Safety at Founders Hall or by phone at (507) 537-7252.

**Campus Security and Access of University Facilities**

With the exception of events that are open to the general public and advertised as such, the University's facilities and programs are generally reserved for accomplishing the objectives and programs of the University. Generally, academic and administrative buildings are open Monday-Friday 7:00 am-11:00 pm, Saturday and Sunday for scheduled events. Hours are expanded or reduced for events, holidays and interim periods as it is seen fit by University administrators. After open access hours, University Public Safety secures all University buildings. Visitors and non-University affiliated groups seeking to utilize University facilities are expected to make prior arrangements with the appropriate University office. Authorization to use the SMSU facilities is determined by the University Scheduling Office.

**ACCESS TO UNIVERSITY FACILITIES**

The University's campus administrative buildings are open as follows:

<table>
<thead>
<tr>
<th>Building</th>
<th>Monday-Friday</th>
<th>Saturday</th>
<th>Sunday</th>
<th>Campus Holiday</th>
</tr>
</thead>
<tbody>
<tr>
<td>BA,CH,IL,SM, SS,ST</td>
<td>7am – 11 pm</td>
<td>8am-6pm</td>
<td>1pm– 11pm</td>
<td>8am-5pm</td>
</tr>
<tr>
<td>Fine Arts</td>
<td>7am – 11pm</td>
<td>8am – 5 pm</td>
<td>12pm –11pm</td>
<td>8am-5pm</td>
</tr>
<tr>
<td>Founders Hall</td>
<td>7am – 11pm</td>
<td>12pm – 10pm</td>
<td>12pm–10pm</td>
<td>8am-5pm</td>
</tr>
<tr>
<td>PE</td>
<td>7am –11pm</td>
<td>8am – 5pm</td>
<td>1pm – 11pm</td>
<td>8am-5pm</td>
</tr>
<tr>
<td>R/A*</td>
<td>8am –11pm</td>
<td>Closed</td>
<td>7 pm – 11pm</td>
<td>Closed except for special events</td>
</tr>
</tbody>
</table>
Access to individual classrooms and laboratories are limited to those enrolled in the courses meeting there. Likewise, access to most programs is limited to those that are enrolled in the program or otherwise authorized to access.

Many cultural and athletic events held in University facilities are open to the public. Other facilities such as the bookstore and library are likewise open to the public during open hours. Only authorized University employees are issued keys to University buildings.

**Maintenance of Campus Facilities**

Physical Plant is responsible for the development and operation of campus buildings and grounds. They keep the buildings, classrooms and grounds clean, comfortable and manage the physical development of the campus. SMSU Public Safety staff regularly patrol the campus and report any repair needs (malfunctioning lights or other unsafe conditions) to Physical Plant. All members of the university community are encouraged to directly report to Physical Plant problems with facilities or grounds.

**Residence Halls**

Security is the shared responsibility of each resident and staff member. Residents are responsible for locking their rooms and assisting with maintaining a secure facility. All exterior doors are locked 24 hours a day. Exterior doors are accessed through SMSU’s key system. Guests will need to use the outside phone by the main entrance to call a resident in order to gain entrance. Non-residents will not be permitted to enter the hall unless accompanied by a resident.

Jeopardizing residence hall security in any way (e.g. propping outside doors open) is a violation of residence hall policies. Lights out in stairwells should be reported. Residents are advised to carry their identification cards at all times and be prepared to show them in residence facilities and dining centers when asked by staff. Each resident is responsible for the room key issued to him/her. The primary purpose of the key policy is greater security for the building, residents and their possessions.

**SAFETY EDUCATION**

Safety and fire safety procedures are discussed with residential students at their respective orientation programs. Members of DPS and Environmental Health & Safety Office participate in forums and meetings to review and explain security and safety procedures and practices and fire safety procedures. Members of the DPS will present programs on safety awareness, crime prevention and general security when requested by student, staff or faculty groups.
Safety Escort Services
The Department of Public Safety offers safety escorts to the SMSU community 24 hours per day. Anyone needing an escort, who is in fear or has safety concerns, may request an escort from any University building or Residence Hall on campus. Escorts may come in the form of walking, bicycle or by vehicle from members of SMSU Public Safety.

To request an escort, call 507-537-7252.

Lighting
SMSU Public Safety conducts campus lighting surveys quarterly. These surveys are designed to determine which areas require lighting repairs and which areas may need additional illumination.

Weapons Policy
Weapons are not permitted on campus except for on duty law enforcement officers or as authorized by the Director of SMSU Public Safety, or his/her designee.

Alcohol and Drug Policy
SMSU prohibits the unlawful possession, consumption (use), sale, or distribution of alcohol by all students and employees and enforces all applicable drinking/liquor laws and policies on campus, including Federal, Minnesota State law, and University policy.

The possession or consumption of alcohol is prohibited in all SMSU campus buildings, and applies regardless of age. The only exception is for special events authorized by the MnSCU Board of Trustees.

Students who are found to be in possession of an open container or consuming alcohol while on campus will be subject to disciplinary action for violating the Student Code of Conduct. If students are not cooperative the Marshall Police may be called to assist, and the student may be subject to citation or arrest.

Employees who are found to be in possession of an open container or consuming alcohol while on campus will be subject to disciplinary action

Non-students/ non-employees who are found to be in possession of an open container or consuming alcohol while on campus may be asked to leave campus, may be prohibited from returning for one year, if uncooperative the Marshall Police may be called to assist, and the individual may be subject to citation or arrest.

The state of being under the influence of alcohol is prohibited in all SMSU campus buildings.

Students who are believed to be under the influence of alcohol will be subject to disciplinary action for violating the Student Code of Conduct.

Employees who are believed to be under the influence of alcohol will be subject to disciplinary action

Non-students/ non-employees who are believed to be under the influence of alcohol may be asked to leave campus, may be prohibited from returning for one year, and if uncooperative the Marshall Police may be called to assist, and the individual may be subject to citation or arrest.

Illegality of Drugs on Campus and the Enforcement of Federal and State Drug Laws
SMSU forbids the possession, use, or distribution of illegal drugs on campus. This includes but is not limited to possession, sale, and use, growing, manufacturing and making of narcotic drugs. Exceptions would be drugs prescribed by a doctor’s order.
The state of being under the influence of a controlled substance is prohibited in all SMSU campus buildings.

**Students** who are believed to be under the influence of a controlled substance will be subject to disciplinary action for violating the Student Code of Conduct.

**Employees** who are believed to be under the influence of a controlled substance will be subject to disciplinary action.

**Non-students/ non-employees** who are believed to be under the influence of a controlled substance may be asked to leave campus, may be prohibited from returning for one year, and if uncooperative the Marshall Police may be called to assist, and the individual may be subject to citation or arrest

SMSU enforces Federal, State, and local drug laws regarding the use, possession, and sale of illegal drugs and drug paraphernalia.

For petty misdemeanor crimes, such as possession of marijuana, the following actions will be taken:

**Students** who are found to be in violation of the law will be subject to disciplinary action for violating the Student Code of Conduct. If students are not cooperative the Marshall Police may be called to assist, and the student may be subject to citation or arrest.

**Employees** who are found to be in violation of the law while on campus will be subject to disciplinary action.

**Non-students/ non-employees** who are found to be in violation of the law while on campus may be asked to leave campus, may be prohibited from returning for one year, if uncooperative the Marshall Police may be called to assist, and the individual may be subject to citation or arrest.

**TIMELY WARNINGS**

In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Public Safety or designee, constitutes an ongoing or continuing threat, a campus wide timely warning (Crime Alert) will be issued. The Director of Public Safety or a designee will develop timely warning notices for the University community to notify members of the community about serious crimes against people that occur on campus, where it is determined that the incident may pose an ongoing threat to members of the University community. Timely Warning Notices are usually distributed for the following Uniformed Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications: arson, criminal homicide, and robbery. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by SMSU Public Safety. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other University community members; therefore, a Timely Warning Notice would not be distributed. Sexual assaults are considered on a case by case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by SMSU Public Safety. Timely Warning Notices may be distributed for other crimes as determined necessary by the Director of Public Safety or designee in his/her absence.

In an effort to provide timely notice to the University community, and in the event of a serious incident that may pose an on-going threat to members of the University community, an email Crime Alert is sent to all students and employees on campus. The Director of Public Safety or a designee generally writes the alerts. Updates to the University community about any particular case resulting in a Crime Alert may be distributed via email, or posted on the Department of Public Safety's web site.

The Department of Public Safety may also post a Crime Alert on SMSU’s home page: www.smsu.edu. Anyone with information warranting a timely warning should report the circumstances to the SMSU Public Safety office by phone (507-537-7252) or in person at the Department of Public Safety’s office in the basement of Founders Hall.
Emergency Response and Evacuation Procedures

The SMSU community is encouraged to notify SMSU Public Safety of any situation or incident on campus that may involve a significant emergency or dangerous situation that poses an immediate or ongoing threat to the health and safety of university members. SMSU Public Safety is charged with responding to reported incidents in order to determine whether the incident, in fact, presents a threat to the community and request other resources necessary to investigate, mitigate or document the situation.

The Director of Public Safety along with other lead administrators will determine which information must be included in the notification and which segments of the campus community will be notified, to ensure that the campus community is adequately informed of the incident.

Upon confirmation of an emergency on the campus, which poses an immediate threat to the health or safety of some or all members of the SMSU community, the SMSU Department of Public Safety will determine the appropriate segment or segments of the campus community to receive the notification and initiate the emergency notification system. Confirmation of an emergency may come through witnesses to an incident or through other sources. SMSU Department of Public Safety and/or University Relations will determine the content of the emergency message and will utilize some or all of the available communication tools in order to disseminate the message to university members. SMSU will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to or otherwise mitigate the emergency.

The University conducts emergency response exercises each year, such as tabletop exercises, functional exercises, and tests of the emergency notification systems on campus. Tests of the systems may be announced or unannounced and are designed to assess and evaluate the emergency plans and capabilities of the University. Information about the emergency response and evacuation procedures for SMSU is publicized annually, and the information is available on the SMSU Public Safety website at: https://www.smsu.edu/campuslife/publicsafety/?id=9445

In all cases, University emergency responses shall place primary emphasis on the protection of human life, and all reasonable efforts shall be made to protect and preserve University property. Announcements about whether the University will reduce or suspend operations because of emergency conditions will be made by the President through University Relations for release to the media.

The University employs Blackboard Connect (SMSU Alert) to notify the campus community of emergencies and threats to physical safety. The SMSU ALERT SYSTEM can be utilized in the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus. Emergencies may include threats to physical safety in situations such as tornados/severe weather, violence, hazardous materials incidents, fires, etc.

Participation in the SMSU Alert System is not mandatory, but it is encouraged. There is no fee to subscribe; however, users will still have to pay regular text messaging rates through their cellular providers.

The SMSU Alert System is a service that allows anyone in the SMSU community to receive alerts, news, or other emergency information via text message on their mobile phones. In order to receive emergency text messages on your mobile device, individuals have to choose to be included in the system by providing their cell phone information through SMSU Star Alert. The SMSU Alert system allows University administrators to send recorded messages to any phone, text messaging to cell phones and/or e-mail messages to email addresses of SMSU students, faculty and staff. To sign up, please follow the provided link: http://www.smsu.edu/campuslife/publicsafety/?id=9745

In the event of a crisis situation, SMSU will communicate vital information as quickly and efficiently as possible in order to provide the greatest safety for our students, faculty and staff. One or more of the following communication tools will be used to notify students, faculty and staff:
Additionally, a follow-up message will be disseminated using one or more of the listed communication methods. In the event of a campus emergency, SMSU will utilize any or all of the following communication tools to disseminate information to the larger community:

- Press Release to media (print and broadcast)
- SMSU Alert System
- Text
- Email
- Telephone
- Web site updates
- Social Media (Facebook, Twitter, etc.)

All faculty, staff and students should learn the evacuation routes and stairwell locations for all campus buildings they frequently occupy. Evacuation maps and information are posted throughout the campus. Special instructions for evacuation of students with disabilities who are known to need assistance with evacuation (i.e. students registered with the Office for Students with Disabilities) are available through the Public Safety Department.

**Fire Evacuation Procedures**

Emergency sirens will sound in the event of a fire.  
Calmly exit the building via the nearest exit  
Do not use elevators  
Public Safety staff will provide direction and assistance

Evacuate to a safe distance and remain outside until the all clear message is given.

**Severe Weather Shelter Procedures**

In the event of severe weather requiring campus occupants to seek shelter an SMSU Alert will be sent advising the campus to proceed to the nearest Severe Weather Shelter area.  
Calmly proceed to the designated severe weather shelter area in your building.

Remain in the Severe Weather Shelter area until the all-clear message is delivered.

**Campus Evacuate/ Lockdown Procedure**

In the event of an emergency with implications of immediate harm to the campus community, the Public Safety department may issue a directive to lockdown the campus or evacuate. The Public Safety department will engage SMSU Alert and other communication methods in an attempt to notify community members.  
Depending on your location and threat of immediate danger, the first choice maybe to evacuate if safe to do so.  
If unable to evacuate proceed to the nearest classroom or enclosed area and secure yourself inside.  
Shut off all sources of light (i.e. lights, computer monitors, television screens, etc)  
Stay away from windows and doors  
Remain calm and quiet and wait for instructions from law enforcement or campus Public Safety.
MISSING STUDENT NOTIFICATION

Anyone who suspects that a SMSU student who resides in on campus housing is missing should immediately contact SMSU Public Safety at 507-537-7252. If a student is reported missing to someone other than the SMSU Public Safety, the person receiving the report should immediately refer the report to SMSU Public Safety. DPS will begin an investigation in order to determine whether the student is missing. Once DPS investigates and determines that the student has been missing for more than 24 hours, the University will notify other local law enforcement agencies and the student’s emergency contact within 24 hours after the student is determined to be missing. Contacts to local law enforcement agencies will be made whether or not the missing student has designated a contact person.

The University will request of all new students residing in the University owned residence system that they provide, on a voluntary basis, emergency contact information. Students living in on-campus housing will also be given the opportunity each year to designate a contact person or persons to be notified if the student is determined to be missing. A student may identify the same individual for both purposes, but may choose not to list the same person for both their Emergency Contact and Missing Person Contact. Any contact person the student has designated will also be contacted within 24 hours after the student is determined to be missing. Contact information provided by the student will be registered confidentially and will be accessible only to authorized university and law enforcement officials. Students’ missing person contact information will not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

The University will notify the designated contact(s) within 24 hours after the student is determined to be missing. Additionally, the University will notify local law enforcement agencies within 24 hours of the determination that the student is missing, unless a local law enforcement agency is the entity that determines the student is missing. If a student is under the age of 18 and not emancipated, the University must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.

Policy Regarding Sexual Assault Programs And Procedures

Southwest Minnesota State follows the Minnesota State Colleges and Universities Board Policy 1B.3 Sexual Violence and System Procedure 1B.3.1 Sexual Violence Procedure.

Part 1. Policy Statement. Sexual violence, domestic and dating violence, and stalking are an intolerable intrusion into the most personal and private rights of an individual, and is prohibited at Southwest Minnesota State University. Southwest Minnesota State University is committed to eliminating sexual violence in all forms and will take appropriate remedial action against any individual found responsible for acts in violation of this policy. Acts of sexual violence may also constitute violations of criminal or civil law, or other Southwest Minnesota State University policies that may require separate proceedings. To further its commitment against sexual violence, Southwest Minnesota State University provides reporting options, an investigative and disciplinary process, and prevention training as appropriate.

Application of policy to students, employees and others. This policy applies to Southwest Minnesota State University students and employees and to others, as appropriate, where incidents of sexual violence on Southwest Minnesota State University property have been reported.

Reports of sexual violence committed by a student at a location other than on Southwest Minnesota State University property are also covered by this policy. Reports of sexual violence committed by a Southwest Minnesota State University employee at a location other than Southwest Minnesota State University property are covered by this policy.

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

Allegations of discrimination or harassment are governed by Minnesota State Colleges and Universities Board Policy 1B.1
Definitions

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

Sexual assault. “Sexual assault” means an actual, attempted, or threatened sexual act with another person without that person’s consent. Sexual assault is a criminal act that can be prosecuted under Minnesota law, as well as form the basis for discipline under Southwest Minnesota State University student conduct codes and employee disciplinary standards. Sexual assault includes but is not limited to:

- Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as “date rape” or “acquaintance rape.” This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.
- Intentional and unwelcome touching, or coercing, forcing, or attempting to coerce or force another to touch a person’s intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breasts).
- Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

Dating and relationship violence. Dating and relationship violence includes physical harm or abuse, and threats of physical harm or abuse, arising out of a personal intimate relationship. This violence also may be called domestic abuse or spousal/partner abuse and may be subject to criminal prosecution under Minnesota state law.

Domestic Violence. “includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

Stalking. Stalking is conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause a reasonable person to fear for her or his safety or the safety of others or to suffer substantial emotional distress.

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

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

Southwest Minnesota State University property. “Southwest Minnesota State University property” means the facilities and land owned, leased, or under the primary control of Southwest Minnesota State University.

Employee. “Employee” means any individual employed by Southwest Minnesota State University, including student workers.

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

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

Training offered by Southwest Minnesota State University includes areas involving stalking, sexual harassment, sexual and domestic violence. Guest speakers are utilized by Southwest Minnesota State University to discuss these topics. Members of the Residence Life and Security staff are provided training on a yearly basis along with other educational opportunities.

Southwest Minnesota State University educates the campus community about sexual assaults, relationship and dating violence, and stalking through presentations during new student orientation and various college-wide presentations given through the course of the academic year. Investigators and Decision-Makers receive annual training. Informational brochures regarding sexual violence are available through the University Public Safety Office, Counseling and Affirmative Action Office. SMSU Public Safety also conducts security patrols of the campus, conduct quarterly light inspections as well as provide escorts.

If You Are The Victim Of A Sexual Assault

1. Go to a safe place.
2. If you are on campus contact Southwest Minnesota State University (507-537-7252) or the Marshall Police Department (911)
3. Timely and prompt reporting of a sexual assault within 72 hours is critical in preserving evidence important in proving a criminal case against the assailant. Do not bathe, douche, use the toilet, or change clothing.
4. If you have been the victim of a sexual assault, you should seek medical attention immediately regardless of whether you report the matter to the police. Victims can seek medical attention at Avera Regional Medical Center or the University’s Health Services.
5. You may file a police report with the appropriate law enforcement agency. For on campus incidents contact southwest Minnesota State University Public Safety at 507-537-7252. Off campus contact Marshall Police Department by dialing 911 or 537-7000.
6. If you would like assistance in filing a police report Southwest Minnesota State University Public Safety staff can assist you.
7. Southwest Minnesota State University has counselors available in Bellows Academic Building, phone number 507-537-7150. The Director of Public Safety for Southwest Minnesota State University – located in Founders Hall (507-537-7858) can also provide information on additional resources. For those wishing off campus services the New Horizon Crisis Center may be contacted at 507-532-5764.
8. In order to reduce contact between the victim and the alleged assailant, Southwest Minnesota State University will, at the request of the survivor, attempt to provide a change in classes, academic schedules, residence hall rooms, transportation or working arrangements as applicable and take other appropriate remedial measures. Southwest Minnesota State University will provide written notice to victims of these options. These options are available to victims regardless of whether the victim chooses to report the crime to law enforcement or campus authorities.
9. You have the right to petition for an Order for Protection (OFP) or a harassment Restraining Order (HRO), the Marshall Police Department has information available on how to file for and request an OFP or HRO as well as the New Horizons Crisis Center. Southwest Minnesota State University may take actions it deems necessary or appropriate in response to all protection, restraining or no contact orders.
10. You may contact the Minnesota Crime Victims Reparations Board at 651-201-7300. The Crime Victims Reparations Board provides financial help to victims and their families for losses incurred as a result of a violence crime. You may also visit https://dps.mn.gov for additional information.
11. Southwest Minnesota State University will provide written notification to the victim of his or her rights and options under Southwest Minnesota State University's Sexual Violence Policy.
Procedures for Campus Disciplinary Action for Sex Offenses:

Victims of sexual assault or those witnessing any type of sexual violence or relationship violence are strongly encouraged to report the incident to Southwest Minnesota State University Public Safety Department, Marshall Police Department, Affirmative Action Officer or others mentioned in this section. Southwest Minnesota State University Public Safety is the office of official record for reports of sexual assault, as it is in all reported law violations. A report with University Public Safety can ensure that proper steps are taken to ensure the safety of the survivor as well as the safety of the campus community as a whole. Filing a report with SMSU’s Public Safety can also initiate the Universities disciplinary process, and is an option for any person wishing to report a case of misconduct.

SMSU will normally not take any disciplinary action against a member of the campus community without a complaint and the assistance of the complainant in the disciplinary process, unless the University determines there is a danger to the victim or the SMSU community.

Because of laws concerning government data contained in the Minnesota Government Data Practices Act, SMSU cannot guarantee confidentiality to those who report incidents of sexual violence except where those reports are privileged or confidential communications with license health care professionals or similar professionals.

In order for SMSU to proceed with an investigation of a complaint (whether by the victim or a third party) must be filed with the Affirmative Action Office. Reports made to Southwest Minnesota State University Public Safety will be forwarded to the appropriate office at the University. After receiving a report/complaint, the Affirmative Action Office, who must receive annual investigatory training, shall take the steps listed below to insure a prompt, fair, and impartial process following Minnesota State Colleges and Universities Board Policy 1B.3 Sexual Violence and System Procedure 1B.3.1 Sexual Violence Procedure.

1. Conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings. Both the complainant and respondent are allowed to have an advisor accompany them through the process. The advisor, however, will not normally be allowed to participate in questioning involving a student;
2. Investigate the complaint without identifying the complainant if, in the judgment of the designated officer, this would increase the likelihood of satisfactory resolution of the complaint;
3. The past sexual history of the complainant and respondent shall be deemed irrelevant except as that history may directly relate to the incident being considered;
4. Inform the complainant, respondent, witnesses and other involved individuals of the prohibition against retaliation and reprisal;
5. Create, gather and maintain investigative documentation as appropriate;
6. Disclose appropriate information to others only on a need to know basis consistent with state and federal law; and provide a data privacy notice (Tennessen warning) in accordance with state law;
7. Inform the complainant and respondent of the status of the investigation at reasonable times until final disposition of the complaint;
8. Conduct further investigation as deemed appropriate by the designated officer; prepare an investigation report for review by the decision-maker;
9. Take additional investigative measures as requested by the decision-maker;
10. Provide sufficient information to the respondent consistent with federal and state data privacy laws to allow the respondent to respond to the substance of the complaint;
11. Notify both the victim and the accused party in writing of the outcome of the investigation;
12. Provide the investigation report to the complaint or respondent upon request unless the information is protected under state or federal law.

Southwest Minnesota State University will complete an investigation and issue a written response within 60 days after a complaint is made, unless reasonable cause for delay exists. Southwest Minnesota State University will notify the complainant and respondent if the written response is not expected to be issued within the 60 day period.
The complainant and the respondent may appeal the decision of the decision-maker. An appeal must be filed in writing with the president or designee within ten (10) business days after notification of the decision. During the pendency of the appeal disciplinary or corrective action taken as a result of the decision shall be enforced. In addition, in cases involving sanctions of suspension for ten (10) days or longer, students shall be informed of their right to a contested case hearing under Minnesota Statutes, Chapter 14.

Southwest Minnesota State University uses a preponderance of the evidence standard of evidence in determining violations of its Sexual Violence Policy.

Students who are found to have violated the Sexual Violence policy could face sanctions up to and including suspension or expulsion from Southwest Minnesota State University. Employees found to violate the policy may be disciplined up to and including termination.

During and upon completion of the complaint process, the complaint file shall be placed in a secure location (Affirmative Action Office). Access to the data shall be in accordance with the respective collective bargaining agreement or personnel plan, the Minnesota Data Practices Act, the Family Educational Rights and Privacy Act or other applicable law.

**Reporting Incidents Of Sexual Violence**

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

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

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

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

False statements prohibited. Minnesota State Colleges and Universities takes allegations of sexual violence very seriously and recognizes the consequences such allegations may have on a respondent as well as the complainant.

Any individual who knowingly provides false information regarding the filing of a complaint or report of sexual violence or during the investigation of such a complaint or report may be subject to discipline or under certain circumstances, legal action. Complaints of conduct that are found not to violate policy are not assumed to be false.

Withdrawn complaint - If a complainant no longer desires to pursue a complaint through the college or university’s proceeding, the college or university reserves the right to investigate and resolve the complaint as it deems appropriate.
Minnesota State Colleges and Universities discretion to pursue certain allegations - Minnesota State Colleges and Universities reserves discretion whether to pursue alleged violations of policy under appropriate circumstances, including, but not limited to, a determination that an effective investigation is not feasible because of the passage of time, or because the respondent is no longer a student or employee of the college or university.

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

Procedure for employees, students and individuals who are both an employee and student - Employees. If the respondent is an employee, the investigation and disciplinary decision-making shall be conducted pursuant to the procedures outlined in Board Procedure 1.B.1.1 except use of the optional “Personal Resolution” described in Part 3. Subpart B. should not be encouraged in dealing with allegations of sexual violence due to the seriousness of the conduct.

Reports can be filed with the following agencies/individuals at Southwest Minnesota State University regarding sexual assaults, stalking, harassment, dating violence and other related incidents:

- Director Of Public Safety- 537-7252
- University Security Coordinator- 537-6470
- Associate Vice President for Student Affairs and Dean of Students- 537-6844
- Deputy Title IX Coordinator- 537-6470
- Judicial affairs Coordinator- 537-6018
- Director of Health Services- 537-7202
- University Public Safety – 537-7252
- SMSU Title IX Coordinator –537-6243

Sexual Violence Prevention and Education

SMSU conducts a number of programs aimed at preventing sexual violence and making the SMSU community aware of the potential of such crimes. These training opportunities are culturally relevant and inclusive of diverse communities.

These programs include nightly security patrols of the campus, providing escorts, inspecting the campus for potentially dangerous areas, and implementing programs to inspect campus lighting and shrubbery.

Residence Hall staff, University Public Safety, Health Center, and Counseling Offices provide educational programs concerning sexual assault awareness.

University Public Safety provides on-line training to Campus Security Authorities related to their requirements under the Clery Act.

- New Horizons provides training to all Residents Assistants on the protocol used when responding to individuals who have reported to have been a victim of sexual assault.
- New Horizons provides sexual assault awareness training to all new incoming students.
- A Sexual violence awareness training program through D2L is provided to all new incoming students and new faculty and staff.
- The University and New horizon Crisis Center offered over 50 primary prevention and awareness programs for faculty, staff and incoming and returning students in 2014: the following is a list of some of the groups who participated in those programs:

  Residence Life Staff: Training focused on providing residence life staff with knowledge to assist community
members who are victims of sexual violence.

- Public Safety Staff: Training provided and awareness of sexual assault on college campus and a focus of resources available for SMSU Community members who are victims of sexual violence.
- Athletic Coaches and Athletes: Training was geared towards providing both students and coaches with an understanding and working knowledge of sexual violence as it pertains to sexual violence, dating/relationship/domestic violence, stalking and sexual harassment.
- Freshman orientation: Training was geared towards providing both students and coaches with an understanding and working knowledge of sexual violence as it pertains to sexual violence, dating/relationship/domestic violence, stalking and sexual harassment.
- New Horizon Crisis Center presented to approximately 15 classes of Social Science department

Additional Awareness And Preventive Program

Violence/Alcohol: OCTAA- ON Campus Talking About Alcohol- This program is designed as an intervention for first time alcohol offenders. Completing the OCTAA program is mandatory if a student is found accountable for their first alcohol offense. Approximately 100 students are sent through this program annual by the Judicial Affairs Office.

The OCTAA Program consists of:
1. Classroom portion- A 2 hour class describing alcohol related harms, potential legal and University sanctions and the signs and symptoms of alcohol poisoning.
2. Write a two-page reaction paper to the e-chug online survey.
3. Must pay a monetary fine.

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

Information on reports of incidents of sexual violence that are made to Campus Security Authorities shall be documented in accordance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, codified at 20 United States Code section 1092 (f). Such information will be used to report campus crime statistics on college and university campuses as required by that Act.

During and upon the completion of the complaint process, the complaint file shall be maintained in a secure location. Access to complaint file information shall be in accordance with the applicable collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act and other applicable law and policy.

Additional Resources for Sexual Violence Victims

A list of available institutional and community resources may be accessed at http://www.smsu.edu/administration/affirmativeaction/?id=9697

Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking

On-Campus

<table>
<thead>
<tr>
<th></th>
<th>Bellows Academic Building</th>
<th>507-537-7202</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Health Clinic</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SMSU Public Safety</td>
<td>Founders Hall Basement</td>
<td>507-537-7252</td>
</tr>
</tbody>
</table>
Remember Don’t Be a Bystander-Keep Others Safe

If you see a potentially dangerous situation, be willing to act, even if it means going against the crowd. Talk to your friends ahead of time about how they would like you to intervene if they are in an uncomfortable situation. Step in and separate the two people and let them know you are concerned.

Use a distraction to redirect the focus. “Hey, I need to talk to you.” Recruit others to help intervene. All students can play a role in combating sexual violence by holding perpetrators accountable, supporting the rights and choices of those who have been assaulted, and by making full use of campus resources.

Confidentiality

In cases involving allegations of sexual assault, domestic violence, dating violence and/or stalking, Complainants may request that their names be kept confidential during an initial consultation or the university’s investigation. The Title IX Coordinator will decide whether to accommodate such requests, but will inform the Complainant that doing so will not be possible if, in the judgment of the Title IX Coordinator and under the particular circumstances involved, it would prevent the university from providing a safe and nondiscriminatory environment for the complainant and other members of the campus community. In such cases the Title IX Coordinator will notify the complainant before disclosing his or her name to the respondent or other persons. Complainants may renew requests for confidentiality during formal hearing on their complaints, but in such cases will be told that the university’s ability to proceed with hearings may be limited as a result.

Disclosure To Alleged Victims Of Crimes Of Violence Or Non-Forcible Sex Offenses

Southwest Minnesota State University will upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the University against the student who is the alleged perpetrator of the crime or offense. If he alleged victim is deceased as a result of the crime or offense, Southwest Minnesota State University will provide the results of the disciplinary hearing to the victim’s next of kin, if so requested.

Location of Law Enforcement Agency Information Regarding Registered Sex Offenders

The Federal Campus Sex Crimes Prevention Act, effective October 28, 2002, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state regarding registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.
The Minnesota Bureau of Criminal Apprehension administers a predatory offender registration and tracking program. Information regarding this program can be found at the following website: http://www.dps.state.mn.us/bca.

Any questions regarding the program may be directed to the Criminal Assessment Program at 1-888-234-1248 or 651-793-7070.

Information regarding registered sex offenders may be obtained through the Marshall Police Department (MPD). The MPD may be contacted at 507-537-7000. General information on registration requirements and notification procedures can be found at the following website: https://dps.mn.gov/divisions/bca/bca-divisions/investigations/Pages/predatory-offender-registrations.aspx

In addition, information regarding registered sex offenders may be obtained through the Minnesota Department of Corrections at 651-642-0200.

**SAFETY TIPS**

**On Campus**
- Don't walk alone; always walk in a group or with a friend. If you do not have someone with whom to walk, contact the SMSU Safety Escort.
- Choose well-lighted paths and avoid shortcuts. If you see an area light out, please report it to the Physical Plant (507-537-7854).
- **Be Aware!** If you believe someone is following you, occasionally look behind you. Immediately head for the nearest lighted building or group of people.
- Don't give your name or your telephone number to strangers.
- If you carry cash, don't flash it. The same goes for ATM's. Use extra caution when using an ATM by checking the surroundings for suspicious persons.

**In the Residence Halls**
- Never loan or give your room key to anyone.
- **Don't block open residence hall doors!** You never know who may enter. It is dangerous to you and everyone else in the building.
- Don't leave your room or go to sleep with your door unlocked.
- If you live on the ground floor of the residence hall, lock your windows when you leave.
- If you are on an elevator with someone who makes you feel uncomfortable, exit as soon as possible. Don't take any unnecessary risks.
- Be careful when you use the bathroom or visit the lounge late at night, and always lock your doors.
- Discuss these safety tips with your roommate to establish consistent safety practices.
- Report the loss of your keys or access card immediately. SMSU Public Safety (507-537-7252) has a lost and found; the keys or other property may be here.
- If you believe safety is being compromised in your building, tell your RA or Residence Life coordinator.

**Bikes**
- Use bike racks on campus. They are safer because they are lighted and in plain view.
- Bikes locked to trees may be impounded by the SMSU public Safety.
- Record the serial number and a physical description (make, model, and color) of the bike. Keep
Always lock up your bike. Even if it is inside a building, lock up the room that contains it. Never secure your bike to objects like a chain-link fence; they can easily be cut.

Get a high quality lock and use more than one lock to secure components. If you have a quick-release front tire or seat, lock it or take it with you.

Lights, bags and cycling computers are easy to steal, so consider removing them when not in use.

Ride smart and safely. Use signals, be aware of car doors and remember to announce yourself to pedestrians on campus and in the surrounding neighborhoods.

Parking Lots

- When approaching your parked car, have your keys ready. Check the interior of your car making sure no one is inside your car before you enter.
- As soon as you are inside your car, lock all your doors.
- Anticipate when you will return to your car - if it is after dark, park beneath a light.
- NEVER DRINK AND

DRIVE!

Protect Your Car

- Always Lock! If it is easy for you to get in, it will be easy for others too.
- Windows should always be rolled up completely.
- A car in well-lighted and traveled area is difficult and risky to steal.
- Mark all stereos or other car accessories with an identifying number. If they are stolen, their description and identifying number can be loaded into the National Criminal Information Computer available to police departments all over the United States.
- Don't leave valuable items in view. Put bags and boxes in the trunk and use a stereo with a removable faceplate. Don't ever leave a cell phone out!

Southwest Minnesota State University
Crime Statistics

<table>
<thead>
<tr>
<th>Offense (Reported by hierarchy)</th>
<th>Year</th>
<th>On-Campus Property</th>
<th>On-Campus Student Housing Facilities</th>
<th>Noncampus Property</th>
<th>Public Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/Non-Negligent manslaughter</td>
<td>2013</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2012</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2011</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Negligent Manslaughter</td>
<td>2013</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2012</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2011</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sex Offenses Forcible (Rape, Sodomy, Sexual Assault w/object and Fondling)</td>
<td>2013</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2012</td>
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<td>1</td>
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</tr>
<tr>
<td></td>
<td>2011</td>
<td>3</td>
<td>2</td>
<td>1</td>
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<tr>
<td>Sex Offenses Non-forcible (Incest and Statutory)</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td></td>
<td>2012</td>
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<td>0</td>
<td>0</td>
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<tr>
<td></td>
<td>2011</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Robbery</td>
<td>2013</td>
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<td>0</td>
</tr>
<tr>
<td></td>
<td>2012</td>
<td>0</td>
<td>0</td>
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<td>0</td>
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<tr>
<td></td>
<td>2011</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Aggravated Assault</td>
<td>2013</td>
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<td>1</td>
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<td>0</td>
</tr>
<tr>
<td></td>
<td>2012</td>
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<td>2</td>
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<td>0</td>
</tr>
<tr>
<td></td>
<td>2011</td>
<td>1</td>
<td>0</td>
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</tr>
<tr>
<td>Burglary</td>
<td>2013</td>
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<td>0</td>
</tr>
<tr>
<td></td>
<td>2012</td>
<td>2</td>
<td>2</td>
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<td>0</td>
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<tr>
<td></td>
<td>2011</td>
<td>1</td>
<td>0</td>
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<tr>
<td></td>
<td>2013</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
Motor Vehicle Theft

| Year | On-Campus | Off-Campus | | | |
|------|-----------|------------|-----|-----|
| 2012 | 0         | 0          | 0   | 0   |
| 2011 | 0         | 0          | 0   | 0   |

Liquor Law Arrests

| Year | On-Campus | Off-Campus | | | |
|------|-----------|------------|-----|-----|
| 2013 | 4         | 4          | 0   | 0   |
| 2012 | 2         | 2          | 0   | 0   |
| 2011 | 1         | 0          | 0   | 0   |

Drug Law Arrests

| Year | On-Campus | Off-Campus | | | |
|------|-----------|------------|-----|-----|
| 2013 | 0         | 0          | 0   | 0   |
| 2012 | 0         | 0          | 0   | 0   |
| 2011 | 0         | 0          | 0   | 0   |

Weapons Law Arrests

| Year | On-Campus | Off-Campus | | | |
|------|-----------|------------|-----|-----|
| 2013 | 0         | 0          | 0   | 0   |
| 2012 | 0         | 0          | 0   | 0   |
| 2011 | 0         | 0          | 0   | 0   |

Liquor Law Violations Referred for Disciplinary Action

| Year | On-Campus | Off-Campus | | | |
|------|-----------|------------|-----|-----|
| 2013 | 84        | 84         | 0   | 0   |
| 2012 | 118       | 116        | 0   | 0   |
| 2011 | 98        | 88         | 0   | 0   |

Drug Law Violations Referred for Disciplinary Action

| Year | On-Campus | Off-Campus | | | |
|------|-----------|------------|-----|-----|
| 2013 | 24        | 24         | 0   | 0   |
| 2012 | 6         | 6          | 0   | 0   |
| 2011 | 6         | 6          | 0   | 0   |

Weapons Law Violations Referred for Disciplinary Action

| Year | On-Campus | Off-Campus | | | |
|------|-----------|------------|-----|-----|
| 2013 | 0         | 0          | 0   | 0   |
| 2012 | 0         | 0          | 0   | 0   |
| 2011 | 1         | 1          | 0   | 0   |

Hate Crime Notation:

- There were 2 reported hate crimes on campus in 2013. The first report involved intimidation, which was characterized as ethnicity bias and the 2nd report was classified as destruction/damage/vandalism, which was also characterized as ethnicity bias.
- There was 1 reported hate crime in 2012. This report was classified as destruction/damage/vandalism of property, which was characterized as ethnicity bias.
- There were no reported hate crimes in 2011.

SMSU Crime Statistics Continued:

<table>
<thead>
<tr>
<th>Offense (Crimes not reported by hierarchy)</th>
<th>Year</th>
<th>On-Campus Property</th>
<th>On-Campus Student Housing Facilities</th>
<th>Noncampus Property</th>
<th>Public Property</th>
</tr>
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Crime Definitions and Report Terminology

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

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

Negligent Manslaughter – The killing another person through gross negligence, the intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of another.

Forcible Sex Offense - Any sexual act directed against 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; to include forcible rape, forcible sodomy, sexual assault with an object and forcible fondling.

Non-forcible Sex Offense - Unlawful, non-forcible sexual intercourse or other sexual act; to include incest and statutory rape.

Sexual Assault – Any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

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

Stalking - Is conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause a reasonable person to fear for her or his safety or the safety of others or to suffer substantial emotional distress.

Dating and relationship violence - Includes physical harm or abuse, and threats of physical harm or abuse, arising out of a personal intimate relationship. This violence also may be called domestic abuse or spousal/partner abuse and may be subject to criminal prosecution under Minnesota state law.

Altered Privileges - Means a student is restricted from select activities or physical spaces on campus for a designated time." In addition, as part of an investigation, the Title IX investigator or the Conduct Administrator (Hearing Officer), can issue a no-contact order and this could be made permanent as part of the sanctioning process.

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

Aggravated Assault – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

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

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

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

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

Drug Abuse Violations - Violation of Federal, State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroine, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, benzedrine).

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

The law required the release of statistics by category of prejudice concerning the occurrence of hate crimes in the crime classifications listed in the preceding section and for other crimes involving bodily injury to any person in which the victim is selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim.

In August of 2008 the Higher Education Opportunity Act was modified to include the following additional
crimes under the hate crime category:

Larceny/Theft: The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession, of another.

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

Vandalism: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggrieved bodily injury involving apparent broken bones, loss of teeth, possibly internal injury, severe laceration, or loss of consciousness.
2014 ANNUAL FIRE SAFETY REPORT
Overview
The Higher Education Opportunity Act (HEOA) was signed into law in August 2008 and contains several crucial campus safety components. One of the main provisions of the HEOA is the Campus Fire Safety Right-to-Know Act. This provision calls for all Title IV eligible institutions that participate in Title IV programs and maintain on-campus student housing facilities to publish an annual fire safety report that outlines fire safety systems, policies, practices, and statistics. The following report discloses all information required by HEOA as it relates to Southwest Minnesota State University.

SMSU is committed to fire safety and fire protection standards. To report a fire, call the Department of Public Safety at 537-537-7252. If you have questions about fire protection requirements or wish to have an inspection made by someone, call the Environmental Health & Safety Officer at 507-537-6470.

The State Fire Marshal's Office is the authority having jurisdiction on campus and will make periodic inspections of University buildings. The University Environmental Health & Safety Officer conducts fire and life safety inspections of all University buildings at a minimum of once annually. Correcting the conditions found in these inspections is a cooperative effort of the building occupants and the Physical Plant skilled trades unit.

All SMSU Employees and Students are given information on fire safety information and general fire safety tips annually. Students living in Residence Life facilities receive information and training on fire safety as well as information on Department of Residence Life policies and procedures. Residence Life at a minimum conduct at least 2 fire drills per academic year. Resident Assistants attend a fire and life safety training that involves fire prevention, evacuation, fire hazards, educational content for residents and fire extinguisher operation. SMSU is designated as a No Smoking campus; therefore, smoking is prohibited in all buildings (including residences). Members of the campus community are encouraged to report all fires and fire safety hazards to at least one of the following individuals: Hall Director, Resident Assistant, Director of Housing, Director of Public Safety or the Environmental Health and Safety officer.

Fire Procedures, Fire Alarms, and Fire Safety Equipment

Fire Safety Precautions:

To ensure proper fire safety precautions, the following items are subject to immediate removal or correction by the Physical Plant personnel, Public Safety, and Residence Life staff members.

1. Any items located within a stairwell or stair enclosure.
2. Any items that restrict the width or any portion of an exit, hallways, aisle or corridor to less than 44 inches.
3. No aisle, exit access, or stairway in a place of occupancy shall be obstructed with items.
4. Any items that obstruct fire emergency equipment (fire alarm pull stations, fire extinguishers and exit signs).
5. Any items that are determined to be an immediate fire or life safety hazard.
6. Any devises that are restricting fire doors between houses/floors from operating.
7. All exit doors shall be operable.
8. Fire doors separating stairwells from hallways, or smoke partition doors are to be equipped with self-closing mechanisms or automatic release hold-open devices and must be maintained in working order. They are never to be blocked, wedged or tied open.
9. Storage or manipulation of ALL chemicals and radioactive materials.
10. Storage or use of compressed gas cylinders.
11. Bicycles and gasoline-operated vehicles are not permitted in hallways, stairwells, or on sidewalks immediately next to exits.

Fire Escape Plans:

It is important that you as an individual develop your own personal fire escape plan. You can develop a fire escape plan by considering the following:
Check out the possible exits to the building, your room/apartment unit is equipped with a floor map outlining the nearest exits.

Walk down the corridor and find the fire exits. Remember, never use an elevator in a fire as the call buttons may take you to a floor filled with smoke or flames.

Count the doorways and any other features between your room and the exits. If the corridor is dark and full of smoke, you will need to know your way as you crawl along the wall to the exit.

Make sure that your smoke detector works in your room and ensure that during fire alarm testing that you can hear the fire alarm in your room.

Students with special needs will meet with their RA/CA within the first two weeks of arrival to complete and Individual Action Plan (IAP) that addresses evacuation issues during emergencies.

Fire:

If you see or smell smoke or fire, pull the nearest fire alarm to alert other residents, evacuate the hall, dial 9-911 and exit. (If you can, tell an RA/CA or other University Official immediately that you have seen smoke or fire and its location.)

Fire Alarms and Possible Fires:

Fire drills, as mandated by MnSCU and State law, will be conducted each semester to insure your familiarity with the sound of the alarms and your evacuation options. Whenever the fire alarm sounds, Residence Life staff will insure that the affected building(s) are evacuated in every instance. To insure your safety you should do the following IMMEDIATELY upon hearing an alarm signal.

1. Secure the windows and turn out the lights in the room. It is important that you close but do not lock your room door. Leaving your room unlocked allows you to enter your room quickly again in case you encounter a fire down the hall, etc.
2. Evacuate IMMEDIATELY through the nearest exit door and stand at least 50 feet away from the building. You may be required to move to the official campus evacuations points, which are usually the nearest parking lot.
3. Provide assistance to people on your floor who may need help leaving the hall and bang on doors as you pass them (do not put yourself into danger, though).
4. Assume that any evacuation is a fire situation. Make sure you wear hard-soled shoes and carry a towel to protect your hair and to provide some form of filter for your breathing.
5. Once you exit you must remain outside the building until you are told to re-enter by a Residence Life staff member or city fire official.
6. Clearance to return into the building will not be given until the building has been completely evacuated. Silencing of the alarm is NOT an all-clear sign.

Important Note: It is unlawful to fail to evacuate during a fire alarm. Any such refusal or failure to evacuate will result in some disciplinary action. For everyone’s safety, you must evacuate every time you hear an alarm as quickly as possible.

Evacuation for People with Disabilities

The most important factor in emergency planning for people with disabilities is advanced planning.

- If situation is life threatening call the police/fire departments immediately (911).
- Check on people with special needs during an evacuation. A buddy system, where people with disabilities arrange for volunteers to alert them and assist them in an emergency is a good method.
Always ask someone with a disability how you can help before attempting any rescue technique or providing assistance. Ask how he or she can best be assisted or moved and whether there are any special considerations or items that need to come with the person.

If you are unable to evacuate a disabled person contact law enforcement or fire personnel and be able to provide them with the person’s location that needs assistance in evacuating.

Students should inform faculty members of their special needs regarding evacuation, especially prior to an emergency or disaster.

**Response to emergencies (blindness and visual impairment)**

- Offer to lead them out of the building to safety.
- Give verbal instructions about the safest route or direction using compass directions, estimate distances, and directional terms.
- Do not grasp a visually impaired person’s arm. Ask if he or she would like to hold onto your arm as you exit, especially if there is debris or a crowd.

**Response to emergencies (deafness or hearing loss).**

- Get the attention of a person with a hearing disability by touch and eye contact. Clearly state the problem. Gestures and pointing are helpful, but be prepared to write a brief statement if the person does not seem to understand.
- Offer visual instructions to advise of safest route or direction by pointing toward exits or evacuation maps.

**Response to emergencies (mobility impairment).**

- It may be necessary to clear the exit route of debris (if possible) so that the person with a disability can move out or to a safer area.
- People with mobility impairments cannot exit, they should move to a safer area for example: Most enclosed stairwells
  - An office with the door closed, which is a good distance from the hazard
- Notify police or fire personnel immediately about any people remaining in the building and their locations.
- Police or fire personnel will decide whether people are safe where they are and will evacuate them as necessary.

If people are in immediate danger and cannot be moved to a safer area to wait for assistance, it may be necessary to evacuate them using an evacuation chair or a carry technique.

**Fire Incident Reporting**

Students, faculty and staff are instructed to call 911 to report a fire emergency.

Non-emergency notifications (e.g. evidence that something burned) are made to University Public Safety 507-537-7252.

**Additional Tips When Encountering a Fire:**

- Feel your room door with the palm of your hand. If the door or knob is hot do not open it. If the door is not hot, open slowly and be ready to slam it shut if necessary.
- Check the hallway. If everything is clear, walk to the nearest exist. If there is any smoke in the
corridor, crawl into the hallway. Go to the nearest exits. If it is blocked, then use the alternative one. Remember, do not use an elevator.

- Walk down to the ground level. Do not panic.
- What to Do If Your Room Door is Hot or Smoke is Dense in the Hall:
  - Open the window to vent room if there is any smoke. If you are on the first or second floor you may be able to drop to ground safely. If you are on a higher level, you are usually better off staying put.
  - Let someone know you are in your room. If the phone works, call for help. Dial 9-911. Hang a bed sheet out the window to signal firefighters.
  - If you are able to place wet towels and sheets around your door, do so immediately.
  - Get fresh air by making a tent over your head with a blanket at a slightly opened window to get fresh air. If the windows do not open, you may have to break one out with a chair or drawer.
  - Finally, as a last resort, if your room becomes untenable, you may be forced to make for the best exit. Remember to keep low.

Fire Log
Institutions must maintain a fire log that reflects the nature of the fire, date, time and general location of each fire in on-campus student housing facilities. Southwest Minnesota State University complies with this rule by including all fire-related incidents in the Daily Fire Log. The University Public Safety office maintains a Fire Log of all incidents reported. This log includes the incident type, date incident is reported, date and time of occurrence, general location of each reported incident type and the disposition of the incident if that information is known. University Public safety posts specific incidents in the Fire Log within two (2) business days of receiving a report of an incident and reserves the right to exclude reports from a log in certain circumstances as permitted by law. The most current (up to 60 days) of information is available in the Office of Public Safety in the basement of Founders Hall.

SMSU has adopted and developed numerous Safety Policies and Guidelines to help promote a safe living and working environment at the University. These guidelines and other fire safety information can be accessed at [http://www.smsu.edu/campuslife/publicsafety/?id=6513](http://www.smsu.edu/campuslife/publicsafety/?id=6513).

Additional protection is provided by University Public Safety Officers who are trained for initial response to fire incidents occurring at University facilities. Officers provide assistance in building evacuation and extinguishment / confinement of small fires. In addition, laboratory safety and evacuation plans are also part of the Environmental Health and Safety (EHS) mission. EHS is dedicated to maintaining the safety of our community by conducting annual inspections, plan reviews, and ensuring evacuation plans are in all laboratories on campus.

Statistics and Related Information Regarding Fires in Residential Facilities

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Description of On-Campus Student Housing Fire Safety Systems Residence Halls/Apartments

**DESCRIPTION OF ON-CAMPUS STUDENT HOUSING FACILITY FIRE SAFETY**

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<tr>
<th>Southwest MN State University Residential Facilities</th>
<th>Fire Alarm Monitoring Done On Site (by Public Safety)</th>
<th>Full Sprinkler System</th>
<th>Smoke Detection</th>
<th>Fire Extinguisher Devices</th>
<th>Evacuation Plans &amp; Placards</th>
<th>Number of evacuation (fire) drills each calendar year</th>
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*Full Sprinkler System includes common areas and individual rooms.

**These halls are currently offline.

Fire Safety Education and Training Programs for Students, and Staff
The University Health and Safety officer, in coordination with Residence Life and University Public Safety, provides annual training to Resident Assistants (RA), Community Assistants and Residence Life Coordinators.
Topics addressed during this training include:

» Fire prevention in the residence hall
» What to do in the event of a fire
» How to report a fire or other emergency

Resident Assistants coordinate additional fire safety training and education programs for residence hall students.

Other general safety and fire safety information is available to students, faculty and staff on the Emergency website at http://www.smsu.edu/emergency/?id=5159.

Inspections and Prohibited Items

You have the right to privacy and the security of your room. Through the possession of master and sub-master keys, Residence Life Staff, General Maintenance workers, and other authorized University officials, have access to Residence Hall rooms. Use of these keys may be necessary when:

1. An emergency or students health/welfare dictate necessity, e.g. a fire alarm, unconsciousness, the smell of or sight of smoke/something burning, welfare check (student has not been heard or seen in an extended amount of time), etc.
2. Repairs in the room have been requested or are necessary (electrical, plumbing issues, etc.)
3. Semester or holiday break room checks are made to insure that all required items have been completed prior to break (lights off, thermostat down, refrigerator off and emptied etc.)
4. A staff member has reason to believe that a University code of conduct, Federal, State or city ordinance is being violated. An intrusion search of your room may be performed without you being present. If you do not give consent your room will be sealed and a search warrant may be obtained. During this time you will not be allowed to access your room for any reason.
5. A civil authority presents a valid search warrant.

In addition to the above 5 reasons, as indicated in your contract, authorized University staff may enter your room for health and sanitation reasons. Rooms kept in an extreme unsanitary condition constitute a health hazard. If such conditions exist, you will be given 24 hours to clean the premises or face paying the cost of professional cleaning and or removal from the residence halls.

In addition, each room will be examined for the presence of prohibited items (e.g., sources of open flames, such as candles; non-surge protected extension cords; halogen lamps; portable cooking appliances in non-kitchen areas; etc.) or prohibited activity (e.g., smoking in the room; tampering with life safety equipment; possession of pets; etc.). This inspection will also include a general assessment of food and waste storage and cleanliness of the room. Prohibited items will be immediately disabled with a locking device or confiscated and donated/discarded if found, without reimbursement.

Plans For Future Improvements in Fire Safety

SMSU continues to monitor trends related to residence hall fire incidents and alarms to provide a fire safe living environment for all students. New programs and policies are developed as needed to help ensure the safety of all students, faculty and staff.