



Fall 2016

Campus Safety and Security Report

Welcome

Anoka Ramsey Community College is committed to the well-being of our campus community including students, employees, and visitors. The college has taken numerous steps to maintain a safe learning environment for all. The college encourages students, employees, and visitors to take appropriate steps to insure their own personal safety. We encourage all to report suspicious individuals, activities, or hazardous conditions immediately.

The Campus Safety and Security Report is available in the Educational Services Rm C205 in Coon Rapids, Human Resources C141 in Coon Rapids, Rm D205 in Cambridge, at <http://www.anokaramsey.edu/about-us/safety-security/> <http://www.anokaramsey.edu/about-us/employment/> or by calling Public Safety at 763-433-1184 or 763-433-1685.

History

In 1990, Congress enacted the Crime Awareness and Campus Security Act (Title II of Public Law 101-542), which amended the Higher Education Act of 1965 (HEA). This act required all postsecondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998 and 2000. The 1998 amendments renamed the law the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in memory of a student who was slain in her dorm room in 1986. The Higher Education Opportunity Act Amendments of 2008, the Violence Against Women Reauthorization Act of 2013, and the 2016 *Handbook for Safety & Security Reporting* from the Dept. of Education, added additional requirements for crime reporting including expansion of hate crimes which must be reported and the requirement of a written campus policy for coordination with local law enforcement.

The Clery Act requires higher education institutions to give timely warnings of crimes that represent a threat to the safety of students or employees and to make public their campus security policies. It also requires that crime data is collected, reported, and disseminated to the campus community and is also submitted to the Department of Education. The goal of the Clery Act is to provide students and their families, as higher education consumers, with accurate, complete and timely information about safety on campus so that they can make informed decisions.

To be in compliance with Clery Act regulations, an institution has several obligations. These fall into three main categories: 1) policy disclosure; 2) records collection and retention; and 3) information dissemination.

Campus Safety and Security Report – ARCC 2016

CAMPUS SECURITY:

ARCC College encourages all students and college community members to be fully aware of safety issues on campus and to take action to prevent and to report illegal and inappropriate activities. Personal awareness and applying personal safety practices are the foundation of a safe community.

Pursuant to the Student Right to Know and Campus Security Act, ARCC monitors criminal activity, publishes this report, and maintains a three-year statistical history of crime reports. The College posts this report on the college web site <http://www.anokaramsey.edu/publicsafety> and sends the annual report to students and employees via email in September and February of each year. Prospective students and employees will be notified of its availability, and will be provided a copy of the report upon request.

ARCC has a variety of policies, procedures and plans relating to campus safety and security. These provide the frame work for providing a safe campus. They are frequently updated. Such changes may appear in successive issues of this report. Questions on campus safety and security concerns may be submitted to the Director of Public Safety.

CRIME REPORTING POLICIES:

Reporting Policies:

- The Public Safety Office, located in C107 in Coon Rapids and D216 in Cambridge is the focal point to which criminal reports should be made. Everyone on campus (including students, faculty, staff and visitors) are encouraged to report **immediately** any and all potentially criminal activity to the Public Safety Office and/or the Coon Rapids Police Department (Coon Rapids Campus) or Cambridge Police Department (Cambridge Campus) by calling 911. Individuals reporting incidents to the ARCC Public Safety Office who also wish to file a complaint with the police will be provided with assistance.
- ARCC normally requires a written complaint to begin the investigation process. ARCC also normally requires the assistance of the complainant in the school disciplinary process. ARCC will make exceptions when necessary, including cases presenting clear danger to the victim and/or the college community.
- ARCC will issue an annual report of criminal reports made to Public Safety and other law enforcement agencies for crimes occurring on campus property, on public property adjacent to the campus, and non-campus locations controlled by the college. The Director of Public Safety maintains the reports, crime logs and prepares the annual report. Crime logs are available at the Coon Rapids Public Safety Office or by calling the Public Safety Director. Incident summaries are available in 90 day increments and are updated on a monthly basis.
- ARCC student organizations do not own or control any non-campus buildings or property but must report any violation of laws or college policies to Student Organization Advisory or the Department of Public Safety.
- The Director of Public Safety serves as the primary liaison for ARCC with all law enforcement and emergency response agencies.

When reports of crimes that maybe an ongoing threat is received, the Director of Public Safety and/or an on-duty administrator with coordination with the Vice President of Administration and Finance, will evaluate to determine if an ongoing threat to students and employees continues to exist. If a threat continues to exist, a warning will be sent out informing the campus community. See Timely Warning section.

Reporting Procedures:

- All criminal activity occurring on campus should be reported **immediately** to 911 followed by Public Safety (x1240 in CR and x1840 in CC). Public Safety will assist the complainant in completing criminal reports if requested. These reports will also be forwarded to the appropriate law enforcement agency with jurisdiction. In appropriate cases, reports will also be shared with the Dean of Students for disciplinary actions. Public Safety will assist local law enforcement agencies with investigations.
- Every effort should be made to ensure that physical evidence is maintained and protected. Immediate reporting of crimes will assist in preserving evidence.

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

- Call Public Safety (x1240 in CR and x1840 in CC) or the Coon Rapids Police Department (Coon Rapids Campus) or the Cambridge Police Department (Cambridge Campus) by calling 911 for any emergency including medical assistance, fires, suspicious people or activities, crime reports, traffic accidents, or other illegal activities; (911 calls are also networked with Public Safety)
- Obtain a description of the offender(s), including gender, age, race, hair, clothing, and other distinguishable features. Attempt to obtain a description and license number of any vehicle involved. Note the geographic direction taken by offenders or vehicles and report those to Public Safety and law enforcement agencies;
- Preserve the crime scene: Do not touch any items involved in the incident. Close off the area of the incident and do not allow anyone in the crime area until police arrive.

Campus Security Authorities:

All employees, faculty or staff members who become aware of an allegation of violation of college policy, student code of conduct, civil or criminal law should report the allegation to their supervisor and Public Safety. The following people with significant responsibility for student and campus activities must report criminal activity of which they are aware to Public Safety: Diversity Director, Athletic Coordinator, Counselors, Human Resources Director, Deans of Student Affairs, Student Activities Director, and Director of Student Development and others. These personnel are considered Campus Security Authorities (C.S.A.s) and will be annually trained on proper reporting procedures. These individuals should not attempt to investigate, but should instead report and allow Public Safety to investigate and/or refer to local law enforcement agencies for investigation.

Bystanders:

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

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

Counselors may be asked to provide information relating to crimes on campus, including the victim’s Bill of Rights and school and community provided resources, but may continue to honor the confidentiality of victims.

College’s Response to Reports:

- All allegations will be investigated. These investigations may be made in conjunction with the appropriate law enforcement agencies who have jurisdiction.
- Reports will be classified by the Director of Public Safety in conjunction with the appropriate law enforcement agency according to the FBI Uniform Crime Reporting Definitions.
- When alleged perpetrators are identified as students, the case will be forwarded to the Dean of Student Affairs for investigation and appropriate action. Employee allegations will be referred to Human Resources for investigation and appropriate action. Criminal investigation, arrest and prosecution can occur independently, before, during or after the student or employee disciplinary process.

TIMELY WARNING:

The College will issue a timely warning to members of the campus community in cases where it is determined that an ongoing threat to students and employees continues to exist. In such cases, warnings will be made by methods that most effectively fit the situation. Based on the situation, the following methods of warning may be selected: campus Emergency Notification System, Star Alert text messaging system, the college website, flyers on doors, announcements on campus hallway electronic signage systems, in-person class announcements, e-mail, news releases, in person contact, community meetings and/or voice mail.

Public Safety highly recommends that all students enroll in the **Star Alert** system to ensure timely notifications during emergencies, to include warnings and school closing alerts.

POLICIES CONCERNING SAFETY OF AND ACCESS TO CAMPUS FACILITIES:

Personal Security Recommendations:

- Public Safety staff is available to assist you in protecting yourself by providing regular foot and/or vehicle patrols, safety and security programs, as well as various safety and security posters and brochures. However, only you can protect yourself by being aware of your surroundings and taking appropriate steps in preventing crime from happening.
- Escort Service: The ARCC Public Safety department provides an escort service, particularly during hours of darkness, for persons walking to their vehicle. Contact the Public Safety department at x1240 in CR and x1840 in CC or Campus Hallway phones to request an escort. Anyone that has personal safety concerns is encouraged to contact the Director of Public Safety regarding assistance and services that are available on campus.
- Building Hours: The campus maintains regular hours when buildings are open to the public. All personnel and visitors are expected to depart the building within 30 minutes of college closing times.

Protect your property:

- Do not loan your keys to anyone--even a classmate or a friend. They may not be careful with them and may misplace them, giving the wrong person access.
- Do not leave your keys lying around in public places or in your jacket pocket when you are not wearing it.
- 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.
- Participate in Operation Identification by engraving your Operation Identification number on your valuables through local police.
- Personal property (purses, briefcases, calculators, portable computer equipment, etc.) should never be left unattended. Take such items with you if you are leaving the area.
- Always lock your door whenever you leave your office. Always lock your car doors.
- Protect all valuables in your office or classroom. Do not leave valuables in plain view.
- Always lock your bike. There are several good anti-theft devices available. Case hardened heavy locks and chains afford the best protection.

Protect your automobile:

- Always lock your car doors and never leave your keys in the vehicle
- Try to park your car in a well-lit area
- Avoid leaving property where it is visible
- Put valuables in the trunk

Protect yourself at night:

- Avoid walking alone at night--walk with a classmate to your car
- Refrain from taking shortcuts, walk where there is plenty of light and traffic
- Preprogram your cellphone with 911; you can also list a **ICE** contact; **ICE – In Case of Emergency**

Protect yourself walking and jogging:

- Avoid walking and jogging alone after dark.

- Walk along well-lit routes.
- Be alert to your surroundings. If you suspect you are being followed, run in a different direction, go to the other side of the street and yell for help, or head quickly for a lighted area or a group of people.
- Have your keys ready when returning to your car and keep your personal or valuable items concealed and close to your body.

Help us protect you:

Watch for suspicious persons in and around college buildings and parking areas. Do not pursue them. Call ARCC Public Safety officers immediately at x1240 in CR and x1840 in CC. After hours, call 911.

Suspicious activity:

- If you observe any suspicious activity or people on or near campus do not assume that what you observe is an innocent activity and report it.
- Do not assume the person is a visitor or college staff member that you have not seen before.

Suspicious people may be:

- Loitering about at unusual hours and locations
- Exhibiting unusual mental or physical symptoms; Person(s) could be under the influence of drugs or otherwise needing medical or psychiatric assistance
- Exhibiting threatening behavior or stalking.
- Carrying property that might be suspicious, depending on the circumstances, or going from room to room trying to open unlocked doors

Security Considerations of Campus Facilities:

Building access and maintenance:

- The College campus is for the use of students, faculty, staff and visitors and those on official business with ARCC. Individuals on campus are required to present identification upon request of Public Safety or campus staff.
- Access to campus buildings is limited to normal business hours and other pre-approved activities.
- Students, faculty, staff and visitors are encouraged to report needed repairs.

Policies and procedures for safe access to buildings:

- Keys and card access are issued to authorized faculty, staff, and contractors.
- Exterior building doors should not be blocked open.
- Fire or other alarms should be taken seriously. Building evacuation is mandatory for all fire alarms. Only Public Safety or the on-scene incident commander can authorize reentry or cancel an evacuation.

POLICIES CONCERNING LAW ENFORCEMENT:

- Public Safety personnel are employees of the college and contracted vendors; per policy they cannot be POST certified sworn peace officers. Public Safety staff is authorized, when appropriate, to make a citizen's arrest. Typically, such arrests are made only to detain individual(s) for serious offense(s) until arrival of local law enforcement representatives. Security officers have a right to defend themselves in matters involving self-defense.
- **Report as much detail as possible to ensure accurate reporting.** If you are a victim of a crime, your immediate recall of the event is often the best. Write down as much information as you can remember after a crime. If you cannot identify the perpetrator by name, try to recall as many details as possible.

PROGRAMS TO EDUCATE ARCC COMMUNITY REGARDING SECURITY:

Educational Programming on Campus:

- ARCC strongly encourages students and employees to be responsible for your own security and the security of others
- The ARCC Public Safety department provides assistance in presenting programs on campus security and safety. Including educational programs in the area of crime prevention, emergency response plan, sexual assault awareness, personal safety, fire prevention, green dot program etc. Public Safety has available, at no cost, brochures, flyers, and pamphlets concerning various safety and security.

CRIME STATISTICS:

Crime statistics for ARCC are reported in two separate geographic locations. The Coon Rapids Campus at 11200 Mississippi BLVD NW. including the ARCC Nature Area and Professional Workforce Center. The second location is the Cambridge Campus at 300 Spirit Drive and adjacent Spirit River Nature Trails in Cambridge. See attached aerial photos.

Crime statistics were provided by the Cambridge and Coon Rapids Police Departments based on the FBI Uniform Crime Reporting Act.

ARCC Coon Rapids campus and Cambridge campus does not have residential student housing.

<i>Crime Statistics for the Coon Rapids Campus 2014 - 2016</i>				
Alleged Criminal Activity (does not necessarily constitute arrest or conviction)				
Category	Venue	2014	2015	2016
Murder	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Negligent Manslaughter	On Campus	0	0	0
	Non-Campus		0	0
	Public Property	0	0	0
Non-Negligent Manslaughter	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Sexual Assault (Rape, Fondling, Incest, Statutory Rape)	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Domestic Violence	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Dating Violence	On Campus	0	1	0
	Non Campus	0	0	0
	Public Property	0	0	0
Stalking	On Campus	0	3	4
	Non Campus	0	0	0
	Public Property	0	0	0
Robbery	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Aggravated Assault	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Burglary	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Motor Vehicle Theft	On Campus	0	0	0

	Non Campus	0	0	0
	Public Property	0	0	0
Arson	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Theft: Non-bias/Hate	On Campus	0	12	9
	Non Campus	0	0	0
	Public Property	0	0	0
Bias/Hate Crimes				
Category	Venue	2014	2015	2016
Larceny-Theft	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Simple Assault	On Campus	0	0	1
	Non Campus	0	0	0
	Public Property	0	0	0
Intimidation	On Campus	0	4	0
	Non Campus	0	0	0
	Public Property	0	0	0
Vandalism/Destruction/Damage	On Campus	0	1	0
	Non Campus	0	0	0
	Public Property	0	0	0
Arrests				
Category	Venue	2014	2015	2016
Liquor Law Violation	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Drug Law Violation	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Weapons Violation	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Disciplinary Referrals				
Category Disciplinary referrals for:	Venue	2014	2015	2016
Liquor Law Violation	On Campus	0	0	0
	Non Campus	0	0	0

	Public Property	0	0	0
Drug law Violation	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Weapons Violation	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0

<i>Crime Statistics for the Cambridge Campus 2014 - 2016</i>				
Alleged Criminal Activity (does not necessarily constitute arrest or conviction)				
Category	Venue	2014	2015	2016
Murder	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Negligent Manslaughter	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Non-Negligent Manslaughter	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Sexual Assault (Rape, Fondling, Incest, Statutory Rape)	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Forcible Sex Offenses	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Non-Forcible Sex offenses	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Domestic Violence	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Dating Violence	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Stalking	On Campus	0	1	0
	Non Campus	0	0	0
	Public Property	0	0	0
Robbery	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0

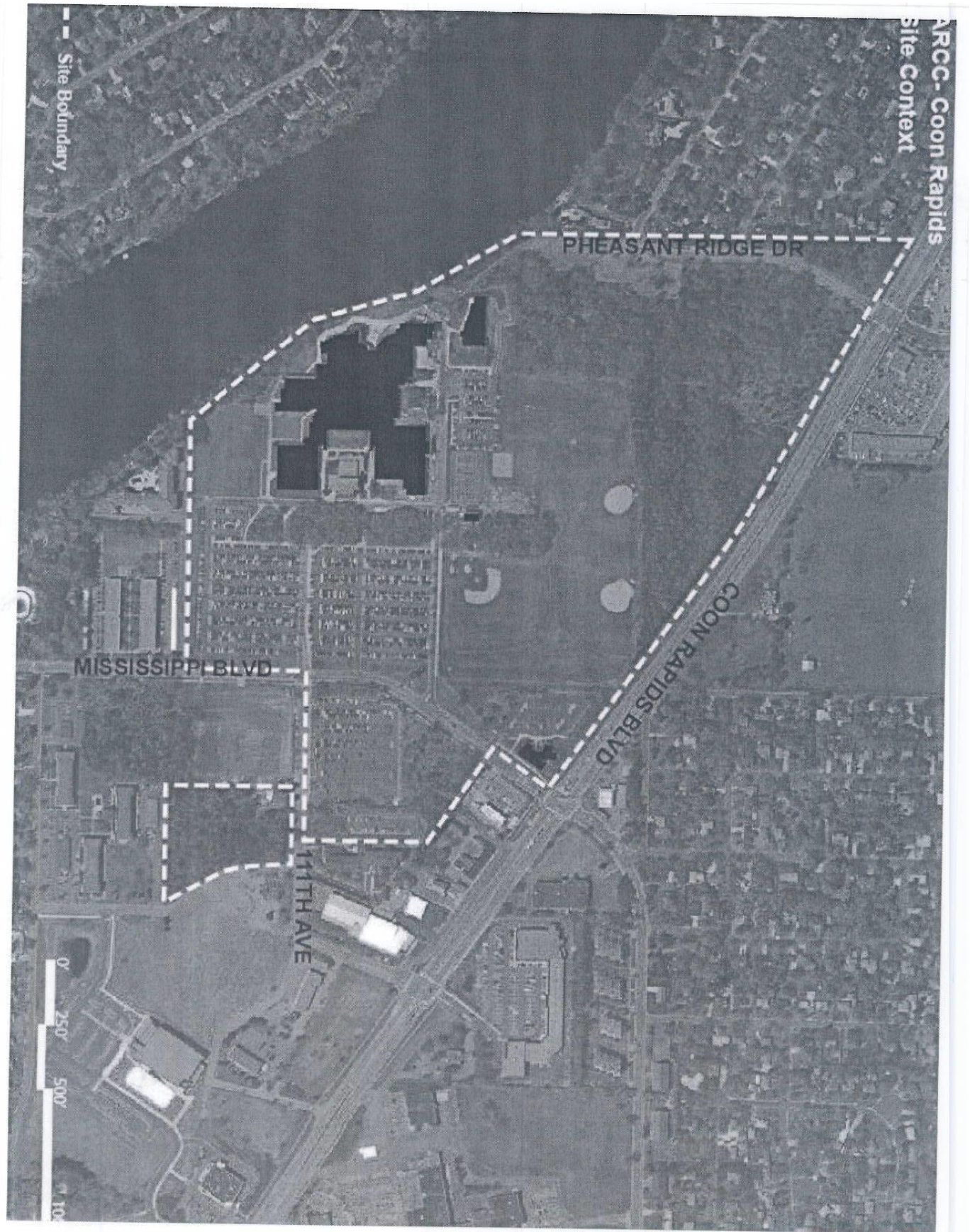
Aggravated Assault	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Burglary	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Motor Vehicle Theft	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Arson	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Theft: Non-bias/Hate	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Bias / Hate Crimes				
Category	Venue	2014	2015	2016
Larceny-Theft	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Simple Assault	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Intimidation	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Vandalism/Destruction/Damage	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Arrests				
Category	Venue	2014	2015	2016
Liquor Law Violation	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Drug Law Violation	On Campus	0	0	4
	Non Campus	0	0	0
	Public Property	0	0	0
Weapons Violation	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0

Disciplinary Referrals				
Category Disciplinary referrals for:	Venue	2014	2015	2016
Liquor Law Violation	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Drug law Violation	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Weapons Violation	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0

Cambridge Campus



Coon Rapids Campus



MONITORING AND RECORDING ACTIVITY AT OFF-CAMPUS LOCATIONS:

- All ARCC recognized organizations that are off-campus will be monitored by local law enforcement agencies. Just because a facility or organization is located off-campus (i.e. conference or class) does not mean activity at that location is not monitored. Such activity is monitored by local law enforcement agencies which shares information with ARCC.
- ARCC includes off-campus student organizations' crime statistics in its annual report as part of the crime at ARCC.

POLICY REGARDING ALCOHOLIC BEVERAGES ON CAMPUS AND ENFORCEMENT OF UNDER-AGE DRINKING LAWS:

- Minnesota State Board Policy 5.18 establishes standards for alcoholic beverages on campus. ARCC forbids the use (consumption), possession, manufacture, sale, transportation or furnishing of alcoholic beverages on campus. This prohibition of possession or consumption of alcoholic beverages on campus applies regardless of age. The only exception is authorized use for special functions/events which have been pre-approved by the ARCC President.
- ARCC enforces the Minnesota drinking laws, including the prohibition of use by persons under 21 years of age, and College policy.
- If the suspect is underage, local law enforcement will be called for assistance.

POLICY REGARDING DRUGS ON CAMPUS AND THE ENFORCEMENT OF FEDERAL AND STATE DRUG LAWS:

- ARCC forbids the possession, use, or sale of illegal drugs on campus. This includes but is not limited to possession, sale, and use, growing, manufacturing and making of narcotic drugs.
- ARCC enforces both Minnesota and Federal drug laws regarding the use, possession, and sale of illegal drugs.

DRUG AND ALCOHOL ABUSE EDUCATION PROGRAMS:

The purpose of this policy is to set forth the College's policy regarding alcohol and other drug use, including unlawful drug use or abuse in the workplace in accordance with the Drug Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D) and Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101-226). The Drug and Alcohol Free Campus Policy is on page 21 of this publication.

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

The College encourages and provides reasonable assistance to any student, faculty or staff member who seeks information on chemical dependency or treatment for chemical dependency. Various departments, including Public Safety, Advising, Counseling, & Career Center, and Human Resources, provide information and referral to prevention programs for those seeking help with substance abuse.

EMERGENCY RESPONSE, NOTIFICATION AND EVACUATION:

- Emergency notification applies to a wide range of threats such as crimes, gas leaks, highly contagious viruses, or severe weather situations. In such cases, emergency notifications will be made by methods that most effectively fit the situation. Based on the situation, the following methods of warning may be selected: campus public address systems, the college website, flyers on doors, announcements on campus hallway electronic signage systems, in-person class announcements, e-mail, news releases, in person contact, community meetings and/or voice mail. Everyone is encouraged to sign-up for Star Alert by going to <http://www.anokaramsey.edu/about-us/safety-security/> and clicking "Star Alert".
- The College will issue a timely warning to members of the campus community in cases where it is determined that an ongoing threat to students and employees continues to exist. The Director of Public Safety, Vice President of Administration and Finance, and/or an On-Duty administrator will normally make the initial evaluation to confirm there is a significant emergency or threat. Immediate notification for events such as severe weather, fire, lockdown situations, etc. will normally be made on the campus Emergency Notification System. Emergency response teams will be activated to complete additional notifications and response actions based on the nature of the emergency. The campus Emergency Response Plan outlines procedures and responsibilities in response to campus emergencies. Additional notifications will be made by or in coordination with emergency response agencies having operational control of the emergency response.

Emergency Situation Training, Drills and Exercises:

- Training, drills and exercises are conducted at various times of the year to insure members of the campus community are aware of actions to be taken in the event of emergency situations. These activities include individual, group or campus wide training. College employees may be assigned special duties and/or responsibilities for emergency response and will receive training to complete these actions. Students and other persons that may be on campus during an emergency cannot be expected to have training on campus emergency procedures. All employees are expected to assist in directing students and others on proper actions during emergency situations.
- Annually, a number of drills are scheduled to help train the campus community on procedures for fire, severe weather/tornado and shooter on campus (lockdown) emergencies. These trainings and drills may include walkthroughs and table tops with local emergency responders up to full scale evacuations/lockdowns. Other times, a faculty member or supervisor may simply review procedures with an individual, class or work group.
- Fire Drills: Drills will normally be conducted annually. Instructors in classes not in session during drills will discuss procedures with each class during the same week of the drills.
- Severe Weather/Tornado Drills: Training will normally be conducted annually in conjunction with State of Minnesota testing in April. Instructors in each class will discuss the weather/tornado warning system and where the nearest safe areas are located in the building.
 - ARCC takes guidance from the document "Action Guide for Emergency Management at Institutions of Higher Education" by the US Department of Education

POLICY REGARDING SEXUAL ASSAULT PROGRAMS AND PROCEDURES:

Policy

- ARCC's policy on sexual abuse is governed by the Minnesota State policy. In support of the system policy, ARCC reaffirms the policy that sexual abuse will not be tolerated. Every effort will be made to assure that all members of the college community are provided an atmosphere free from sexual abuse. To prevent sexual abuse educational efforts will be undertaken to inform employees and students of their responsibilities regarding such behavior, how to identify and eliminate potential sexual abuse and what steps can be taken if instances of sexual abuse are experienced.
- ARCC conducts programs aimed at preventing sexual offenses and making the community aware of the potential of such crimes. These programs include evening security patrols of the campus, providing escorts, inspecting the campus for potentially dangerous areas and implementing programs to inspect campus lighting and shrubbery. In addition, educational programs concerning sexual assault awareness are provided by ~~Counseling~~ Green Dot Program, and the Public Safety Dept.
- A guiding principle in the reporting of sexual assault is to avoid re-victimizing the sexual assault survivor by forcing the person into any plan of action. Sexual assault survivors may contact any one of several ARCC departments or community services for assistance. The following resources provide immediate aid or on-going consultation for survivors of sexual assault.

Contact Numbers:

Public Safety: (763) 433-1184

CR Dean of Students: (763) 433-1240

CC Dean of Students: (763) 433-1840

Alexandria House: (763) 780-2330

Anoka Co. Victim/Witness Service: (763) 323-5728

Isanti Co Sexual Assault Service: (763) 689-8346

Mille Lacs Co P.E.A.R.L: 1-800-522-2055

The Refuge: 1-800-338-7233

Procedure:

- **Call 911 as soon as possible after the offense, then notify campus security. Please remember it is most important to preserve evidence.** Do not bathe, douche, use the toilet, or change clothing. Note everything about the location. If you have been sexually assaulted, you should seek medical attention immediately regardless of whether you report the matter to the police.
- Every attempt is made to maintain the anonymity of the sexual assault survivor. Every attempt will be made not to release names to the media. Unless requested by the sexual assault survivor, names and addresses of survivors are released to the Police Department. Public Safety will attempt to provide support and advice for sexual assault survivors. Each report of sexual assault

will be investigated in order to provide better protection to the survivor of a sexual assault and all members of the campus community. Sexual assault survivors should be aware of the need of the College to release information regarding the fact that an assault has occurred for the protection and safety of others.

The Public Safety Office will be the office of official record for reports of sexual assault, as it is in all reported law violations. Students, faculty and staff are encouraged to contact the Public Safety Office to report any information regarding assaults.

Sexual assault survivors have the right to have reports made anonymously (third party) to the police department. Public Safety will assist the survivor in making this report if the survivor so wishes. In these situations, the name of the complainant will not be forwarded. Third party reports may prevent the College and police department from actively investigating the criminal activity.

If the H.R Department, Director of Public Safety, Vice President of Administration and Finance, and on-duty administrator determines that a threat continues to exist for the community, information about the reported sexual assault will be reported to the campus community whether reported by a sexual assault survivor or through a third-party report. As much detail as possible regarding location, date and time of the assault, and any information which might help identify the assailant will be reported. The Public Safety Office will inform the campus community of the reported sexual assaults by appropriate notices.

The College will take appropriate action to safeguard the alleged survivor and, at the same time, protect the rights of the alleged perpetrator. If the survivor of a sexual assault requests, the College will attempt to provide, if reasonably available, a change in classes.

Sex offender information is available from Minnesota Department of Corrections web site www.doc.state.mn.us. This site provides information on sex offender programs and status of sex offenders in the state. Contact the Director of Public Safety with any questions regarding sex offenders on campus.

Procedures for Campus Disciplinary Action for Sex Offenses:

- The College disciplinary process is an option for any person wishing to report a case of student misconduct. In order for ARCC to precede a written complaint (whether by the victim or a third party) must be filed with the Dean of Student Affairs. If the complaint is criminal in nature, it will also be forwarded to Public Safety and law enforcement.
- There are different standards of proof in the student conduct proceeding than in the possible criminal action. The student conduct proceeding determines whether the accused's status as a student will be altered, whereas the criminal process determines if there will be limitations on the accused's liberty. As there are different standards and the purpose of each proceeding is different, ARCC encourages students who are the victims of sexual assault to go forward with the college process.
- Both the accuser and the accused are entitled to have others present (an advocate or advisor) during the disciplinary proceeding. This person may not, however, speak in your place or ask questions of witnesses.
- Both the accuser and accused shall be informed of the outcome of the college disciplinary proceeding concerning the complaint of sexual offense. Generally, this information should not be disclosed to the public.
- Sanctions following a college disciplinary proceeding include but are not limited to expulsion or suspension.

HARASSMENT AND DISCRIMINATION REPORTING PROCESS

Director of Human Resources: Jay Nelson (763) 576-4054

ARCC will not tolerate harassment, discrimination or sexual violence toward its students, faculty or staff. In all its forms, harassment, discrimination, sexual violence and assault violate fundamental rights and the law giving cause for disciplinary action, including dismissal or expulsion.

Harassment and discrimination can happen to anyone in any place. Harassment and discrimination are not the victim's fault. ARCC has established policies and procedures to handle such incidents in a timely manner. If you see or experience harassment, discrimination or assault at ARCC, please report the incident. Supervisors are charged with promoting and maintaining an atmosphere which properly deters and responds to harassment, discrimination and sexual violence. Administrators and supervisors must report these incidents to the

Director of Human Resources in a timely manner.

The College's concern is to provide appropriate support to the victim while recognizing the rights of the accused. Every effort will be taken to ensure confidentiality and provide effective remedies, including protection of victims and witnesses from retaliation.

Definitions of Discrimination and Harassment:

Minnesota State Policy 1B.1 Nondiscrimination in Employment and Education Opportunity:

Minnesota State is committed to a policy of nondiscrimination in employment and education opportunity. No person shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in, programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, or gender expression, or membership or activity in a local commission as defined by law.

Harassment of an individual or group on the basis of race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, or gender expression, or membership or activity in a local commission has no place in a learning or work environment and is prohibited. Sexual violence has no place in a learning or work environment. Further, Minnesota State shall work to eliminate violence in all its forms. Physical contact by designated system, college, and university staff members may be appropriate if necessary to avoid physical harm to persons or property.

This policy is directed at verbal and physical conduct that constitutes discrimination/harassment under state and federal law and is not directed at the content of speech. In cases in which verbal statements and other forms of expression are involved, Minnesota State will give due consideration to an individual's constitutionally protected right to free speech and academic freedom. The system office, colleges and universities shall develop and implement a complaint process to review complaints of discrimination/harassment or sexual violence. This policy supersedes all existing system, college, and university nondiscrimination policies.

Racial Discrimination/Harassment

Part 1: Definitions.

Subpart A. Racial discrimination is prohibited by state and federal law. Racial discrimination is defined as conduct that is directed at an individual because of his/her race, color, or national origin or that of his/her spouse and that subjects the individual to different treatment by agents or employees so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges provided by the system or colleges and universities or otherwise adversely affects the individual's employment or education.

Subpart B. Racial harassment is a form of race discrimination which is prohibited by state and federal law. Racial harassment is defined as verbal or physical conduct that is directed at an individual because of his/her race, color, or national origin or that of his/her spouse and that is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of creating a hostile work or educational environment. Racial harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student and student, staff and student, employee and employee, and other relationships with other persons having business at or visiting the educational environment.

Sex Discrimination/Harassment and Violence

Part 2: Definitions.

Subpart A. Sex discrimination is prohibited by state and federal law. Sex discrimination is defined as conduct that is directed at an individual because of his/her gender or that of his/her spouse and that subjects the individual to different treatment so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges provided by the system or colleges and universities or otherwise adversely affects the individual's employment or education.

Subpart B. Sexual harassment is a form of sex discrimination which is prohibited by state and federal law. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, evaluation of a student's academic performance, or term or condition of participation in student activities

- or in other events or activities sanctioned by the college or university; or
- Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions or other decisions about participation in student activities or other events or activities sanctioned by the college or university; or
- Such conduct has the purpose or effect of threatening an individual's employment; interfering with an individual's work or academic performance; or creating an intimidating, hostile, or offensive work or educational environment.

Sexual harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student to student, employee to employee, and other persons having business with or visiting the educational environment. Sexual harassment may occur when it is directed at members of the opposite gender or when it is directed at members of the same gender. It includes, but is not limited to:

- unwelcome pressure for sexual activity;
- unwelcome, sexually motivated or inappropriate patting, pinching, or physical contact; physical contact may be appropriate, if necessary to restrain individuals to avoid physical harm to persons or property;
- demands for sexual favors or promises of preferential treatment with regard to an individual's employment or educational status accompanied by implied or overt threats concerning an individual's employment or educational status; or
- Unwelcome behavior or words of a sexual nature directed at an individual because of gender.

Subpart C. Sexual violence: Acts of sexual violence are criminal behaviors and create an environment contrary to the goals and missions of the system and colleges and universities. Acts of sexual violence include:

1. Forcible acts, which include non-consensual sexual contact, and/or sexual contact in which the victim is incapable of giving consent (such as when the complainant is under the influence of alcohol or drugs);
2. Non-forcible sex acts such as incest and statutory rape; and
3. The threat of an act of sexual violence. Sexual violence may include, but is not limited to:
 - touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
 - coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
 - coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
 - threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

Subpart D. Sexual harassment and violence as sexual abuse: Under certain circumstances, sexual harassment or violence may constitute sexual abuse according to Minnesota law. In such situations, the system office and colleges and universities shall comply with the reporting requirements in M.S. Section 626.556 (reporting of maltreatment of minors) and M.S. Section 626.557 (Vulnerable Adult Protection Act). Nothing in this policy will prohibit the system office or any college or university from taking immediate action to protect victims of alleged sexual abuse.

Subpart E. Nonconsensual Relationships. Substantial risks are involved even in seemingly consensual romantic/sexual relationships where a power differential exists between the involved parties. The respect and trust accorded a faculty member or other employee by a student, as well as the power exercised by faculty in giving grades, advice, praise, recommendations, and opportunities for further study or other forms of advancement may greatly diminish the student's actual freedom of choice concerning the relationship. Similarly, the authority of the supervisor to hire, fire, evaluate performance, reward, make recommendations, assign and oversee the work activities of employees may interfere with the employee's ability to choose freely in the relationship. Further, it is inherently risky where age, background, stature, credentials or other characteristics contribute to the perception that a power differential exists between the involved parties which limits the student or employee's ability to make informed choices about the relationship. Claims of a consensual romantic/sexual relationship will not protect individuals from sexual harassment charges nor guarantee a successful defense if charges are made. It is the faculty member, supervisor or staff who will bear the burden of accountability because of his/her special power and responsibility, and it may be exceedingly difficult to use mutual consent as a defense. Therefore, all employees should be aware of the risks involved in entering into a romantic/sexual relationship where there is a superior/subordinate relationship.

Sexual Orientation Discrimination/ Harassment

Part 3: Definitions.

Subpart A. Sexual orientation discrimination is prohibited by state law. Sexual orientation discrimination is defined as conduct that is directed at an individual because of his/her sexual orientation and that subjects the individual to different treatment by agents or employees so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges

provided by the system, colleges and universities or otherwise adversely affects the individual's employment or education.

Subpart B. Sexual orientation harassment is a form of sexual orientation discrimination which is prohibited by state law. Sexual orientation harassment is defined as verbal or physical conduct that is directed at an individual because of his/her sexual orientation and that is sufficiently severe, pervasive or persistent so as to have the purpose or effect of creating a hostile work or educational environment. Sexual orientation harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student and student, staff and student, employee and employee, and other relationships with other persons having business at or visiting the educational environment.

Disability

Discrimination/Harassment

Part 4: Definitions.

Subpart A. Disability discrimination is prohibited by state and federal law. Disability discrimination as defined by law is conduct that is directed at an individual because of his/her mental/physical disability or that of his/her spouse and that subjects the individual to different treatment by agents or employees without legitimate non-discriminatory reason so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges provided by the system or colleges and universities or otherwise adversely affects the individual's employment or education.

Subpart B. Disability harassment is a form of discrimination which is prohibited by state and federal law. Disability harassment is defined as verbal or physical conduct that is directed at an individual because of his/her mental/physical disability or that of his/her spouse and that is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of creating a hostile work or educational environment. Disability harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student and student, staff and student, employee and employee, and other relationships with other persons having business at or visiting the educational environment.

Procedures for Handling Harassment and Discrimination Complaints:

See Minnesota State Policy 1B.1.1 Report/Complaint of Discrimination/Harassment Investigation and Resolution available online at <http://www.Minnesota State.edu/board/policy> or you can request a copy from one of the Investigative Officers listed.

For assistance with definitions and procedures, contact one of the following Investigative Officers:

Jay Nelson: (763) 576-4054

Nora Morris: (763) 433-1632

Lisa Harris: (763) 433-1292

DRUG AND ALCOHOL-FREE CAMPUS POLICY

The standards of conduct at ARCC clearly prohibit the unlawful possession, use or distribution of drugs and alcohol by students and staff on the campus premises or in conjunction with any college-sponsored activity or event whether on- or off-campus. The College will take steps to educate its community regarding the health risks associated with alcohol and drug abuse. Appropriate referrals to counseling and health agencies will be made to individuals as needed.

The College will impose **sanctions** on students and employees who violate this policy. Disciplinary action may include, but is not limited to, the following:

- completion of an education program;
- completion of community service hours;
- referral to the Advising, Counseling, & Career Center or other appropriate department;
- suspension or separation from the College;
- referral to law enforcement agencies for prosecution of felony, gross misdemeanor or misdemeanor charges;
- expulsion from the College.

Legal Sanctions:

Where appropriate, drug and alcohol violations are referred to law enforcement officials for investigation, charges and prosecution.

Financial Aid Suspension:

A student convicted of any federal or state law for the possession or sale of drugs is ineligible for financial aid as follows. For drug

possession, the ineligibility period is one year for the first offense, two years for the second offense, and indefinitely for the third offense. For drug sale, the ineligibility period is two years for the first offense and indefinitely for the second offense. Eligibility may be restored if, during the ineligible period, the student satisfactorily completes a drug rehabilitation program that meets criteria determined by the Federal Government, and includes two unannounced drug tests.

Drug and Alcohol-Free Campus

According to the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226) and Minnesota Statutes 152 Prohibited Drugs, 340A Liquor Act, and 624.71 Liquors in certain buildings or grounds, ARCC will implement a program to prevent the use of illicit drugs and the abuse of alcohol by its students and employees.

Students or employees shall not use, manufacture, sell, give away, barter, deliver, exchange or distribute, or possess with the intent to use, manufacture, sell, give away, barter, deliver, exchange or distribute a **controlled substance or drug paraphernalia** as defined in Minnesota Statutes, Chapter 152, while on campus or while involved in a college activity, service, project, program or work situation.

Except as allowed by Minnesota Statute 624.71, or by Minnesota State Policy 5.18, students or employees shall not introduce upon or have possession upon any college campus, or while involved in a college activity, service, project, program or work situation, any **alcoholic beverage** as defined in Minnesota Statute 340A.

Employees shall not operate, use or drive any equipment, machinery, or vehicle of the College while under the influence of alcohol or controlled substances. Such employee is under the affirmative duty to immediately notify his/her supervisor that he/she is not in appropriate mental or physical condition to operate, use or drive college equipment.

Employees are discouraged from consuming alcoholic beverages during lunch or dinner meals when returning immediately thereafter to perform work on behalf of the College. Any employee whose condition or behavior adversely affects his/her work performance shall be subject to possible discipline, up to and including discharge.

When an employee is taking medically authorized drugs or other substances which may alter job performance, the employee is under an affirmative duty to notify the appropriate supervisor of his/her temporary inability to perform the job duties of his/her position. Supervisors shall notify the Director of Human Resources before notifying appropriate law enforcement agency when they have reasonable suspicion to believe that an employee may have illegal drugs in his/her possession at work or on college premises. When appropriate, the College shall also notify licensing boards.

Disclosure of Offenses:

Institutions of higher education are permitted under certain provisions of the Family Educational Rights and Privacy Act (FERPA) to disclose to parents or legal guardians of a student under the age of 21 years information regarding the violation of any federal, state, or local law, and institutional disciplinary rule or policies related to the use or possession of alcohol or a controlled substance.

Health Risks Associated with the Abuse of Alcohol and Illicit Drugs

- Alcohol is the most abused drug in the United States today.
- Alcohol is a drug that acts on the brain. It is potentially addicting, both physically and mentally.
- Alcohol abuse is irresponsible drinking which harms or endangers the drinker or other people.
- Alcohol abuse can result in violence, poor judgment and loss of coordination.
- Alcoholism is a disease characterized by a physical and mental dependence on alcohol. About 1 in 10 drinkers becomes an alcoholic.
- Alcohol consumed in heavy amounts over a period of years can result in damage to your health. It can cause malnutrition, brain damage, and cancer to the mouth, stomach and esophagus, heart disease, liver damage, ulcers and gastritis as well as damage to other body organs.
- Prolonged excessive drinking can shorten life spans by 10 to 12 years.
- Drug abuse is a major problem that results when drugs are used improperly.
- Drug abuse is using natural or synthetic chemical substances for non-medical reasons to affect the body, mind and behavior.
- Abusing drugs can be dangerous especially when they are taken for a long time, in the wrong combinations or in excess.
- If you take drugs, you risk overdose and dependence, both physical and psychological.
- Long-term drug abuse can lead to mental illness, malnutrition and organ damage.
- The risk of AIDS, hepatitis and other diseases increases if drugs are injected.
- When drugs make you lose control, you may do things beyond your ability and take foolish risks. Accidents and injuries can result to you and to others.
- Abusing drugs can also cause legal, economic and personal problems.
- People who abuse drugs often need help.

- Breaking a drug habit without outside help can be dangerous because of withdrawal symptoms and difficult because of the psychological need.

Alcohol and Drug Resources

1. **Campus Resources:** If you need assistance with a drug or alcohol problem, the following services are confidential and available to ARCC students:
2. **Alcoholics Anonymous:** aaminnesota.org
3. **Anoka Ramsey Counseling Services: 763-433-1240**
Substance awareness programs and services are offered through the ARCC Counseling Department. Contact the department for further information.
4. **College employees should contact the State Employee Assistance Program: 651-259-3840**
Employee Assistance provides a professional assessment of possible alcohol or drug problem.
5. **Community Resources:**
The following counseling, treatment and rehabilitation services and programs may be called for help:

<u>Anoka/Metro Regional Treatment Center</u> 3301 7 th Ave N, Cronin Building, Anoka, MN 55303 763-712-4492	<u>New Connection Programs Outpatient Treatment</u> 8000 Hwy 65 NE, Blaine, MN 55434 763-784-2454
<u>Dellwood Recovery Center/Allina Health Center</u> 701 S Dellwood Ave, Cambridge, MN 55008 763-688-7723	<u>Recovery Plus Rum River Outpatient Program</u> 209 6 th Ave S, Princeton, MN 55371 800-964-8524
<u>Grace Counseling Services</u> 16525 NE Hwy 65, Andover, MN 55304 763-413-8838	<u>Transformation House</u> 1410 S Ferry St, Anoka, MN 55303 763-427-7155
<u>Hazelden Foundation</u> 15245 Pleasant Valley Rd, Center City, MN 55012 800-257-7800	Unity Hospital Substance Abuse Services 550 Osborne Rd, 2 E, Minneapolis, MN 55432 763-236-4522

Appendix 1

Terms and Definitions

Murder and Non-Negligent Manslaughter

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

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

Criminal Homicide – Negligent Manslaughter

The killing of another person through gross negligence

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

Sex Offenses – Defined

Forcible Sex Offenses

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

Reported offenses may include:

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

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

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

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

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

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

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

Sex Offenses, Non-forcible

Unlawful, non-forcible sexual intercourse.

Reported offenses may include:

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

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

Sexual Violence

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

Sexual Assault

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

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

Dating and Relationship Violence

Dating violence is defined as a 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. For the purpose of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Stalking

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

Consent

Consent is informed, freely given and mutually understood. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, and the condition was known or would be known to a reasonable person, there is no consent; this including conditions due to alcohol or drug consumption, or being asleep or unconscious. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

Robbery

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

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

Aggravated Assault

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

Burglary

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

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle.

Note: A motor vehicle is a self-propelled vehicle that runs on the surface of lands 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 group of people on a commercial basis
- **Recreational Vehicles** – motor vehicles that are specifically designed (but not necessarily used) to transport people and also provide them temporary lodging for recreational purposes
- **Trucks** – motor vehicles that are specifically designed (but not necessarily used) to transport cargo
- **Other Motor Vehicles** – any other motor vehicles, e.g., motorcycles, motor scooters, trail bikes, mopeds, snowmobiles, or golf carts.

Arson

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

Liquor law violations

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

Drug law violations

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

Weapons law violations

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

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

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

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

Destruction/Damage/Vandalism of Property – 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.