



Figure 1: Southwest Minnesota State University Logo

A member of the Minnesota State system

Annual Security and Fire Safety Report Fall 2025



Figure 2: Aerial image of Southwest Minnesota State University in the Fall)

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Preparation of the Annual Security Report and Disclosure of Crime Statistics

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 Office 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. An electronic copy of this report is available at <https://www.smsu.edu/resources/webspaces/campuslife/publicsafety/2025-annual-security-report.pdf>

Annual Security Report

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 areas. 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, non-forcible robbery, aggravated assault, burglary, arson, motor vehicle theft, domestic violence, hazing, 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. The University's Annual Security Report includes current campus policies and procedures. The ASR will be re-published as necessary to reflect changes to relevant policies and procedures that may occur following the initial publication of the ASR.

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 on the first floor of Founders Hall, or by calling 507-537-7252.

Daily Crime and Fire Log

University Public Safety maintains a combined daily crime and fire log of incidents reported. The log contains the type, general location, date, time and disposition of the incident if known. During normal business hours, the daily crime and fire log for the most recent 60-day period is available for the public to view at the SMSU Department of Public Safety Office located on the first floor of Founders Hall. Portions of the log that are older than 60 days are available within two business days.

University Public Safety Officers Authority, Jurisdiction and Training

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. University Public Safety patrol jurisdiction includes the contiguous SMSU campus and has jurisdiction to enforce policies at all SMSU-owned and controlled properties.

SMSU Public Safety serves the SMSU community 24 hours a day, 365 days a year. The Department consists of 5 professional staff and approximately 30 student security officers who are responsible for the safety and security of the University 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's 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.

Working Relationship with Local, State, and Federal Law Enforcement Agencies

SMSU Public Safety maintains a cooperative relationship with local law enforcement agencies. Southwest Minnesota State University 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 have a memorandum of understanding, which formalizes the relationship for sharing patrol, criminal investigations and any other law enforcement-related activities. Local law enforcement agencies providing services within the jurisdiction in which the campus resides have the authority to make an arrest on campus property. The Marshall Police Department regularly communicates crimes occurring around SMSU's campus through email and frequent 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.

Reporting Crime and Other Emergencies

Steps to Ensure Prompt and Accurate Crime Reporting. If you are a victim of a crime or witness a crime:

The University encourages all campus community members to promptly report all crimes and emergencies directly to SMSU's University Public Safety in a timely manner. University Public Safety is available by phone at (507-537-7252) or in person twenty-four hours a day, located on the first floor of the Founders Hall Building, 1501 State Street, Marshall, Minnesota. Although many resources are available, University Public Safety encourages accurate and prompt reporting of all crimes to University Public Safety and the appropriate police agencies, whether or not an investigation ensues, to ensure the University can issue a timely warning and address any and all security concerns.

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 Expression, 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

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 complainant and gather the facts of the incident. Once the facts are documented, an investigation will begin. On-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.

Reporting to 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.

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 following list is not comprehensive, these are some of the identified CSAs at Southwest Minnesota State University.

CSA Contact Numbers

Associate Vice President for Student Affairs and Dean of Students	507-357-6844
Deputy Title IX Coordinator for Students	507-537-6470
Judicial Affairs Coordinator	507-537-6470
Title IX Coordinator	507-537-6657
West Area Coordinator	507-537-6023
East Area Coordinator	507-537-6136
Director of Health Services	507-537-7202
Director of Diversity & Inclusion	537-537-7285
Director of Disability Services	507-537-7318

Human Resources

Director of Human Resources	507-537-7500
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Athletics

Athletic Director	507-537-7984
Assistant Athletic Director/Academics	507-537-7984

University Public Safety

Director of Public Safety	507-537-7252
Director of University Health & Safety Officer	507-537-6470

Voluntary, Confidential Reporting

SMSU encourages accurate and prompt reporting of all crimes to University Public Safety and the appropriate law enforcement agencies. Because some reports are public record under state law, SMSU Public Safety cannot guarantee the confidentiality of reports. However, victims and witnesses can make voluntary confidential reports for the purpose of inclusion in the annual report disclosure of crime statistics at the following link:

<https://www.smsu.edu/campuslife/publicsafety/forms/silentwitness.html> and omitting contact or other information.

Crimes can also be reported to other SMSU Campus Security Authorities, as listed in Fig.1, or by submitting an online Silent Witness Report. 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 on university-owned or leased property.

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

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 basis for the purposes of collecting crime statistics.

Timely Warnings

The purpose of Timely Warnings is to notify the campus community in the event of a Clery Act Crime that may pose an ongoing threat to members of the campus community. Timely Warnings also contain safety information designed to help protect community members from similar incidents. University Public Safety will distribute warnings through a variety of ways, including but not limited to emails, posters, web postings, and media. The University also has the ability to send text message alerts to those who register their cell phone numbers. The University may issue Timely Warnings on a case-by-case basis, considering the following criteria:

Major incidents of arson, murder/non-negligent manslaughter, 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 ongoing threat to other Southwest Minnesota State community members, and a Timely Warning would not be distributed.

In cases involving sexual assault, they are often reported long after the incident occurred; thus, there is no ability to distribute a "timely" warning notice to the community. Sex offenses will be considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by

University Public Safety. Cases involving property crimes will be assessed on a case-by-case basis, and alerts will typically be sent if there is a discernible pattern of crime. The University Public Safety Director or designee reviews all reports to determine if there is an ongoing threat to the community and if the distribution of a Timely Warning is warranted. Timely Warnings may also be posted for other crime classifications and locations, as deemed necessary.

Timely Warnings will be provided to students and employees in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences. Timely Warning messages are typically created, authorized, and sent by University Public Safety and the University Emergency Response Team. The Director of Public Safety (or the Director's designee) determines if there is a continuing threat to the University community. In such cases, warnings may be published through campus bulletins, email, residence hall bulletins, and the University website.

Emergency Notification and Evacuation Procedures

Southwest Minnesota State University, upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees occurring on campus, will:

1. A Southwest Minnesota State University, the Director of Public Safety or Designee) will verify that a legitimate emergency or dangerous situation exists, even if all of the pertinent details are not known or are not available at the time, and immediately notify the campus community of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus.
2. Southwest Minnesota State University officials, in coordination with and at the advice of local first responders, will determine the appropriate segment(s) of the campus community to receive notification.
3. Southwest Minnesota State University will initiate the notification system without delay, and taking into account the safety of the community, determine the content of the notification, unless issuing a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.
4. Typically, the University Public Safety Director and the University Emergency Response Team will create, authorize and send the message. Timely updates may be released via the University website, University email, or SMSU Alert. Members of the greater community who are interested in receiving information about emergencies on campus may monitor the University website or sign up for emergency communications via SMSU Alert. Instructions on how to sign up for SMSU Alert messages are available at:

<http://www.smsu.edu/campuslife/publicsafety/smsu-alert-signup.html>

In the event of a crisis situation, SMSU will communicate vital information to the larger community as quickly and efficiently as possible in order to provide the greatest safety for our students, faculty and staff.

Southwest Minnesota State University tests its emergency response and evacuation procedures annually in accordance with this policy and applicable state and federal regulations. Tests may be announced or unannounced, and emergency response and evacuation procedures are publicized in conjunction with at least one test per calendar year. Results of each test will be documented and include a description of the exercise, the date, time, and whether it was announced or unannounced.

One or more of the following communication tools will be used to notify students, faculty and staff:

- Website: Notice posted on the SMSU Home Page
- E-mail: Broadcast message to campus e-mail addresses
- Telephone: Broadcast voice mail to campus extensions
- Text Messaging: Messages will be sent out from the SMSU Department of Public Safety to all subscribers enrolled in the SMSU Alert System.
- Social Media (Facebook, Twitter, etc.)
- Newsletter (paper copy created and hand distributed)

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
- Website 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 the 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.

The University conducts emergency response exercises each year, such as fire drills, functional exercises, and tests of the emergency notification systems on campus.

SMSU's emergency response exercises 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/index.html>

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. The President, through the Communication and Marketing office, will make announcements about whether the University will reduce or suspend operations because of emergency conditions for release to the media.

The University employs Blackboard Connect and 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 tornadoes/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 Alert. The SMSU Alert system allows University administrators to send recorded messages to any phone, text messages to cell phones and/or e-mail messages to the email addresses of SMSU students, faculty and staff. To sign up, please follow the provided link:

<https://www.smsu.edu/campuslife/publicsafety/smsu-alert-signup.html>

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! University officials 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 Evacuation/ 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 Run-Hide-Fight, lockdown or evacuate. The Public Safety Department will engage SMSU's Alert System and other communication methods in an attempt to notify community members. Depending on your location and threat of immediate danger, the first choice may be to evacuate if it is 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 SMSU Public Safety. Please review the attached Run, Hide and Fight video:

<https://www.smsu.edu/campuslife/publicsafety/emergency-procedures.html>

Sheltering in Place

Because sheltering in place may be the protective action recommendation for several emergencies with differing risks, and because sometimes the initial recommendation is to shelter in place, followed by relocation, there is no single set of shelter-in-place procedures. Based on the type of emergency, such as a tornado, hostile intruder, or hazardous material release outside, you should consult each relevant section for guidance.

Emergencies change as they progress. The questions to ask yourself are: Am I safer inside or outside? Where am I safest inside? Where am I safest outside?

Security of and Access to Campus 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:

Building	Monday-Friday	Saturday	Sunday	Campus Holiday
BA,CH,IL,SS,SM,ST	7am-11pm	8am-6pm	1pm-11pm	8am-5pm
Fine Arts	7am-11pm	8am-5pm	12pm-11pm	8am-5pm
Founders Hall	7am-11pm	12pm-10pm	12pm-10pm	8am-5pm
PE	7am-11pm	8am-5pm	1pm-11pm	8am-5pm
R/A*	8am-11pm	Closed except for special events	7pm-11pm	Closed except for special events
SC/CC	*Opened & secured by SC managers 7am-11pm	*Opened & secured by SC managers 7am-11pm	*Opened & secured by SC managers 7am-11pm	*Opened & secured by SC managers 7am-10pm

Access to individual classrooms and laboratories is limited to those enrolled in the courses meeting there. Likewise, access to most programs is limited to those who 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.

Physical Plant is responsible for the development and operation of campus buildings and grounds. They keep the buildings, classrooms and grounds clean and 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 SMSU Physical Plant. All members of the university community are encouraged to directly report to SMSU Physical Plant problems with facilities or grounds.

Security and Maintenance of 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. The Physical Plant and Residence Life are responsible for maintaining the residential facilities. Maintenance problems, such as lights out in stairwells, doors not securing properly, should be reported immediately in order for repairs to be completed.

Security Considerations for the Maintenance of Campus Facilities

SMSU is committed to campus safety and security. At SMSU, locks, landscaping and outdoor lighting are designed for safety and security. SMSU maintains the campus facilities with security as a primary concern. Authorized individuals have access to buildings for study, work, or teaching, but not for unrelated functions. Therefore, only those who have demonstrated a need for them are issued keys to a building.

Landscaping and outdoor lighting on campus are designed for security, with the attempt to provide pedestrians with peace of mind.

Sidewalks are designed to provide well-traveled, lighted routes from parking areas to buildings and from building to building. Grounds keeping personnel trim shrubs from parking areas to buildings and from building to building. Grounds keeping personnel trim shrubs from sidewalks, walkways, and building entrances to provide a well-lighted route to buildings. Burned-out lights are replaced promptly.

We encourage community members to promptly report any security concerns, including concerns about locking mechanisms, lighting, or landscaping, to the University's Public Safety Department at 507-537-7252.

Education Programs- Awareness & Crime Prevention Programs

The University engages security awareness programs designed to inform students and employees about campus security procedures and practices, and to encourage students and employees to be responsible for their own security and the security of others. To prevent domestic violence, dating/relationship violence, sexual assault and stalking, SMSU presents ongoing primary prevention and awareness programs for all incoming students and new employees that: Defines domestic violence, dating/relationship violence, sexual assault and stalking as prohibited Conduct:

Training is:

1. Culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs and informed by research or assessed for value, effectiveness, or outcome; and
2. Considers environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.
3. Defines what behavior constitutes domestic violence, dating/relationship violence, sexual assault, and stalking;
4. Defines what behavior and actions constitute consent to sexual activity in the state of Minnesota and at Southwest Minnesota State University;
5. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating/relationship violence, sexual assault, or stalking against a person other than the bystander;
6. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.
7. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

Southwest Minnesota State University educational campaign consist of presentations that include distribution of educational materials to new students and new employees; participating in the fall new faculty orientation program; presenting programs throughout the year, including sessions such as: skits, clothes line projects, a residence community training program, an annual poster series and web-based training programs related to the 1B.3 Sexual Violence Policy. 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, Counseling Offices, Women's Rural Advocacy Program, Western Mental Health, and New Horizons Crisis Center provide

educational programs concerning sexual assault, domestic violence, stalking and dating violence and other awareness training to the campus community.

University Public Safety provides online training to Campus Security Authorities related to their requirements under the Clery Act. Additional trainings include:

Name of Program	Dates Held	Location Held	Which Prohibited Behavior Covered
Summer Bridge	8/9/2024	SMSU	Sexual Assault, General Violence, Domestic Assault, Sexual Violence, Intimate Partner Violence
Advocate Panel	8/5/2024	SMSU	Domestic Assault
Res Life Training	8/10/2024	SMSU	Sexual violence, Stalking, Harassment
Gold Rush Days	8/20/2024	SMSU	Sexual Assault, Domestic Violence, General Crime
Trans Day Visibility	4/9/2024	SMSU	Violence Support
Athletic Panel	10/18/2024	SMSU	Sexual Assault, Intimate Partner Violence
Consent Presentation	10/11/2024	SMSU	Intimate Partner Violence
Public Safety	12/15/2024	SMSU	Sexual Assault, Intimate Partner Violence
Sexual Assault Awareness Month Presentation and Panel	4/05/2024	SMSU	Intimate Partner Violence
Sexual Assault Awareness Month Film Screening and Discussion	4/18/2024	SMSU	Sexual Assault, Sexual Violence, Intimate Partner Violence

We all have a role to play in watching out for each other. Bystander Intervention:

Watching out for each other is more than words. Bystander intervention is built upon the premise that in order to reduce harm on campus, a cultural shift is necessary. Bystander intervention at its core means engaging in safe and positive options that may help an individual or individuals prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of

potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. Southwest Minnesota State University promotes a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do, even if we want to help. Below is a list of some of the ways to be an active bystander. If you or someone else is in immediate danger, call 911. This could be when a person is yelling at or being physically abusive towards another, and it is not safe for you to interrupt.

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

Risk Reduction

Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. With no intent to victim-blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, <https://www.rainn.org>).

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. Try not to load yourself down with packages or bags, as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged, and that you have cab money.
7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.

8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).

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

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.

Alcohol, Drugs, Missing Student, Weapon and Hazing Policies

ALCOHOL POLICY

Southwest Minnesota State University complies with laws of the State of Minnesota, which regulate the possession, use and sale of alcohol and enforces underage drinking laws. All community members, including students, are responsible for following state laws and University policies and rules. This policy applies to student conduct that occurs on university property, at university-sponsored events, or in conjunction with university activities and to student conduct off-campus that adversely affects the University community and/or the pursuit of its objectives.

Alcohol and drug abuse pose a threat to the health and safety of university faculty, staff, students, and visitors and interfere with the ability of the University to achieve its mission. It is the policy of Southwest Minnesota State University to provide a drug-free workplace and learning environment and, more specifically, to maintain alcohol and drug prevention programs, including policy enforcement, education programs, and treatment services.

Southwest Minnesota State University complies with the federal Drug Free Schools and Communities Act of 1989. Each year, the University distributes information to all employees and students.

It is the policy of Southwest Minnesota State University to provide a drug-free workplace and learning environment. Alcohol and drug abuse pose a threat to the health and safety of university faculty, staff, students, and visitors. In compliance with the Drug-Free Workplace Act, SMSU is committed to the elimination of drug and alcohol abuse in the workplace. In compliance with the provisions of the Drug Free Schools and Communities Act Amendments of 1989, alcohol and drug prevention programs include policy enforcement, education programs, and treatment services.

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

The possession or consumption of alcohol is prohibited in all Southwest Minnesota State University campus buildings, and applies regardless of age. Consuming alcohol and loitering with an open container of alcohol is a violation of the law in accordance with Law Enforcement. The only exception is for special events authorized by the Minnesota State Colleges and Universities Board of Trustees.

Students are subject to the student code of conduct while participating in school-sponsored activities at off-campus locations- any violations of the student code of conduct while participating in any such activities will be investigated by Southwest Minnesota State University Public Safety and the Office of Student Conduct. 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 (Local Law Enforcement) 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 Southwest Minnesota State University campus buildings.

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, Local Law Enforcement may be called to assist, and the individual may be subject to citation or arrest.

Drug Policy

Illegality of Drugs on Campus and the Enforcement of Federal and State Drug Laws; Southwest Minnesota State University enforces Federal, State, and local drug laws regarding the use, possession, and sale of illegal drugs and drug paraphernalia. Southwest Minnesota State University forbids the possession, use, or distribution of illegal drugs on campus. This includes but is not limited to possession, sale, 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 Southwest Minnesota State University 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, Local Law Enforcement may be called to assist, and the individual may be subject to citation or arrest.

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

Students who are found to be in violation of the law will be subject to disciplinary action for violating the Student Code of Conduct. If students are not cooperative, the local law enforcement 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, or, if uncooperative, the local

Law enforcement may be called to assist, and the individual may be subject to citation or arrest for misdemeanor and felony level drug crimes.

Drug and Alcohol Abuse Education Programs

Southwest Minnesota State University recognizes the reality of chemical dependency and is aware of its occasional presence in the higher education community. Southwest Minnesota State University encourages and provides reasonable assistance to any student, faculty or staff member who seeks information on chemical dependency or treatment for chemical dependency. Various offices, including Counseling and Human Resources, provide information and referral to prevention programs for those seeking help with substance abuse.

Missing Student Policy

If at any time a student, faculty or staff member becomes aware or suspects a student is missing for 24 hours, most report immediately to the Southwest Minnesota State University Public Safety Department. Any missing student report by any other Campus Security Authority will be referred immediately to the Public Safety Department and/or the Local Police

Department(s) having jurisdiction for the campus.

Students have the option of identifying and designating a contact person or persons whom Southwest Minnesota State University shall notify within 24 hours of the determination that the student is missing, as determined by Southwest Minnesota State University Public Safety or a local law enforcement agency. Students are advised that their contact information will be registered confidentially and will only be accessible to authorized campus officials. Information may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, University Security will inform the local law enforcement agency that has jurisdiction in the area that the student is missing within 24 hours.

If students are under 18 years of age and not emancipated, Southwest Minnesota State 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. Southwest Minnesota State University will notify local law enforcement within 24 hours of the determination that the student is missing, unless law enforcement was the agency that made the determination that the student is missing.

Weapons Policy

Possession of any weapon, firearm or fireworks within facilities or on land owned, leased or under the control of Southwest Minnesota State University is prohibited except as allowed by Minnesota Law, MnSCU Board of Trustees Policy www.mnscu.edu/board/policy/521.html or University Policy. This prohibition extends to any University-sanctioned events on or off campus. Students, as well as employees who are acting within the scope and course of their employment, are prohibited from carrying firearms on university grounds or in any University building. Licensed law enforcement officers and visitors with a valid permit to carry may possess pistols (handguns) on university grounds and in university buildings. All other firearms are prohibited.

Lawful possession of firearms is permitted in university parking lots by Minnesota State Statute 624.714, subd. 18(c). Firearms in vehicles must be stored according to the provisions of Minnesota State Statute 97B.045.

Suspected violations of this University policy must be reported to University Public Safety.

Definitions.

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

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

"Pistol" means a weapon as defined in Minnesota Statutes section 624.712, subd. 2.

"Student" means an individual who is:

1. registered to take or is taking one or more courses, classes, or seminars, credit or noncredit, at any system college or university; or
2. between terms of a continuing course of study at the college or university, such as

summer break between spring and fall academic terms; or

3. expelled or suspended from enrollment as a student at the college or university, during the pendency of any adjudication of the student disciplinary action.

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

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

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

Employees.

1. Prohibition. Employees are prohibited from possessing or carrying a firearm while acting in the course and scope of their employment, either on or off campus property, regardless of whether the employee has a permit to carry a firearm, except as otherwise provided in this policy.

2. Employee reporting responsibility. An employee with a reasonable basis for believing an individual is in possession of or carrying a firearm in violation of this policy has a responsibility to report the suspected act in a timely manner, unless doing so would subject the employee or others to physical harm. Reports should be made to the official designated in the applicable policy included in this report. This policy shall not prohibit prompt notification to appropriate law enforcement authorities when an immediate threat to personal safety exists. Employees shall not make reports of a suspected violation knowing they are false or in reckless disregard of the truth.

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

Exceptions.

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

Authorized uses. This policy does not prohibit:

1. Lawful possession or carry related to an academic use or use at a campus shooting range, such as law enforcement programs, approved in writing by the college or university president; or
2. Transport of an unloaded firearm directly between a parking area or parking facility and the location authorized for its use, or transport of an unloaded firearm directly between a parking area or parking facility and a storage facility provided by the college or university.
3. Possession or carry of a pistol by a visitor who has a lawful permit to carry a pistol pursuant to Minnesota Statutes section 624.714, subd. 1a.

4. Possession or carry of a firearm by a licensed peace officer under Minnesota Statutes section 626.84, subd.1(c) or by a qualified law enforcement officer pursuant to 18 United States Code section 926B, when possession or carry is otherwise authorized by law.

Violations of this policy by students or employees are subject to discipline, up to and including expulsion or termination. Southwest Minnesota State University may refer suspected violations of law to appropriate law enforcement authorities and provide access to investigative or other data as permitted by law.

Anti-Hazing Policy

Southwest Minnesota does not tolerate hazing. Hazing is prohibited for any University-recognized or sanctioned organization, student, or other person associated with an organization operating under the sanction of or recognized by the University. Organizations or individuals found responsible for hazing under this Policy, whether occurring on or off campus, may be subject to disciplinary action by the University, and may also face criminal charges under state law.

For the purpose of this policy, it shall not be a defense that the consent of the minor or student was sought or obtained or that the conduct was sanctioned or approved by the organization.

Hazing is defined as when a person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a minor or student into or with an organization, or for the purpose of continuing or enhancing a minor or student's membership or status in an organization, causes, coerces or forces a minor or student to do any of the following:

1. Violate federal, state, or municipal law or University Policy or Procedure;
2. Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the minor or student to risk of emotional or physical harm;
3. Endure brutality of a physical nature, including whipping, beating, branding, calisthenic or exposure to the elements;
4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment.
5. Endure brutality of a sexual nature;
6. Endure any other activity that creates a reasonable likelihood of bodily injury to the minor or student.

Hazing shall not include reasonable and customary athletic, law enforcement or military training, contests, competition or events.

Aggravated Hazing is defined as when a person commits a violation of hazing that results in serious bodily injury or death to the minor or student; and

1. The person acts with reckless indifference to the health and safety of the minor or students; or
2. The person causes, coerces or forces the consumption of an alcoholic liquid or drug by the minor or student.

Organizational Hazing is defined as when an organization intentionally, knowingly or recklessly promotes or facilitates a violation of hazing or aggravated hazing.

Reporting Violations of Hazing

The University strongly encourages all members of the University community who believe they have witnessed, experienced, or are aware of conduct that constitutes hazing to report the conduct to SMSU's University Public Safety Department, Human Resources, and/or the appropriate police agency. Anonymous reports may also be submitted. This policy and reports made pursuant to this policy do not supersede or replace other reporting obligations mandated by law or University policy.

Enforcement

Reported allegations of hazing will be investigated by the University or other appropriate investigating agencies, and, if violations are found, individuals and organizations will be held accountable by the relevant University entity that has authority over the individual or organization.

Violations may result in disciplinary actions for individuals or organizations, which can include, but are not limited to, recognition, mandatory training or education, loss of salary increase, administrative leave, suspensions, expulsion, revocation of tenure, and/or termination of employment. Such penalties shall be in addition to any other penalties imposed for violating state criminal law or any other University rule or policy.

University Report

The university will maintain a report of all violations of this policy, or of Federal or State laws related to hazing that are reported to the University for the seven (7) previous consecutive years. The University will update the report biannually.

Student Accountability

In line with SMSU's mission and values, the office of Student Conduct works to uphold these community and University standards through interventions in which students are heard, respected, and treated with dignity. These students, including student organization leaders, have the developmental opportunity to participate in fair and impartial resolution processes that encourage personal accountability and responsible decision-making; promote reflection and restoration; and reduce and prevent behavior that undermines student success and community safety.

The Student Code of Conduct:

The student code of conduct sets forth the community standards and procedures that maintain and protect an environment that is conducive to learning and supports SMSU's learning objective.

The code applies to all activities on university premises or university-supported virtual platforms, and during any university-sponsored activity, including Student Organization events and activities, regardless of location. The University may apply the code to behavior which occurs elsewhere when the University can demonstrate a clear and distinct interest as an academic institution regardless of where the conduct occurs, and which;

- Causes substantial disruption to the University community or any of its members,
- Involves academic work or any University records, documents, or identification,
- Seriously threatens the health or safety of any person or
- Constitutes a violation of local, state, or federal law.

Students or student organizations who are found in violation of a code violation(s) may be subject to administrative sanctions ranging from a formal warning or conduct probation to suspensions or expulsion from the University. In addition, other administrative sanctions may include exclusion, housing reassignment, loss of housing and/or loss of privileges. Typically, educational, reflective, and/or restorative outcomes will also be assigned to promote reflection and growth, repair any harm caused, and help the student or student organization recommit to institutional values.

Interim Actions

The office of Student Conduct may impose an interim action(s) regarding a student or Student Organization when, in the professional judgement of the Senior Director or designee, it is necessary to address a threat to health or safety of any person, a threat to property, or a disruption or interference with the normal operations of the University, or when the student is arrested for and or charged with a serious violation of state or federal law.

What to do if you have been the Victim of Sexual Assault, Dating Violence, Domestic Violence, and Stalking:

Upon making a report to the University that you are the victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, the University will provide you with a written explanation of your rights and options. If you or someone you know is the victim of a sexual assault, domestic violence, dating violence, and/or stalking, you should:

1. Go to a safe place.
2. If you are in immediate danger or if you believe there could be an ongoing threat to you or the community, please call 911. For conduct that could also constitute a crime under Minnesota law, a Complainant is encouraged—but not required—to contact the police by dialing 911 or the local police agency in the jurisdiction in which the alleged incident occurred.
3. If you are on campus, contact Southwest Minnesota State University Public Safety at (507-537-7252), or the Title IX Coordinator at (507-537- 6544).
4. If you have been the victim of a sexual assault, you should seek medical attention as soon as possible (Ideally within 120 hours), regardless of whether you report the matter to the police, for evidence collection and prophylaxis and treatment against STIs. Do not bathe, douche, use the toilet, change clothes, eat or drink. Victims can seek medical attention at Avera Regional Medical Center or the University's Health Services.
5. Timely and prompt reporting of a sexual assault within is critical in preserving evidence important in proving a criminal case against the assailant.
6. You have the option to file both a campus report and a police report with the appropriate law enforcement agency. Although SMSU encourages all community members to report crime, victims may decline notification of both the University and law enforcement authorities.
7. If you would like assistance in filing a police report, Southwest Minnesota State University Public Safety staff will assist you.
8. Southwest Minnesota State University has counselors available in the Bellows Academic Building, phone number 507-537-7150. The Director of Public Safety for Southwest Minnesota State University – located in Founders Hall (507-537-7252) can also provide information on additional resources.
9. 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. Victims will receive written notification of the above regardless of whether they chose to report the crime to law enforcement or campus authorities.

10. 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. Southwest Minnesota State University may take actions it deems necessary or appropriate in response to all protection, restraining or no contact orders.

11. You may contact the Minnesota Crime Victims Reimbursement Board at 651-201-7300. The Crime Victims Reimbursement Board provides financial help to victims and their families for losses incurred as a result of a violent crime. You may also visit <https://dps.mn.gov> for additional information.

12. Southwest Minnesota State University will provide written notification to both the victim and respondent of his or her rights and options under Southwest Minnesota State University's Sexual Violence Policy.

Our Commitment to Addressing Sexual Assault/Rape, Domestic Violence, Dating Violence, and Stalking

Southwest Minnesota University prohibits the crimes of domestic violence, dating violence, sexual assault, rape, stalking, or any other forms of nonconsensual sexual activity. Sexual misconduct in any form violates the Student Code of Conduct. SMSU reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the University community.

For a complete copy of Southwest Minnesota State University's 1B.3 Sexual Violence Policy governing sexual misconduct, visit <http://www.minnstate.edu/board/policy/1b03.html>.

There are numerous terms used by Southwest Minnesota State University in our policy and procedures.

Consent is defined in the state of Minnesota's state statute code 609.341 as words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the complainant or that the complainant failed to resist a particular sexual act. A person who is mentally incapacitated or physically helpless, as defined by this statute, cannot consent to a sexual act. Corroboration of the victim's testimony is not required to show lack of consent.

Consent is also defined at Southwest Minnesota State University under the 1B.3 Sexual Violence Policy. Consent is informed, freely given and mutually understood. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. Silence does not necessarily

constitute consent, and past consent to 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.

Defining Sexual Assault/Rape, Domestic Violence, Dating Violence and Stalking

Sexual Assault:

The Clery Act defines Sexual Assault as any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. This includes Rape, Fondling, Incest, and Statutory Rape as defined by the Clery Act, according to University policy. Sexual assault is an offense classified as a forcible or nonforcible sex offense under the Uniform Crime Reporting System of the Federal Bureau of Investigation. Sexual assault includes sexual contact or intercourse with an individual without that individual's consent, including sexual contact or intercourse against an individual's will or in a circumstance in which an individual is incapable of consenting to the contact or intercourse.

The Clery Act defines Rape as the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

- Rape is defined as the penetration, no matter how slight, of the vagina or anus with any part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.

Under MnSCU & Southwest Minnesota State University's 1B.3 Sexual Violence Policy, Subpart B., "Sexual Assault" means an actual, attempted, or threatened sexual act with another person without that person's consent. Sexual assault is often a criminal act that can be prosecuted under Minnesota law, as well as form the basis for discipline under Minnesota State Colleges and Universities (MnSCU) student conduct codes and employee disciplinary standards. Sexual assault includes, but is not limited to:

1. Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as "date rape" or

“acquaintance rape.” This definition also includes coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.

2. Involvement in any sexual act when the victim is unable to give consent.
3. Intentional and unwelcome touching, or coercing, forcing, or attempting to coerce or force another to touch a person’s intimate parts (defined as the primary genital area, groin, inner thigh, buttocks, or breast).
4. Offensive sexual behavior that is directed at another, such as indecent exposure or voyeurism.

In Minnesota state statutes, the phrase sexual assault is not specifically used, but would generally fall within the Criminal Sexual Conduct statutes (609.342-609.3451) of the Minnesota Criminal Code.

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 cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

Domestic violence would also fall within MnSCU/Southwest Minnesota State University’s 1B.3 Policy of 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 may also be called domestic abuse or spousal/partner abuse and may be subject to criminal prosecution under Minnesota state law.

In Minnesota State Statutes, domestic violence would generally fall within the Domestic Assault statute (609.2242) of the Minnesota Criminal Code.

Dating Violence: The Clery Act defines dating violence as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Stalking: Means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others; or (b) suffer substantial emotional distress. For the purposes of this definition—

1. Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.

2. Reasonable person means a reasonable person under similar circumstances and with

similar identities to the victim.

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

Under MnSCU/Southwest Minnesota State University 1B.3 Sexual Violence Policy, 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.

In Minnesota State Statutes, stalking would generally fall within the Stalking statute (609.749) of the Minnesota Criminal Code.

University Procedure for Responding to Reports of Sexual Assault, Domestic Violence, Dating Violence, and Stalking.

Regardless of the type of prohibited conduct or respondent type (student or employee), disciplinary proceedings will provide prompt, fair and impartial investigation and resolution, and be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability. The accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. Both the accuser and the accused shall be simultaneously informed, in writing, of the outcome of any institutional disciplinary proceedings that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking; the institutions procedures for the accused and the victim to appeal the results of the institutional disciplinary proceedings; of any change to the results that occurs prior to the time that such results become final; and when such results become final.

Supportive and Interim Measures

Southwest Minnesota State University has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating/relationship violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of medical, counseling and support services, and additional remedies to prevent contact between a complainant and respondent, such as housing, academic, transportation and working accommodations, if reasonably available. Students and employees should contact the Office of Equal Opportunity and Title IX at 537-6544.

Throughout the process and procedures, the Complainant(s) and respondents(s) shall be offered appropriate supportive measures and protection from retaliation. The Complainant(s) shall also be informed by the Title IX Coordinator or their designee about how to make a formal Complaint to the University under Title IX, and /or a criminal report, and how to file a complaint with the appropriate state or federal agency.

Supportive measures are non-disciplinary, non-punitive, individualized services offered as appropriate and reasonably available, and without fee or charge to the complainant or the respondent before or after filing a formal complaint or where no formal complaint has been filed. The provision of supportive measures will not be conditioned on the complainant's participation in any formal investigation, whether the investigation is initiated by a formal complaint made by the complainant or by the Title IX coordinator. Additionally, the complainant may report the alleged conduct solely for the purpose of receiving supportive measures and may choose to file a formal complaint at a later date, if at all.

University officials will change a victim's academic, living, transportation and working situations and take protective measures after an alleged sex offense, incident of domestic/dating violence or stalking if those changes are requested by the victim and are reasonably available. The University will make such accommodations or provide such protective measures if they are reasonably available, regardless of whether the victim chooses to report the crime to University Security or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with an escort, or assisting the student or employee with developing a safety action plan. The university will provide a written notification to students about options for, Available assistance in, and how to request changes to academic, living, transportation and working situations or other protective measures.

To request changes to academic, living, transportation and/or working situations or protective measures, a victim should begin by contacting the Title IX Coordinator in the Office of Equal Opportunity and Title IX (Founders Hall, 507-537-6544). The Office of Equal Opportunity and Title IX will manage requested changes to academic, living, transportation and/or working situations or protective measures by coordinating with respective University departments, such as: University Security, Academic Affairs, and/or Human Resources. If a victim wishes to receive assistance in requesting these accommodations, she or he should contact the New Horizon Crisis Center. To the extent of the victim's cooperation and consent, University offices, including Student Health Services, Counseling Center, University Security, Office of Equal Opportunity and Title IX, and Residential Life will work cooperatively to assist in protecting the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal University investigation of the complaint. Further, these offices will work together to protect victim privacy and to ensure confidentiality and will assist the victim with reasonable accommodations. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services and assistance in notifying appropriate local law enforcement. Victims may request that directory information on file with the University be withheld by submitting a Data Privacy Request form to the Office of the Registrar.

Regardless of whether a victim has opted out of allowing the University to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally

identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. The University does not publish the names of crime victims nor house identifiable information regarding victims in the University Security Department's Daily Crime Log.

Investigation and Disciplinary Procedures:

Notice of Allegations and Investigation

Both parties will simultaneously receive written notification of the allegations and notice that the University has initiated a formal investigation. The "Notice of Allegations and Investigation" will include:

- a) A reasonably detailed description of the alleged behavior, including the names of relevant parties, description of the alleged offending behavior(s) and the date, time, and locations of the incident(s), if known. It will also include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- b) A statement regarding the standard of evidence to be used in considering the facts and evidence. A "preponderance" standard means that it is more likely than not, based upon the totality of all relevant evidence and reasonable inferences from the evidence, that the Respondent engaged in the Prohibited Conduct.
- c) A statement apprising the party of their opportunity to present relevant facts and witnesses. In all formal investigations, both parties will have an equal opportunity to present information to the investigator, including the names of witnesses and other relevant information.
- d) A description of the University's investigative procedures and a list of the parties' rights, including the right to inspect and review all evidence obtained by the investigator(s) (including evidence upon which the University does not intend to rely in reaching a determination regarding responsibility), and the right for each party to have an Advisor of their choice present at any grievance proceeding or any related meeting.
- e) The range of possible sanctions and remedies.
- f) The bases for appeal and procedures associated with the appeal process.
- g) Information regarding Supportive Measures available to both Complainants and Respondents.
- h) A statement regarding the University Policy prohibiting Retaliation

- i) A statement regarding the University's requirement for all parties that they will not make false statements or knowingly submit false information, as prohibited by University rules and regulations. Within five days of receipt of the Notice of Allegations and Investigation, both parties shall provide the Title IX Coordinator with written notice of their Advisor's name and contact information.

All investigations and disciplinary procedures will be conducted by Southwest Minnesota State University officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. Southwest Minnesota State University officials who conduct investigations and disciplinary procedures will not have any bias or conflict of interest toward either the accuser or the accused.

During procedures used in response to a complaint of sexual violence, complainants are not required to follow any plan of action to prevent the possibility of re-victimization. The process will be respectful of the needs and rights of individuals involved, and they will be treated with dignity. It is never assumed or suggested that the complainant or victim was at fault for the sexual assault or should have behaved differently to prevent the assault. All proceedings will be a prompt, fair, and impartial process from the initial investigation to the final conclusion and will be conducted within reasonable timeframes.

The process will allow for extensions of those timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay. The process will be consistent with these policies and transparent to the accuser and the accused. Timely notice for all meetings at which the accuser or accused may both be present will be provided. The accuser and accused will have equal access to any information that will be used during informal and formal disciplinary meetings and hearings.

Student complainants and respondents will have the same opportunity to have an appropriate support person or advisor present at any interview or hearing, in a manner consistent with the governing procedures and applicable data practices law. Employees have the right to representation consistent with the appropriate collective bargaining agreement or personnel plan. All procedures will be conducted in accordance with applicable due process standards and privacy laws. The complainant and respondent will simultaneously be informed, in writing, of the outcome in a timely manner, as permitted by applicable privacy law. Outcomes will be based on a preponderance of evidence standard, meaning that it is more likely than not that the policy, procedure, or code has been violated. The past sexual history of the complainant and respondent is deemed irrelevant except as that history may directly relate to the incident being considered. A respondent's use of any drug, including alcohol, judged to be related to an offense may be considered to be an exacerbating rather than mitigating circumstance.

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

If a complainant or victim no longer desires to pursue a complaint, Southwest Minnesota State University reserves the right to investigate and resolve the complaint as it deems appropriate. Southwest Minnesota State University reserves the 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 Southwest Minnesota State University.

Sanctions:

Southwest Minnesota State University may, at any time during the report/complaint process, reassign or place on administrative leave an employee alleged to have violated Board Policy 1B.3, in accordance with the procedures in System Procedure 1B.1.1. Such action must be consistent with the applicable collective bargaining agreement or personnel plan.

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

Sanctions that may be imposed if a finding is made that sexual violence has occurred include, but are not limited to, suspension or expulsion of students, or termination from employment for employees. The appropriate sanction will be determined on a case-by-case basis, taking into account the severity of the conduct, the student's or employees' previous disciplinary history, and other factors as appropriate. Witnesses or victims who report in good faith an incident of sexual violence will not be sanctioned by Southwest Minnesota State University for admitting in the report to a violation of the student conduct policy on the use of alcohol or drugs.

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

SMSU 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 the alleged victim is deceased as a result of the crime or offense, SMSU will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Filing an Appeal

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

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

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

Further, Southwest Minnesota State University complies with Minnesota law in recognizing Orders of Protection and Harassment Restraining Orders. Any person who obtains an order of protection from Minnesota or any reciprocal state (Under VAWA's full faith and credit provision, every state must recognize and enforce protection orders issued in other states, as if issued in the enforcing state) should provide a copy to Southwest Minnesota State University Public Safety and the Office of the Title IX Coordinator.

A complainant may then meet with Southwest Minnesota State University Public Safety to develop a Safety Action Plan, which is a plan for campus officials and the victim to reduce the risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.) Southwest Minnesota State University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services.

Protection from abuse orders may be available through the local county court at no cost. Southwest Minnesota State University may issue an institutional no-contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, Southwest Minnesota State University will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal investigation of the complaint.

The university will provide the complainant with referrals on how to apply for a Protective Order or Harassment Restraining Order.

Type of Order	Who Can File for One	Where to go for assistance	Criteria for Order
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Order for Protection (OFP)	<p>Spouses</p> <p>Former Spouses</p> <p>Parents and Children</p> <p>Persons related by blood</p> <p>Persons who live together or who have lived together in the past.</p> <p>Persons who have or had a child in common (born or in utero), regardless of whether they were</p>	<ul style="list-style-type: none"> - Lyon County Courthouse - SMSU University Public Safety Office - WoMens Rural Advocacy Program - Minnesota Guide and File online 	<p>infliction of physical harm, bodily injury, or assault;</p> <p>infliction of fear of imminent physical harm;</p> <p>terroristic threats (Minn. Stat. § 609.713);</p> <p>acts of criminal sexual conduct (Minn. Stat. §§ 609.342, 609.343,</p>
	<p>living together or ever married.</p>	<ul style="list-style-type: none"> - County attorney's office 	<p>609.344, 609.345, 609.3451);</p> <p>interference with an emergency call (Minn. Stat. § 609.78).</p>

Harassment Restraining Order (HRO)	<p>Adult victims of harassment</p> <p>Parent or stepparent of a minor victim</p> <p>Guardian or conservator, includes emergency guardians</p> <p>Emancipated minors</p>	<p>-Lyon County Courthouse</p> <p>-University Public Safety Office</p> <p>-New Horizons Crisis Center</p> <p>-Minnesota Guide and File online</p> <p>-County Attorney's office</p>	<p>a single incident of physical or sexual assault;</p> <p>a single incident of using someone's personal information, without consent, to invite, encourage, or solicit a third party to engage in a sexual act;</p> <p>a single incident of sharing private sexual images of someone without permission;</p> <p>repeated incidents (more than one) of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security or privacy of another (e.g., repeated phone calls, following a person, repeatedly coming to the Petitioner's</p>
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			home after having been asked not to do so); targeted residential picketing; OR a pattern of attending public events after being notified that their presence is harassing to another
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On and Off-Campus Services for Victim Survivors

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

On Campus

Office	Location	Phone Number
Health Services	Bellows Academic Building	507-537-7202
SMSU Public Safety	Founders Hall 1 st Floor	507-537-7252
Title IX Coordinator	Founders Hall 2 nd Floor	507-537-6657
New Horizons Crisis Center	Founders Hall 1 st Floor	507-828-7395
Counseling & Testing Center	Bellows Academic Building	507-537-7150
Student Success Center	Individualized Learning Building	507-537-6484

Marshall, Minnesota Area

Resource	Type	Location	Phone
Marshall Police Department	Law Enforcement	611 W. Main Street	507-537-7000
Avera Marshall Regional Med Ctr	Hospital/ER	300 S Bruce St	507-537-9300
Western Mental Health Center	Mental Health	1212 E College Dr	507-537-3236

New Horizons Crisis Center	Crime Victims Services- Sexual Violence and General Crime	349 W Main Street Suite 3	507-532-5764
WoMens Rural Advocacy Program	Crime Victims Services- Domestic Violence and Human Trafficking	700 N 7 th St	800-639-2350
Avera Marshall Outpatient	Mental Health	1521 Carlson St	507-337-2923
Avera Behavioral Health Unit (Inpatient)	Mental Health	300 S Bruce St	507-537-9318
Mid-Minnesota Legal Aid	Legal Aid		888-360-3666
United Community Action Partnership	Housing and Food Assistance	1400 S Saratoga St	507-537-1416
Southwestern Center for Independent Living	Disability Services	109 S 5 th St Suite 700	507-532-2221
The Journey Center	Mental Health	230 W Lyon St	507-335-2220

Regional, State and National Resources

Minnesota Alliance on Crime: <https://www.mnallianceoncrime.org>

Standpoint: <https://www.standpointmn.org>

Violence Free Minnesota: <https://www.vfmn.org>

Safe Harbor Shelters: <https://www.safeharborshelter.com>

Minnesota Coalition Against Sexual Assault: <https://www.mncasa.org>

Minnesota Haven Victim Notification: <https://www.mn.gov/doc/victims/notification-of-custody-status-and-release/>

Minnesota Vine Victim Notification: <https://www.dps.mn.gov/divisions/ojp/for-crime-victims/finding-help/victim-notification/mn-vine>

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

Safe At Home Address Confidentiality: <https://www.sos.mn.gov/safe-at-home/about-safe-at-home/>

Crisis Text Line 24/7: Text MN to 74171

Culturally Specific Resources

Asian Women Unite Minnesota: <https://www.awum.org>

OutFront MN: <https://www.outfront.org>

Rainbow Therapy: <https://www.rainbowhealth.org>

Minnesota Indigenous Women's Sexual Assault Coalition: <https://www.miwsac.org>

Heart- Muslim Women Support: <https://www.hearttogrow.org>

Crime Stats

Southwest Minnesota State University does have a Public Safety Security Department, and therefore maintains a written daily crime log. The crime log records by date the crime was reported, any crime that occurred within the institution's designated Clery geography, and that is reported to the Public Safety (Security) Department. The information in the crime log contains the nature, date, time and general location of each crime and disposition of the complaint, if known. Southwest Minnesota State University MUST make an entry or an addition to an entry to the log within two business days of the report of the information to the Public Safety (Security) Department, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.

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

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

Southwest Minnesota State University may disclose any information withheld once the adverse effect described above is no longer likely to occur. The institution can withhold only that information that would cause an adverse effect.

The Public Safety Department makes the crime log for the most recent 60-day period open to public inspection during normal business hours. Southwest Minnesota State University must also make any portion of the crime log, older than 60 days, available within two business days or upon request for inspection.

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:

Aggravated Assault – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Aggravated Assault (e.g., victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness).

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.)

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

Burglary – The unlawful entry 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.

Consent - Is informed, freely given and mutually understood. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. Silence does not necessarily constitute consent, and past consent to 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.

Criminal Homicide/Negligent Manslaughter- The killing of another person through gross negligence. As a general rule, any death caused by the gross negligence of another is classified as Criminal Homicide—Manslaughter by Negligence (b).

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

Destruction/Damage/Vandalism of Property - To willfully or maliciously destroy,

damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Domestic Violence- Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, 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.

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, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Hate Crime- A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For this document, bias is a performed negative opinion or attitude towards a group of persons based on their race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability.

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

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

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

Manslaughter by Negligence – The killing of 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.

Motor Vehicle Theft -The theft or attempted theft of a motor vehicle. Note: A motor vehicle is a self-propelled vehicle that runs on the surface of land and not on rails and that fits one of the following property descriptions:

- Automobiles - Sedans, coupes, station wagons, convertibles, taxicabs, or other similar motor vehicles that serve the primary purpose of transporting people
- Buses - Motor vehicles that are specifically designed (but not necessarily used) to transport groups of people on a commercial basis
- Recreational Vehicles - Motor vehicles that are specifically designed (but not necessarily used) to transport people and also provide them with temporary lodging for recreational purposes
- Trucks - Motor vehicles that are specifically designed (but not necessarily used) to transport cargo

Other Motor Vehicles - any other motor vehicles, e.g., motorcycles, motor scooters, trail bikes, mopeds, snowmobiles, or golf carts

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

Murder and Non-Negligent Manslaughter - The willful (non-negligent) killing of one human being by another. As a general rule, any death caused by injuries received in a fight, argument, quarrel, assault, or commission of a crime is classified as Murder and Non-Negligent Manslaughter.

Rape – Is the penetration, no matter how slight, of the vagina or anus, with any bodypart or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

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

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

Sexual Assault with an object - To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Sexual Offense - Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

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.

Forcible Sex Offenses- Any sexual act directed against another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent.

Reported offenses may include:

- **Forcible Rape** - The carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
- **Forcible Sodomy** - Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual Assault with an Object** - To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will where in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. Note: An object or instrument is anything used by the offender other than the offender's genitalia. Examples include but are not limited to a finger, a bottle, a handgun, or a stick.
- **Fondling** - The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against the person's will, where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

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

Sex Offense, Non-forcible

Unlawful, Non-forcible sexual intercourse.

Reported offenses may include:

- **Incest** - Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** - Non-forcible sexual intercourse with a person who is under the statutory

age of consent.

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

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

1. Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as "date rape" or "acquaintance rape." This definition also includes coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.
 2. Involvement in any sexual act when the victim is unable to give consent.
 3. The intentional touching or coercing, forcing, or attempting to coerce or force another to touch an unwilling person's intimate parts (defined as the primary genital area, groin, inner thigh, buttocks, or breast).
 4. Offensive sexual behavior that is directed at another, such as indecent exposure or voyeurism.
- Simple Assault** - An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

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.

Statutory Rape - Sexual intercourse with a person who is under the statutory age of consent.

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

Definitions of Geography

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

On campus- Any building or property owned or controlled by an institution within the same reasonable

contiguous geographic area and used by the institution in direct support of or in a manner related to the institutions educational purpose, including residential halls; and any building or property that is owned by the institution but controlled by another person, is frequently used by the students, and supports institutional purpose.

Note: Statistics for the University housing facilities are recorded and included in both the all on-campus category and the on-campus students housing facilities category.

Non-Campus building or Property- Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an i that is used in direct support of or in relation to the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property - All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus. Southwest Minnesota State statistics do not include crimes that occur in privately owned homes or businesses adjacent to the campus boundaries.

Daily Crime and Fire Log

During normal business hours, the daily crime and fire log for the most recent 60-day period is available for the public to view at the SMSU Department of Public Safety Office located in the basement of Founders Hall. Portions of the log that are older than 60 days are available within two business days.

Offense (Reported by hierarchy)	Year	On-Campus	On-Campus Student Housing Facilities	Non-Campus	Public Property
Murder/Non-Negligent Manslaughter	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Manslaughter by Negligence	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Sex Offense: Rape	2024	7	7	0	0
	2023	2	2	0	0
	2022	3	3	0	0
Sex Offense: Fondling	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Sex Offense: Incest	2024	0	0	0	0
	2023	0	0	0	0

	2022	0	0	0	0
Sex Offense: Statutory Rape	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Robbery	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Aggravated Assault	2024	3	1	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Burglary	2024	3	1	0	0
	2023	0	0	0	0
	2022	2	2	0	0

Motor Vehicle Theft	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Liquor Law Arrests	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Drug Arrests	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Weapons Law Arrests	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0

Weapons Law Violations Referred for Disciplinary Action	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Arson	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Domestic Violence	2024	1	1	0	0
	2023	0	0	0	0
	2022	1	1	0	0
Dating Violence	2024	0	0	0	0
	2023	0	0	0	0

	2022	0	0	0	0
Stalking	2024	5	4	0	0
	2023	2	2	0	0
	2022	0	0	0	0

Hate Crime Notation:

There were (0) hate crimes reported on campus in 2024. “

There were (0) hate crimes reported on campus in 2023.

There were (2) hate crimes reported on campus in 2022. " Destruction/Damage/Vandalism of property Sexual Orientation"

Unfounded: There were no unfounded crimes in 2022, 2023 or 2024

**** Disciplinary actions for liquor law referrals per guidance provided by the Minnesota Attorney General's Office, individuals cited for underage and minor consumption offenses are not considered to be in possession of alcohol and therefore are not in violation of a liquor law under the CLERY Act.

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

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

Sex Offender Registry

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders to register and provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

Information regarding sex offenders that may work or reside on campus can be found on the State Department of Corrections website at <https://coms.doc.state.mn.us/Level3/>. Or the National Sex Offender Registry at <https://www.nsopw.gov>. Information regarding Level 2 offenders is available at the local police department at (507)537-7000.

In Minnesota, convicted sex offenders must register with the Minnesota Bureau of Criminal Apprehension Sex Offender Registration Unit. You can link to this information, which appears on the Minnesota Bureau of Criminal Apprehension Sex Offender Registration Unit website, by accessing the website at <https://por.state.mn.us>.

Safety Tips

On Campus

- Don't walk/jog/run alone, especially at night. 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 with a light out, please report it to the Physical Plant (507-537-7854).
- Be Aware! Keep your head up and do not wear headsets that impair your ability to detect & respond to dangerous situations.
- 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 the sales receipt.
- 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 and Vehicle Security

- 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!
- 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 a well-lighted and well-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!

Protect your dorm or apartment

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

Cybersecurity

- Never give your password to anyone.
- Change your password frequently.
- Do not allow others access to your email account.
- Be wary of anonymous "re-mailers."
- Never leave your computer/laptop unattended.
- Shop online only with companies that you know; check with the Better Business Bureau if unsure.
- Update your virus software regularly, or when new versions are available.
- Do not download files sent to you by strangers or click on hyperlinks from people you don't know.
- Make certain that all your personal information is deleted from your computer prior to disposing of it.

Southwest Minnesota State University

Annual Fire Safety Report



Figure 3: Picture of a wall-mounted fire alarm

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 SMSU 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, conducts at least two 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 Evacuation Procedures, Fire Alarms, and Fire Safety Equipment for all facilities, including Student Housing

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 devices that restrict the operation of 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 use of compressed gas cylinders.
10. 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, 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 an 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 others, evacuate the facility, dial 911 and exit. (If you can, tell an RA or other University Officials immediately that you have seen smoke or fire and its location.)

Fire Alarms and Possible Fires:

Fire drills are mandated by the Minnesota State System Office and State law, and will be conducted each semester to ensure your familiarity with the sound of the alarms and your evacuation options. Whenever the fire alarm sounds, Residence Life staff and Public Safety will ensure that the affected building(s) are evacuated in every instance. To ensure 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.
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 evacuation 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 to 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.

On-Campus Student Housing Fire Safety Systems

Evacuation for People with Disabilities

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

If the 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 who 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)

O Offer to lead them out of the building to safety.

O Give verbal instructions about the safest route or direction using compass directions, estimate distances, and directional terms.

O 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)**

O 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.

O Offer visual instructions to advise of the safest route or direction by pointing toward exits or evacuation maps.

Response to emergencies (mobility impairment)

O 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. If 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

O Notify police or fire personnel immediately about any people remaining

in the building and their locations.

O 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.

In the event of a fire

If you are trapped inside your room

- 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 it slowly and be ready to slam it shut if necessary.
- Check the hallway. If everything is clear, walk to the nearest exit. 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.
- If your room door is hot or smoke is dense in the hall, open the window to vent the room if there is any smoke. If you are on the first or second floor, you may be able to drop to the 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 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.

If your clothes catch on fire

Stop. Do Not Run. Drop to the ground or floor immediately and cover your face with your hands. Roll over back and forth to smother the flames.

Once you have evacuated the area

Notify civil authorities of anyone who may not be able to physically respond to the fire alarm or use sound judgment to evacuate the area. Do not reenter the building until you are told to do so by civil authorities.

Fire Drills

Fire drills are used to familiarize residents with the building's alarm system, emergency exits that may not normally be used, and the procedures for contacting the fire departments. All residents must evacuate when the fire alarm is activated. Residential Life conducts fire drills twice a year, and your cooperation and support are essential during all fires.

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 for the purpose of including them in the annual Security and Fire Safety Report.

Fire Statistics

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 the 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/heoa-compliance.html>

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 the Residential Facilities

SMSU Residential Hall	Year	Total Fires Each Year	Date of Fire	Number of Injuries That Required Medical	Number of Deaths Related to Fire	Value of Property Damage Caused By Fire
HA Complex	2024	0	N/A	0	0	N/A
	2023	0	N/A	0	0	N/A
	2022	0	N/A	0	0	N/A
G Complex	2024	0	N/A	0	0	N/A
	2023	0	N/A	0	0	N/A
	2022	0	N/A	0	0	N/A
GM Complex	2024	0	N/A	0	0	N/A
	2023	0	N/A	0	0	N/A
	2022	0	N/A	0	0	N/A
HB Complex	2024	0	N/A	0	0	N/A

	2023	0	N/A	0	0	N/A
	2022	0	N/A	0	0	N/A
HC Complex	2024	0	N/A	0	0	N/A
	2023	0	N/A	0	0	N/A
	2022	0	N/A	0	0	N/A
Sweetland Hall	2024	0	N/A	0	0	N/A
	2023	0	N/A	0	0	N/A
	2022	0	N/A	0	0	N/A
Foundation Residence Apartments	2024	0	N/A	0	0	N/A
	2023	0	N/A	0	0	N/A
	2022	0	N/A	0	0	N/A

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

Description of On-Campus Student Housing Facility Fire Safety

Southwest Minnesota State University Residential Facilities	Fire Alarm Monitoring Done on Site (by Public Safety)	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placecards	Number of evacuations *fire) drills each calendar year
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HA Complex	X		X	X	X	2
G Complex	X		X	X	X	2
GW Complex	X		X	X	X	2
GM Complex	X		X	X	X	2
HB Complex	X		X	X	X	2
HC Complex	X		X	X	X	2
Sweetland Hall	X	X	X	X	X	2
Foundation Res. Apt	X	X	X	X	X	2

*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 and 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/campuslife/publicsafety/emergencies.html>

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 student's health/welfare dictates 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 ensure 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 intrusive 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 five reasons indicated above, 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 the cleanliness of the room. Prohibited items will be immediately disabled with a locking device or confiscated and donated/discarded if found, without reimbursement.

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.

Description of On-Campus Student Housing Fire Safety Systems

Fire Safety Policies:

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

Prohibited:

1. Unattended cooking is not allowed in rooms or kitchens.
2. Use of open flame cooking devices or hot plates is not allowed in rooms.
3. Microwave ovens, popcorn poppers, toasters, coffee pots or other such devices should not be used under lofts and/or near flammable materials.

4. Light bulbs should be used in approved lamps or holders and be of proper wattage for the device; excessive wattage may result in a fire.
5. Light fixtures must not be tampered with in any way, and items that might serve as conductors of electricity should not be hung from them.
6. Room doors must be able to fully open and be self-closing. Room doors must be closed when the room is left unattended or when the residents of the room are sleeping. Closet doors may not be removed.
7. An emergency aisle of at least 22 inches must be maintained within the room.
8. When arranging furniture, consideration must be taken so that if tipped over, items do not block the door.
9. Kitchen doors must not be propped open.
10. Use power strips/surge protectors with breakers instead of octopus plugs or extension cords. Multi-plugs or extension cords are not allowed.
11. Power strips/surge protectors must be unplugged after use and should not be placed under carpet or attached to, woven through or touching metal in any manner.
12. Students are responsible for notifying the Residential Life staff immediately after identifying problems with smoke detectors.
13. Anyone caught tampering with smoke detectors or fire alarms may face criminal charges.
14. Portable heaters are prohibited in student rooms/apartments.
15. Motorbikes or other motorized vehicles may not be stored in students' rooms or in any residential community.
16. Excessive use of paper on walls is not permitted.
17. Wastebaskets are provided in students' rooms. Garbage receptacles should not be taken from other areas of the hall into students' rooms.
18. Highly combustible materials such as propane, gas, lighter fluid, helium, grills, charcoal and firewood are prohibited.

Candles

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

Burning of Incense, Sage, Sweet Grass, or Cedar

Incense, sage, sweet grass, cedar, hookahs and similar items are not allowed to be burned in residential communities. An exception for the sole purpose of a religious ceremony may be granted with prior approval from your Residence Hall Director within three working days. All requests must be in writing, and students should expect a written response within one business day.

Fire Safety Education:

Fire Drills

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

Fire Safety Equipment

Fire extinguishers are located throughout each building for the protection of the residents. Misuse of fire extinguishers, including breaking or smashing the fire extinguisher glass, will result in disciplinary action by the Department of Residential Life and/or referral to appropriate authorities. State law requires Southwest Minnesota State University to provide smoke detectors and smoke alarms in each residence hall room/apartment. It is a misdemeanor punishable by 90 days in jail and/or \$300 to either remove the batteries or the alarm from its location. While this represents a violation of state law, it also poses a threat to the safety of students living in the residential community and will be considered a violation of the Student Code of Conduct. Most rooms also have a sprinkler system that will automatically turn on in case of fire. The system will continue to operate until turned off by campus personnel or the fire department. This system can be accidentally activated when hit by an object; therefore, take proper precautions not to accidentally bump the system. There must be at least a 36-inch radius around the sprinkler, with no objects placed on or near it. Students will be held financially responsible for costs associated with damage to the sprinkler system. Vandalism/damages may result in disciplinary action, including possible suspension and/or removal from the Residential Life program (as well as restitution).

Evacuation Procedures:

Emergency evacuation routes and severe weather locations are posted in all buildings on each floor throughout campus. Residential Life staff provides fire emergency procedures in the Department of Residential Life Student Handbook.

If you hear an alarm:

1. Close windows, open curtains, and turn on lights.
2. Check for heat on the door and then open it slowly and check for smoke.
3. If smoke is thick and/or fire is present, remain in your room with the door closed. Block the air vents and door cracks with a towel or clothing. Call the Public Safety Security Department at 507- 7252 and identify yourself and your location.
4. If smoke is absent, exit the building using the nearest exit. Close and lock your door when you leave.
5. Stand away from the building and do not re-enter until the all-clear is given by Residential Life staff, Southwest Minnesota State University Public Safety Security staff or civil authorities.

If you see fire:

1. Pull the alarm in hallways
2. Call 911

3. Exit the building. Evacuation procedures are posted in each building

Regardless of 911 reports, all fires that occur on the Southwest Minnesota State University campus property should be reported to the Southwest Minnesota State University Public Safety Security Department.

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. Southwest Minnesota State University Public Safety Security office maintains a Fire Log of all incidents reported.

This log includes the incident type, date the 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 (Security) in Founders Hall.

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. There are no plans within the next year to upgrade any of the residential facilities' fire safety systems or procedures.

WELCOME TO SOUTHWEST MINNESOTA STATE UNIVERSITY



Figure 4: Picture of the Student Center of Southwest Minnesota State University

Campus Map

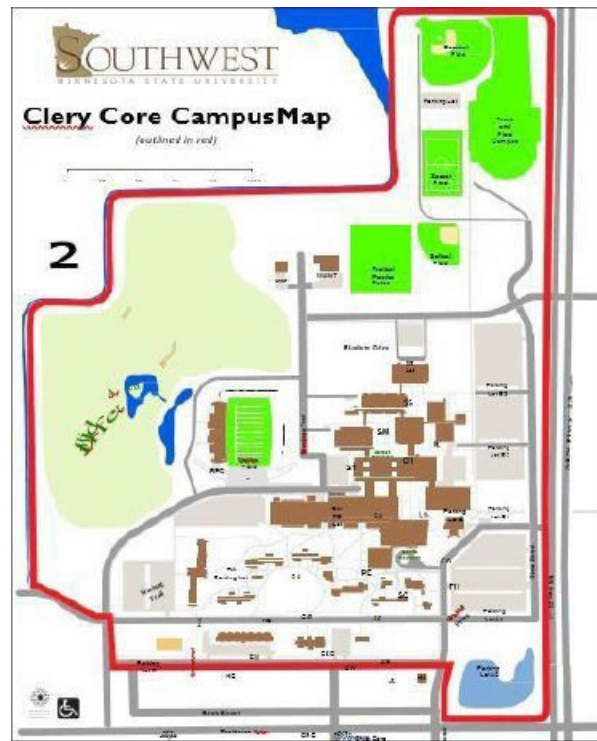


Figure 5 Clery Core Campus Map

