



**Security Department**

# 2018 CAMPUS CRIME AND ANNUAL FIRE SAFETY REPORT

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CAMPUS SECURITY AND FIRE SAFETY POLICIES AND STATISTICS

1282 CONCORDIA AVE  
ST. PAUL, MN 55104

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## **ABOUT THE ANNUAL CAMPUS SECURITY REPORT**

In 1990, the United States Congress enacted the *Crime Awareness and Campus Security Act* (Title II of Public Law 101-542), which amended the *Higher Education Act of 1965*. 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, 1999, 2000, and 2008. The 1998 amendments renamed the law the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* in memory of a student who was slain in her dorm room in 1986.

The Clery Act requires higher education institutions to give timely warnings of crimes that represent a threat to the safety of students and employees, and 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 United States Department of Education. The act is intended 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.

Concordia University's Security Department publishes the following information for the university's continued commitment to provide a safe working and learning environment for all members of the campus community. This report contains detailed information covering a broad range of topics, including security services, crime prevention policies, and campus crime statistics.

*Individuals wishing to learn more about the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act may visit the Clery Center website. [clerycenter.org](http://clerycenter.org)*

## **SECURITY AT CONCORDIA UNIVERSITY**

The Concordia University Security Department is staffed 24 hours a day, seven days a week, 365 days a year. The Security staff consists of a Concordia University Security Director as well as full-time and part-time officers, and dispatchers who are contracted through G4S Secure Solutions.

Their primary roles include:

- Providing for the personal safety of all persons on campus.
- Prevention and detection of criminal behavior.
- Request assistance from St. Paul emergency personnel when such assistance is required.

### ***ENFORCEMENT AUTHORITY***

Security Officers enforce the university parking policies as well as University rules and regulations on campus owned property. Security Officers do not have custodial powers of arrest, but have the ability to detain individuals for safety reasons.

### ***OUR RELATIONSHIP WITH STATE AND LOCAL POLICE AGENCIES***

The Security Department works closely with the St. Paul Police Department and state and local agencies. These other agencies primarily would include St Paul Fire and Ramsey County Sheriff's Officers but could also include MN State Patrol and Metro Transit Police. The Concordia Security department works with any state and federal authorities upon their request. Concordia University receives timely police services to help protect life and property in a manner which is sensitive to both the rights of the individual and the values of the university.

The above listed agencies assist with criminal matters, neighborhood relations, parking enforcement and security during certain events held at the university.

**MEMORANDUMS OF UNDERSTANDING (MOU) WITH LAW ENFORCEMENT**

Concordia University does not have a Memorandum of Understanding (MOU) with any local law enforcement agencies regarding the investigation of criminal incidents.

The St Paul Police Department does however recognize that there is a need to work closely with Concordia University as well as the many other colleges and universities in their jurisdiction. Because of this, Concordia University participates in the St Paul police liaison program.

Through the police liaison program, an officer is assigned to the university to be a point of contact with questions regarding investigations, police calls to the university, and to provide support with other matters.

**REPORTING PROCEDURES**

***PROCEDURES FOR STUDENTS AND OTHERS TO REPORT CRIMINAL ACTIVITY OR OTHER EMERGENCIES***

Concordia University and Campus Security encourages the prompt reporting of all crimes to the Security Department. All persons reporting crimes to the Security Department are encouraged to report incidents to the civil authorities. Security Officers will assist in the reporting process at the request of the individual. Concordia University encourages accurate and prompt reporting of all crimes to Campus Security and the appropriate police agencies when the victim of the crime elects to make such a report.

***RESPONSE TO REPORTS RECEIVED***

Security dispatchers are available to answer calls 24 hours a day. Based on initial information gathered from a report from the community the Security department will either file a security report or dispatch an officer to assess the incident.

All incidents reported to the Security Department are investigated. Applicable information is forwarded to the appropriate university office or civil authority. Security Officers are trained to handle a variety of calls and complaints from the Concordia University community.

If a situation arises which falls outside the capabilities of the Security Department, the proper authorities will be contacted. This contact is made by the Security Department and may include support from external agencies such as local law enforcement, local fire department or utility service providers of the university. There are times that these calls may require an internal response as well. In those instances, departments such as Student Life, Operations or the Safety Department may be contacted for support.

**Concordia  
University Security**

**Emergency**

**651-641-8777 or  
8777 if calling from a  
campus phone**

*General Security*

*651-641-8278  
or 0 if calling from a  
campus phone*

**St Paul Police**

**Emergency**

**911  
or 9911 if calling from a  
campus phone**

*Information*

*651-291-1111*

## ***Why should I report what I know sooner than later?***

When you report any criminal or suspicious behavior as you become aware of it, Security is better able to respond to and protect you and others from an ongoing threat.

- Security will look at physical controls such as controlling access to buildings or rooms or camera usage.
- Security adjusts patrol strategies and make others such as Resident Assistants (RA's) aware of concerns so they can also help watch for ongoing threats.
- Security can notify others on campus of crime prevention strategies or an ongoing threat which may exist
- Security can provide victim support either through on-campus services or community based organizations

Security also encourages you to report criminal activity to the St. Paul Police. When you do this the following can occur:

- Prompt and appropriate investigations
- Timely collection of evidence related to the crime

## ***REPORTING FOR TIMELY NOTIFICATION AND STATISTICAL PURPOSES***

Many times members of the campus community have an awareness of an incident which could directly impact others or pose an on-going and continuous threat to the campus. Individuals are encouraged to report this information to the Security Department so that immediate steps to notify the remainder of the campus can be taken. Reports made only to local law enforcement may not be passed back to the Campus Security Department so reporting to both departments is always encouraged.

Reports are written on all incidents that are reported to the Security Department. Reports are then reviewed for inclusion in daily crime logs or annual security report for statistical purposes.

## ***POLICIES & PROCEDURES FOR VICTIMS OR WITNESSES TO FILE A CONFIDENTIAL REPORT***

The Concordia University's Security Department encourages all employees, students, and visitors of Concordia University to report all crimes. You are encouraged to report crimes whether you are a victim, witness or simply become aware of a criminal incident.

If you are a victim of a crime and do not want to pursue action within the University System or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Director of Security can file a report on the details of the incident without revealing your identity.

The purpose of a confidential report is to comply with your wishes and keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep accurate crime records of the number of incidents affecting its community, determine where there is a pattern of crime with regard to a particular location, method, or subject, and alert the campus community of potential danger. Additionally, the Security Department is able to provide you with the names of both on and off-campus support services.

Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution as well as the daily crime log.

At the request of the reporting party, security will make every effort to maintain their confidentiality with respect to the law and university policies. There may be exceptions to this rule where the Security Department is lawfully required to disclose information to law enforcement.

Concordia University also allows reports to be filed anonymously online. This may be done through this link: [concordia.csp.edu/security/silent-witness-report/](http://concordia.csp.edu/security/silent-witness-report/)

## ***REPORTING BY PASTORAL COUNSELORS & PROFESSIONAL COUNSELORS***

Concordia University knows that it is important to have professionals on campus with whom a student can share confidential information. Through legislation associated with the Clery Act, campus pastoral counselors and campus

professional counselors, when acting as such, are not considered campus security authorities and are not required to report crimes for inclusion into the annual disclosure of crime statistics.

These individuals are educated on the reporting processes at Concordia and will inform individuals they are working with about the importance of reporting an incident on a voluntary basis when they deem it appropriate. If they believe that a situation reported to them poses an escalated risk to the campus community, they are also encouraged to report the details of an incident while leaving out information identifying who was involved.

Pastoral counselors are defined as “a person who is associated with a religious order or denomination and is recognized by that group as someone who provides confidential counseling and is functioning within the scope of that role.” At Concordia University, a member of the faculty may also be a pastor, however in their position they are charged as instructors and may not serve as confidential pastoral counselors.

A professional counselor is an individual whose official responsibilities include providing mental health counseling to the institutions’ community within the scope of the counselor’s license or certification. The Director of Student Accessibility Services provides professional counseling services to Concordia. Additionally Concordia has an agreement with Nystrom & Associates, LTD to provide mental health support and services to students.

### ***CAMPUS SECURITY AUTHORITIES***

The Department of Education defines a Campus Security Authority as “any official of the university who has significant responsibility for students and campus activities.” Students, employees and other members of the university should report any of the criminal offenses listed in this report for the purpose of making a timely warning and the annual statistical disclosure.

Examples of Campus Security Authorities include but are not limited to:

- The Dean of Students
- The Athletic Director
- Team coaches
- Faculty advisors to student groups

A single teaching faculty member *is not* considered a Campus Security Authority unless he or she serves as an advisor to a student group. If Campus Security Authorities have information regarding criminal incidents they are required to forward that information to the Security Director for reporting purposes. There is also an annual data collection process conducted by the Security office to ensure that the university is aware of any reports that may need to be included in the Annual Security Report that have been received from Campus Security Authorities

Campus Security Authorities are trained to report the exact date and location of the incident. In addition, they must provide a brief description of the incident so that crimes can be appropriately classified in accordance with the crime definitions.

## **TIMELY WARNING PROCEDURES**

### ***WHAT IS A TIMELY WARNING?***

Concordia University must, in a manner that is timely, alert the campus community of crimes that are considered to be an ongoing or serious threat to other students and employees which have been reported to the Security Department or St. Paul Police (if the Security Department is made aware of these reports).

## ***WHEN ARE TIMELY WARNINGS ISSUED?***

Timely warnings are usually distributed for Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications which fall under violent crimes.

Cases which are classified as either a sexual assault or aggravated assault are considered on a case by case basis with consideration to the known facts of the incident.

The use of timely warnings may be distributed at the discretion of the Security Director or their designee for other crimes which fall outside those specifically listed above.

If the crime was reported to a confidential counselor, a timely warning does not need to be issued unless there is an immediate or ongoing threat to the campus community.

## ***HOW WILL I KNOW ABOUT A TIMELY WARNING?***

Once enough details are obtained by Campus Security to provide an accurate and informative notice to the campus community, the Security Director or their designee is responsible for writing a timely warning. In some instances, the timely warning may be reviewed by a member or members of the Crisis Response team for clarity and educational components that are of value to the campus community in light of the incident.

Security Alerts (described to the right) are the most common means of distributing timely warnings, however other means including but not limited to the following may be used in specific situations.

- Emails to @csp.edu accounts
- Postings to the CSP Portal page or CSP website
- Text notifications (Concordia Campus Alerts)
- Phone calls

## **EMERGENCY EVACUATION PROCEDURES & POLICIES**

### ***IMMEDIATE EMERGENCY RESPONSE AND EVACUATION PROCEDURES***

Concordia University takes the safety of the campus community seriously. The University has put policies in place based on the guidance of the Higher Education Opportunity Act (HEOA) to immediately notify the campus community upon the confirmation of a significant emergency and/or dangerous situation involving an immediate threat to the health or safety of students and staff occurring on campus. If a threat is discovered the campus Security Department in conjunction with the Crisis Response Team will not hesitate to evacuate parts and/or all of campus for the safety of the campus community

All members of the Concordia University community are encouraged to report any emergency situation which may pose a threat to the health, safety and well-being of student, faculty, staff and guests. This notification should be directed to the Security Department by calling 651-641-8777.

### ***PROCESS OF CONFIRMATION OF SIGNIFICANT EMERGENCY OR DANGEROUS SITUATION***

The Concordia Security Department will work to immediately confirm any report of an incident and resolve said incident accordingly. The Concordia Security Department will request additional support from both on-campus departments, such

At Concordia we call timely warnings,

## **Security Alerts**

- Posters distributed by security across campus in predetermined locations.
- Posters contain details of the incident to inform the campus yet protect the identity of the victim(s)
- Include crime prevention tips specific to the crime.
- Information on how to report crimes.



as Operations or Residence Life and outside agencies including but not limited to police, fire and medical support when appropriate. Situations which pose a significant emergency includes but is not limited to:

- Bomb threat or other potential explosive device
- Fire, natural gas leak or hazardous chemical/waste spill which affects the entire campus
- Natural disasters
- Power outage or utility interruption that poses a threat
- Building evacuation or shelter in place situation which affects the entire campus
- Campus closure due to civil emergency

#### ***NOTIFICATION OF SIGNIFICANT EMERGENCY OR DANGEROUS SITUATION***

Once a situation or threat has been confirmed, the Concordia Security Department will select the most appropriate method(s) of immediate notification to make the campus aware of the immediate threat to the health or safety of students, faculty, staff and guests. The exception to this is if the initial assessment determines that an immediate notification would place the Concordia University community or the individual(s) involved in the situation at greater risk or would compromise efforts to contain, respond to or mitigate the threat to the health or safety of the campus community and its guests. The Concordia Security Department may utilize the Crisis Response team or other campus departments as necessary to assist with:

- Determining the content of the notification
- Determining the appropriate individuals/groups to be notified
- Initiate the appropriate notification system
- Continue to update the campus community as necessary

A notification of an emergency is made by or more of these methods: Concordia Campus Alert text messages, email, social media (such as Facebook or Twitter), face to face communication, website or portal updates or posted signs.

- Concordia Campus Alert System: This is a text messaging system which allows for the quick delivery of emergency messages to students, faculty and staff. The process results in the direct SMP notification of campus community members. Individuals who opt out of text notification will still receive the email containing emergency information.
- University Website Postings: The University will issue a message via the schools website and direct individuals to that site for up to date information on the emergency. This information is available for both internal and external constituents.
- University Email System: In addition to emergency notifications, emails may be sent to specific groups through distribution lists or campus wide based on the content of the message.
- Campus Phone System: The Security Dispatcher may immediately call and notify as many individuals as possible via the campus phone system. There is also the opportunity for campus wide voicemails to be sent via the phone system.
- Signage: A variety of signage options may be utilized to make individuals aware of situations. The Security Department has permanent sign holders in all buildings however in emergency situations may post on exterior or high traffic doors, A-frame signs or other posting options.
- Word of Mouth: Security Officers in cooperation with Operations staff, Residence Life Staff and others are trained to divide up the campus and deliver emergency messages to campus community members.
- Department Communication: Departments are encouraged to have their own phone trees and communication plans to assist in coordinating the needs that might be department specific. While strongly recommended, this department communication is not regulated by the Security Department.

## ***THE USE OF ELECTRONIC AND CELLULAR COMMUNICATION IN AN EMERGENCY***

Concordia University will make every effort to implement emergency notification as soon as reasonably possible once a campus emergency situation or incident is confirmed. Notification is made via a variety of means including one or more of these methods: Concordia Campus Alert text messages, email, face to face communication, website or portal updates or posted signs.

In the event of an emergency the following procedures will be followed to contact students, faculty and staff:

1. Mass email messages to all students, faculty and staff to their @csp.edu email account via the Concordia Campus Alert Notification System
2. Text message to all students, faculty and staff via the Concordia Campus Alert Notification System, with the exception of those who have opted-out.
3. Other electronic communication strategies such as social media, website or portal updates may be implemented on a case by case basis depending on the emergency, impacted area and time available for the use of these means.

Faculty, staff and students are responsible for providing all necessary contact information and should keep said information up to date. Concordia University cannot provide communication with those who fail to provide current phone numbers and/or contact information.

Concordia University is not responsible for problems which may arise due to cellular phone providers, internet interruptions, cell phone malfunctions and/or contact information.

All Concordia University students will be automatically enrolled in the Concordia Campus Alert system. Students are required to provide or update their information annually at one of the following venues: housing sign-up, NSO (new student orientation) and/or arrival center. Employees are encouraged to provide cell phone information at the time of employment and are personally responsible for updating this information if there are changes to their mobile phone number.

Individuals may elect to opt-out of receiving text messages from the Concordia Campus Alert system at any time. They will still continue to receive Alert System initiated email messages to their Concordia University email address. Employees who have a cell phone provided by or paid for in part by Concordia University may not “opt-out” of Concordia Campus Alert system. Opting out is not encouraged as this can prohibit individuals from receiving information regarding an emergency in the manner most efficient.

## ***RESPONSIBILITY FOR INITIAL EMERGENCY NOTIFICATION***

In the event of an emergency the Security Department in conjunction with the Crisis Response Team will be responsible for initiating the notification process and disseminating approved information to the campus community. The Crisis Response Team will immediately identify the appropriate response and complete the following: identify individuals that should be informed about the emergency/threat, communicate the facts of the emergency, minimize rumors, and restore order and/or confidence to the university.

## ***FOLLOW-UP COMMUNICATION IN THE EVENT OF AN IMMEDIATE THREAT***

In many situations it is important to follow up with additional details or instructions as to the ongoing response that students, employees or guests should take with regards to an immediate threat. This notification may come in a number of ways. The methods outlined previously in the “Notification of Significant Emergency or Dangerous Situation” will often be utilized in this stage of Communication.

## ***NOTIFICATION OF EMERGENCY INFORMATION TO THE LARGER COMMUNITY***

The Concordia Security Department recognizes that in addition to each emergency incident or threat being unique, the larger community who is notified may also change from situation to situation. In some instances and especially with significant crimes or emergency situations Concordia Security would partner with the St Paul Police and their Public Information Officer. The Concordia Marketing Department also has a relationship with local news media and can provide information through this outlet as well. Lex-Ham Community, the neighborhood area where Concordia is located, has a Community Council who has an email list-serve and Facebook account which can be utilized to share information. Finally, we are aware the various sub-groups on campus have their own community and means of communication. These groups include Hand in Hand Childcare, Athletics, and Alumni relations. Concordia's Crisis Response Team may work with these groups for continuity in notification and safety education in the event of an emergency.

## ***INFORMING THE CAMPUS COMMUNITY ABOUT EMERGENCY RESPONSE AND TESTING OF EMERGENCY RESPONSE AND EVACUATION***

The Security Department publishes the Concordia CARE (Concordia Action Response to Emergencies) Guide. This guide is present in all classrooms on campus and includes procedures for a number of emergency situations including, but not limited to severe weather, bomb threats, gas leaks, active shooters, etc.

Concordia University tests components of its emergency response and evacuation procedures on an annual basis in the residence halls. Currently The Concordia Security department conducts 2 fire drills per academic year in each residence hall. These drills are done one per hall during each academic semester.

## ***CRIME LOG***

The Security Department must present upon request, a written daily crime log that records any crime that occurred on campus, on a non-campus property, or off campus while student activities were underway. Individuals may request a copy of the crime log at the Security Department located in Meyer Hall room 124.

The daily crime log includes:

- The nature, date, time and general location of each crime.
- The disposition of the complaint, if known.

The Concordia University Security Department, must make an entry to the log within two business days of a report to the Security Department, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim. Concordia University may withhold information if there is clear and convincing evidence that the release of the information would:

- Jeopardize an ongoing criminal investigation or the safety of an individual
- Cause the suspect to flee or evade detection
- Result in the destruction of evidence.

The crime log is available for the most recent 30-day period open to public inspection during normal business hours. The Security Director must make any portion of the log older than 30 days available within two business days of a request for public inspection.

## ACCESS TO CAMPUS FACILITIES

### ACCESS TO RESIDENCE HALLS

#### Locked Out?

You'll need to show your ID to be admitted and have this cross referenced with the housing list.

Check with these people to let you back in your room:

- Your roommate
- Residence life staff
- Security

Residence hall access is controlled through exterior and wing doors (both card & key access) which are kept locked 24-hours a day (except in certain situations such as move-in or periodic maintenance). Residents are encouraged not to prop doors open for security reasons. Security Officers patrol residence halls to note problems with exterior doors and to secure doors which may be found propped open.

With the exception of Holst Hall lobby, only students assigned to rooms within the residence hall are issued access cards to that building. Currently, all campus residence halls require card access for admission to both the building and the room. Residence hall rooms require both the card to be swiped and a PIN number which is chosen by the student to be entered before access may be obtained. In the event that a student loses their university ID or there is a suspected loss, the student's card is deactivated immediately and a new card is reprinted for them at the earliest opportunity.

Residents are encouraged not to admit anyone to their residence hall other than their own guests. It is against university policy for students to loan/borrow keys or ID cards to other individuals. Students found in possession of unauthorized keys or ID cards are subject to disciplinary action.

### ACCESS TO ACADEMIC AND ADMINISTRATIVE BUILDINGS

The Security Department is responsible for opening and closing all buildings. Individual buildings are opened during the appropriate hours to allow for daily business, classes and scheduled special events. The scheduling of all events are handled through the Conference and Events Office at Concordia.

Access requests for either card access or keys for students, faculty, and staff are reviewed for accuracy by the Card Services Department and entered into a computer tracking system. Individuals issued keys are responsible for the keys issued to them at all times. Questions regarding keys and card access can be directed to Card Services at 651-641-8788, [cardservices@csp.edu](mailto:cardservices@csp.edu).

Individuals requesting access to a secured area after-hours must be approved for admittance through a written document with approval from a department head. Calls to have buildings, offices, and other areas opened are received on a regular basis by the Security Department. Security Officers strive to maintain the balance between personal and building security and the needs of the campus community.

Security Officers patrol campus owned properties checking for open doors, windows, and other safety or security concerns. Safety and security problems are reported to the Security Director and the Operations Department for the situation to be corrected.

**Building security is a shared responsibility! Lock your area and report suspicious behavior.**

### MAINTENANCE OF CAMPUS FACILITIES

Concordia University's Maintenance Department maintains university buildings and grounds with concern for the safety and security of the campus community. With the assistance of Security Officers, Maintenance employees identify and correct safety and security hazards. The Security Department frequently assists the Maintenance Department by reporting maintenance issues which are found during routine patrol. This allows the departments to collaborate and improve safety and security throughout the campus. Regular communication between the two departments allows for safety and security hazards to be quickly identified and corrected.

Concordia University Maintenance employees wear university issued uniforms and always carry a Concordia University ID. Outside of an emergency situation, they limit work in student housing areas between 10am and 6pm Monday-Friday. However, custodial staff may be in those areas during those hours if an urgent maintenance issues is reported. In the event that a contracted employee is needed to assist with resolving a problem in a residence hall or other area, they are typically escorted by a Concordia University employee or a Security Officer. Certain routine vendors (such as pest control and concession vendors) may be issued access to buildings while they are on campus. These cards are checked-out on each service call and non-returned cards are immediately deactivated.

It is the RESPONSIBILITY of the entire campus community to alert the Operations & Security Departments of any maintenance problems. For any plumbing, electrical, heating, elevator, door lock, key and other maintenance concerns, please contact Security at 651-641-8278 or dial 0.

## **EDUCATIONAL PROGRAMMING**

### ***SAFETY AND SECURITY EDUCATIONAL OPPORTUNITIES FOR STUDENTS, STAFF, AND FACULTY***

Concordia University and the Security Department recognizes the importance of educating the campus community in regards to their own safety and the safety of others. The following educational opportunities are made available for students, staff and faculty.

#### Escort Service

The Security Department provides an escort service for students, faculty, staff and guests of the university. This escort service has been established to act as a watch guard of personal safety while on campus or in the immediate neighborhood community. Escorts are designed to create a safer walking environment for individuals of the campus community. Escorts are given 24 hours a day and are performed by a uniformed Security Officer who is in radio contact with a dispatcher.

#### Student Orientation

The Security Department provides information pertaining to crime prevention, escorts, safety tips, and vehicle registration to all new students and transfer student during New Student Orientation. NSO sessions are held in January, April and June of each year. Additionally Concordia Security also provides information during Residence Life meetings at the beginning of the academic year.

#### Employee Orientation

In conjunction with the Human Resources Office, all new employees receive information on crime prevention, escorts, safety tips, and vehicle registration at mandatory new employee orientations. These orientation programs are provided as part of the on-boarding process

#### Computer Security

University issued laptops are provided to most faculty and staff. During the sessions when these are issued, computer security is emphasized. In addition, Concordia uses Google as the university email server. A security feature which employees are required to utilize is a 2-step security authorization to prevent access into employee email accounts.

#### Safety Sessions

Security provides informational sessions for groups on campus concerning safety and security issues at the request of the group. These are designed to fit the specific needs of the group requesting the seminar and may include: theft prevention, fire prevention, crime prevention, sexual assault, binge drinking, and fire safety. An example of this is a training seminar given by the Director of Security to Concordia employees and Residence Assistants regarding our C.A.R.E Guide (Concordia's Actions to Respond to Emergencies).

#### Minnesota Crime Alert Network

Concordia Security is a member of the Minnesota Bureau of Criminal Apprehension Crime Alert Network, which issues crime alerts relevant to college campuses. The purpose is the prevention of crime, aiding in the apprehension of criminals

and locating missing persons. When appropriate, these alerts are distributed to the university community by the Security Department.

#### St Paul Police Crime Alerts

Concordia Security receives crime alerts from the St. Paul Police regarding issues that may affect the university campus community. The purpose of these alerts is the prevention of crime, aiding in the apprehension of criminals and locating missing persons. When appropriate, these alerts are distributed to the campus community and posted on the security information board outside the Security Department office.

#### ***DESCRIPTION OF EDUCATION PROGRAMS FOR CAMPUS COMMUNITY MEMBERS REGARDING CRIME PREVENTION***

Crime prevention is important for all members of the Concordia University campus community. In an attempt to educate students, staff, and faculty concerning crime prevention and personal safety, the Security Department implements the educational programs listed in the previous section.

Along with modeling and verbally sharing safety and security information with the campus community, the Security Department uses a variety of other mechanisms to raise safety awareness. These include posters and brochures related to safety and security information.

#### ***CRIME PREVENTION AND PERSONAL SAFETY***

The Security Department shares the responsibility for personal safety and protection of personal and university property with members of the campus community. The following crime prevention tips are shared with the campus community throughout the year through face to face meetings, electronic resources as well as flyers and brochures. These messages of crime prevention and personal safety encourage a safer campus for everyone.

In addition to these tips, the Security Department publishes brochures related to campus safety and security issues to help all members of the campus community learn about safety practices and protect their property. Various seminars and presentations on security and safety matters are made available to faculty, staff, and students. Security Officers also utilize such procedures as vehicle and foot patrols, escort services, and building checks to deter potential criminal activity.

## Staying Safe –We ALL Play a Role

- **Save That Number** – They say timing is everything! Take 10 seconds and save “Security” in your contacts. Their number is 651-641-8278, emergency line 8777.
- **See Something SAY Something!** – If you see a person or activity that just doesn’t seem right call Campus Security immediately. Your quick response partnered with the Security Department may prevent a crime.
- **Lock Your Door** - You might only plan to be gone for a minute but you didn’t plan to have a conversation that lasted 4 minutes. Offices, classrooms and even your vehicle are much safer when locked every time. If you see a door that is propped, do us all a favor and close it.
- **Keep Your Stuff With You** –Don’t assume that your music instrument is fine left in a practice room or that your laptop is okay while you walk down the hall to grab a coffee or something from the printer. That’s just enough time for someone to grab your possessions and run the other way. Lockers are available to store your things in if you don’t want to carry them with you all day –just stop by security to reserve one.
- **Pack Your Trunk with Your Junk** –It’s more secure there than in the backseat of your vehicle. And while you’re at it, unplug any GPS, cell phone or other chargers. These are a great clue to a thief that something of value is in your vehicle.
- **Walk with Someone** –Walk to the parking lot with a buddy after class or call Campus Security for an escort any time day or night. If you choose to walk alone, be smart! Don’t talk on your cell phone, remove ear buds and walk with a purpose and plan ahead by parking in a well-lit, high traffic area.
- **Know How to Get Out** –In an emergency every second counts. Know at least two ways out of the areas where you have class, where your office is or where you live!
- **Be Tech Savvy** – Install anti-virus software on your computers. Don’t ever provide your log-on, PIN, username or other personally identifiable information in response to an email. These are all great ways to protect yourself.
- **Crime Happens** – and if you are a victim, we want to help you. Reporting incidents immediately to Campus Security gets you support and also may prevent someone else from experiencing the same crime.

### *ALCOHOL AND DRUG POLICIES*

#### ***POSSESSION, USE AND SALE OF ALCOHOLIC BEVERAGES AND ENFORCEMENT OF MINNESOTA UNDERAGE DRINKING LAWS***

Concordia University promotes the health and safety of the campus community through a program of alcohol education and the implementation of policies relevant to alcohol use. Concordia University complies with the laws of Minnesota which regulate the possession, use and sale of alcohol. Concordia University consistently enforces Minnesota law which prohibits the consumption of alcohol by individuals who are under the age of 21.

#### ***POSSESSION, USE AND SALE OF ILLEGAL DRUGS AND ENFORCEMENT OF FEDERAL AND MINNESOTA LAWS***

The unlawful manufacture, distribution, dispensation, possession, sale or use of a controlled substance by employees and students on property owned or leased by the Concordia University or in conjunction with a University-sponsored activity is prohibited. Concordia University will enforce all federal and state laws pertaining to illegal drugs.

### **DRUG AND ALCOHOL ABUSE EDUCATION PROGRAMS**

Concordia University recognizes that the use and abuse of drugs and/or alcohol can have significant impacts on members of the campus community. It affects not only the individual's health and personal relationships but also work and school performance. In compliance with section 120(a) through (d) of the Drug-Free Schools Act, Concordia University must provide information on programs that exist to counsel, treat, rehabilitate and allow for successful re-entry of employees and students who experience drug or alcohol abuse.

The following offices at Concordia University may be utilized as a contact for connecting to additional services

Student Life Office -	651-641-8706
Human Resource Office-	651-641-8268
Campus Ministry-	651-641-8271
Student Accessibility Services-	651-641-8272

The following programs are affiliated with Concordia University.

Alcohol-Edu *This program is mandatory educational training for all first year traditional students and requires approximately 2 hours of on-line education. This software is also utilized for students who wish to obtain their "alcohol privileges" or the use of alcohol by students over 21 years of age within the parameters of this privilege.*

Be Well Serve Well 1-800-605-6621  
*For employees as part of the Concordia Health Plans*

Nystrom & Associates, LTD 651-641-8252  
*Operated by Nystrom & Associates, LTD; allows students, access to personal and private counseling to assess treatment needs and allow for connection to the appropriate program*

These programs are not affiliated directly with the University but are local resources which support individuals struggling with alcohol, drug or substance use and abuse.

<u>Minnesota Teen Challenge</u>	612-373-3366	<a href="http://www.mntc.org">www.mntc.org</a>
<u>Hazelden Foundation</u>	1-800-257-7810	<a href="http://www.hazelden.org">www.hazelden.org</a>
<u>Minnesota Recovery Connection</u>	612-584-4158	<a href="mailto:info@minnesotarecovery.org">info@minnesotarecovery.org</a>

### **PREPARATION OF ANNUAL CAMPUS CRIME REPORT**

The University Security Director oversees the compiling of all information necessary for the Annual Campus Crime Report.

The collection of statistics which reflect reportable offenses for the Annual Security Report come from a variety of sources. The Security Director is responsible for compiling the statistics which have been reported to the Campus Security Office. The Director of Security is also responsible for collecting information from Campus Security Authorities (CSA's), the Office of Human Resources, Title IX, Student Life Office and law enforcement agencies for specified geographic locations.

Also included in this report are institutional policies and procedures, which have been primarily obtained from the 2016-2017 Student Policies Handbook. By October 1 of each year all current employees and students will be made aware of the availability of the campus crime report and the locations where copies may be obtained. This notification is done via a campus wide email to all csp.edu email accounts. Hard copies will be available from the Security Department, Office of Student Life, Human Resources, and Office of Admissions. All reasonable attempts have been made to identify all reported crimes and to present those statistics in this document as outlined in the Campus Security Act and its amendments.

## **Top Ten Ways to Turn Down a Drink**

10. Thanks, but no thanks!
9. I've had enough
8. Thanks, but I've got a ton of work to do later.
7. I'd rather get my own, thanks.
6. Not for me...I have to work in the morning.
5. I'm driving tonight.
4. I've got a game/practice tomorrow.
3. I'm OK for now, maybe later.
2. No thanks. I'm taking medication.
1. I'm dieting...alcohol's got too many calories.



The Director of Security submits the annual crime statistics published in the Annual Security Report to the United States Department of Education. The statistical information gathered by the Department of Education is available to the public through their website.

Concordia University has included in its crime statistics all crimes reported to a campus security authority for purpose of Clery Act reporting. Clery Act reporting does not require initiating an investigation or disclosing identifying information about the victim. Concordia University may not withhold or subsequently remove a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other similar non-campus official. Crimes in this report are recorded by calendar year and are disclosed as a statistic for the calendar year in which the crime was reported to local police agencies or to a campus security authority.

In complying with the statistical reporting requirement for statistics from the St. Paul Police department or other departments, including international agencies where non-campus property is utilized. Concordia University makes a reasonable, good faith effort to obtain the required local crime statistics from these police agencies. If Concordia University makes such a reasonable, good faith effort it is not responsible for the failure of the law enforcement agencies to supply the required statistics.

### **CRIME DEFINITIONS**

Concordia University must report statistics for the three most recent calendar years concerning the occurrence on campus, in or on non-campus buildings or property and on public property of the following that are reported to local police agencies or to a campus security authority.

More detailed information regarding these crimes can be found in the Uniform Crime Reporting (UCR) Program. This program is a nationwide cooperative statistical effort in which city, university and college, county, state, tribal and federal law enforcement agencies voluntarily report data on crimes brought to their attention.

#### **Homicide:**

- **Murder in the First, Second, or Third Degree:** The premeditated killing of another person with intent (first degree), intentionally kills another person without premeditation (second degree), kills another person without intent or premeditation as a result of an extremely dangerous act (third degree)  
(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 in the second degree)
- **Manslaughter in the first degree:** The willful (non-negligent) killing of one human being by another.
- **Manslaughter by Negligence:** 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)*

**Criminal Sexual Conduct:** Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

- 1) **CSC in the first and third degree:** 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 definition includes any gender of victim or perpetrator.
  - This includes sodomy and sexual assault with an object definition.
  - Sexual penetration means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by sex organ of another person, or by sex-related object.
  - This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol).
  - Physical resistance is not required on the part of the victim to demonstrate lack of consent.

- In cases where several offenders offend against one person, the responding agency should count one offence (for one victim) and report separate offender information for each offender.
- 2) CSC in the second or fourth degree:** Any contact of the private body parts of another person for the purpose of sexual gratification, without 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.

**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.

Essential elements of robbery:

- Committed in the presence of a victim (usually the owner or person having custody of the property)
- Victim is directly confronted by the perpetrator
- Victim is threatened with force or put in fear that force will be used

**Assault:** The unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

- Assault in the first degree: Any person who assaults another and causes great bodily harm (high probability of death, serious permanent disfigurement or permanent loss of a bodily member or organ)
- Assault in the second degree: Any person who assaults another and uses a deadly weapon
- Assault in the third degree: Any person who assaults another and causes substantial bodily harm (temporary but serious disfigurement, temporary loss of a bodily member or organ or the fracture of a bone)
- Assault in the fourth degree: Any person who assaults another and the assault is motivated by bias, persons who assault another and the victim is a school official
- Assault in the fifth degree: Any person who commits an act to cause fear in another of immediate bodily harm or death, intentionally inflicts or attempts to inflict bodily harm or death

**Burglary:** The unlawful entry of a structure with the intent to commit a crime.

1) Types of burglary include:

- a. Burglary in the first degree: entering a building without consent with the intent to commit a crime if the building is a dwelling and the resident is present or the burglar possess a dangerous weapon
- b. Burglary in the second degree: entering a building without consent with the intent to commit a crime and the building is a dwelling or the burglar possesses tools which are intended to gain entrance to the building. If the burglar enters a government building, religious establishment, historic property or school building it is considered burglary in the second degree
- c. Burglary in the third degree: entering a building without consent with the intent to steal or commit a felony
- d. Burglary in the fourth degree: entering a building without consent with the intent to commit a misdemeanor other than to steal

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

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

**Liquor Law Violation:** Any violation of state laws prohibiting: the manufacturing, sale, transporting, furnishing, possession and/or consumption of intoxicating liquor; maintaining unlawful drinking places; bootlegging, operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned.

**Drug Law Violation:** Any violation of state laws relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

**Weapon Law Violation:** Any violation of laws or ordinances addressing prohibited weapons or weapon related offenses, regulatory in nature, such as: manufacturing, sale or possession of deadly weapons, carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons and all attempts to commit any of the aforementioned.

**Hate Crime:** A crime reported to local police agencies or to a campus security authority with evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victims' actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability. In the Clery report, hate crimes are recorded by category of bias.

- a. **Theft:** The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another person.
- b. **Simple Assault:** The unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious substantial bodily harm.
- c. **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without subjecting the victim to actual physical attack.
- d. **Vandalism** –to willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth or any other such means as may be specified by local law.

**Domestic violence** –a misdemeanor or gross misdemeanor crime of violence committed between:

- i. A current or former spouse or intimate partner of the victim
- ii. A person with whom the victim shares a child in common
- iii. A person who is cohabitating with or has cohabitated with the victim
- iv. Persons related by blood
- v. Parents and children

- e. **Dating violence** –violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim
  - i. The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship and the frequency of the interaction between the persons involved in the relationship
  - ii. For the purposes of this definition -
    - 1. Dating violence includes, but is not limited to, sexual or physical abuse or threats of abuse.
  
- f. **Stalking**—engaging in a course of conduct directed at a specific person that would cause a reasonable person to –
  - i. Fear for the person’s safety or the safety of others; or
  - ii. Suffer substantial emotional distress.
  - iii. For the purpose of the Clery report:
    - 1. Courses 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 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.

**CRIME LOCATIONS**

For the purposes of collecting statistics on the crimes listed above, the following Clery Geography is utilized. The crime locations are described below and are separated by the following categories in the crime statistics.

**ON-CAMPUS**

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

On campus locations include the following buildings or parking lots/addresses:

<b>BUILDING NAME</b>	<b>BUILDING ADDRESS</b>
Athletic Performance Center	1407 Marshall Avenue
Marshall Building	1371 Marshall Avenue
Arndt Science Hall	288 Hamline Avenue North
Buetow Music Building	300 Hamline Avenue North
Concordia Art Center	1301 Marshall Avenue
E.M. Pearson Theatre	312 Hamline Avenue North

Fandrei Center	289 Hamline Avenue North
Gangelhoff Center	235 Hamline Avenue North
Graebner Memorial Chapel	1259 Concordia Avenue
Hmong Culture Center	1245 Carroll Avenue
Koehler Maintenance Building	1397 Selby Avenue
Library Technology Center	1282 Concordia Avenue
Lutheran Memorial Center	350 Hamline Avenue North
Maintenance Garages	277 Hamline Avenue North
Meyer Hall	301 Syndicate Street North
Poehler Administration Building	275 Syndicate Street North
Sea Foam Stadium	281 Hamline Avenue North
Thompson Hall	1280 Marshall Avenue
Winget Student Life Center	1280 Concordia Avenue
Parking Lot A	1280 Concordia Avenue
Parking Lot B	350 Hamline Avenue
Parking Lot C	235 Hamline Avenue
Parking Lot D	1439 Marshall Avenue
Parking Lot E	289 Hamline Avenue
Parking Lot F	1241 Carroll Avenue
Parking Lot G	1371 Marshall Avenue
Parking Lot H	289 Hamline Avenue

***RESIDENCE HALLS***

The Residence Hall category includes all specified crimes above that occurred only in Residence Halls while on campus includes the above crimes that occurred on campus including Residence Halls.

The following buildings are categorized as Residence Halls for Clery reporting purposes

<b><i>BUILDING NAME</i></b>	<b><i>BUILDING ADDRESS</i></b>
Holst Hall	1241 Carroll Avenue
Hyatt Residence Hall	1303 Marshall Avenue
Luther Hall	269 Syndicate Street North
Martha Apartments	1336 Marshall Avenue
Mary Apartments	1332 Marshall Avenue
Wollaeger Hall	1250 Concordia Avenue

***NON-CAMPUS BUILDING OR PROPERTY***

- 1) Any building or property owned or controlled by a student organization recognized by the institution; or
- 2) Any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

The following table represent non-campus building or property for the 2018 crime report.

<b><i>Building Name</i></b>	<b><i>Building Address</i></b>
Anoka Middle School Center for the Arts	Fred Moore Campus 1523 5th Avenue S. Anoka, MN 55303
Anoka-Ramsey Community College	Coon Rapids Campus 11200 Mississippi Blvd., Coon Rapids, MN
Anoka-Ramsey Community College	Cambridge Campus 300 Spirit Drive South Cambridge, MN
Diamondhead Education Center	200 West Burnsville Parkway, Burnsville, MN 55337
Prince of Peace Lutheran School	4770 County Road 120 St. Cloud, MN
Ridgewater College	2101 15 <sup>th</sup> Avenue NW Willmer, MN

South Central Community College	1920 Lee Blvd. North Mankato, MN
Southview Middle School	4725 Southview Lane Edina MN 55424

**PUBLIC PROPERTY**

All public property that is within the same reasonable contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution’s educational purposes.

**Additional Definitions**

**BUSINESS DAY**

Monday through Friday, excluding any day when the institution is closed.

**CAMPUS SECURITY AUTHORITY**

- 1) A campus police department or a campus security department of an institution.
- 2) Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under bullet point one of this definition, such as an individual who is responsible for monitoring entrance into institutional property.
- 3) Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- 4) Any 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. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

**PASTORAL COUNSELOR**

A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor. At Concordia University, a number of faculty are also pastors, however in their position they are charged as instructors and not as pastoral counselors so they cannot serve students as a confidential counselor.

**PROFESSIONAL COUNSELOR**

A person whose official responsibilities including providing mental health counseling to members of the institution’s community and who is functioning within the scope of the counselor’s license or certification.

**REFERRED FOR CAMPUS DISCIPLINARY ACTION**

The referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

**HIERARCHY RULE**

A requirement in the FBI’s UCR program that, for the purposes of reporting crimes in that system, when more than one criminal offense was committed during a single incident, only the most serious offense be counted. The exception to this requirement is in counting sexual assaults, the Hierarchy Rule does not apply. For example, if a victim is both raped and murdered in a single incident, then an institution must include both the rape and the murder in its statistics.

**TEST**

Regularly scheduled drills, exercises, and appropriate follow-through activities, designated for assessment and evaluation of emergency plans and capabilities.

**Criminal Offenses**

<b>Offense</b>	<b>Year</b>	<b>On Campus Property</b>	<b>On Campus-Residential Facilities</b>	<b>Non-Campus Property</b>	<b>Public Property</b>
Murder/Non Negligent Manslaughter	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Negligent Manslaughter	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Rape	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	1
Fondling	2017	0	0	0	0
	2016	1	1	1	0
	2015	0	0	0	0
Incest	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Statutory Rape	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Robbery	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	1
Assault	2017	1	1	0	0
	2016	1	0	3	1
	2015	0	0	0	0
Burglary	2017	0	0	0	0
	2016	0	0	9	1
	2015	0	0	0	0
Motor Vehicle Theft	2017	0	0	0	2
	2016	0	0	1	1
	2015	0	0	0	4
Arson	2017	0	0	0	0



	2016	0	1	0	0
	2015	0	0	0	0
Liquor Law Arrests	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Drug Law Arrests	2017	3	0	0	0
	2016	1	1	2	2
	2015	0	0	0	0
Weapons Law Arrests	2017	0	0	0	0
	2016	0	0	1	0
	2015	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2017	11	11	0	0
	2016	3	3	0	0
	2015	60	60	0	0
Drug Law Violations Referred for Disciplinary Action	2017	6	6	0	0
	2016	6	6	0	0
	2015	20	20	0	0
Weapons Law Violations Referred for Disciplinary Action	2017	0	0	0	0
	2016	2	2	0	0
	2015	0	0	0	0

## Hate Crimes

Offense	Year	On Campus Property	On Campus-Residential Facilities	Non-Campus Property	Public Property
Murder/Non Negligent Manslaughter	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Negligent Manslaughter	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Rape	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Fondling	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Incest	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Statutory Rape	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Robbery	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Assault	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Burglary	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Motor Vehicle Theft	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Theft	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Simple Assault	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0

Intimidation	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Destruction/Damage/Vandalism of Property	2017	0	0	0	0
	2016	1	1	0	0
	2015	0	0	0	0

## VAWA

Offense	Year	On Campus Property	On Campus-Residential Facilities	Non-Campus Property	Public Property
Domestic Violence	2017	0	0	0	0
	2016	0	0	1	1
	2015	0	0	0	0
Dating Violence	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Stalking	2017	0	0	0	0
	2016	2	0	0	0
	2015	0	0	0	0

## Unfounded Crimes

Unfounded Crimes	2017	0
	2016	0
	2015	0

## ANNUAL FIRE SAFETY REPORT

### OVERVIEW

The Higher Education Opportunity Act (Public Law 110-315) became law in August, 2008, requiring all United States academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus statistics. The following public disclosure report details all information required by this law as it relates to Concordia University.

### **REPORTING A FIRE**

Any individual who witnesses a fire or has any suspicion of a fire should call Security Emergency line immediately and immediately evacuate the building using the stairs. If in a building, find the nearest fire alarm pull station as you exit and activate the fire notification system. After notifying Security you may notify the Saint Paul Fire Department.

### **GENERAL STATEMENT OF UNIVERSITY OWNED/CONTROLLED STUDENT HOUSING**

At Concordia University, the Residence Life Center, Graebner Memorial Chapel, Cross of Christ Fellowship Hall, Pearson Theatre, Library Technology Center, and Gangelhoff Center are completely covered by an integrated automatic sprinkler, fire detection and alarm system, which is monitored 24 hours/day, seven days/week. All other buildings on campus are covered by fire detection and alarm system. Fire drills are conducted twice per year in all residence halls by the Concordia University Security Department.

All residence halls are required to have a periodic fire and occupancy safety inspection conducted by a City of St Paul fire safety inspector. The inspection is to be completed during the summer months. In addition, Residence Life conducts health and safety checks conducted by residence life staff. If fire safety concerns are found, they are immediately remedied.

In 2017 the University held 4 fire drills for residence halls. These fire drills were done at various times throughout the year in different residence halls. Upon hearing a fire alarm residents are informed to immediately evacuate the building. Each resident hall has a specific "safe area" that residents are asked to meet at after they evacuate the building. Once they are in a safe area, residents are asked to report the alarm immediately to the Security Department by calling 651-641-8777. Student Resident Assistants assist with the process of making sure all residents have left the building and are accounted for. Residents are reminded frequently that they must evacuate the building immediately even if they are confident the alarm is false.

### **CONCORDIA UNIVERSITY POLICIES REGARDING ELECTRICAL APPLIANCES, SMOKING AND OPEN FLAMES IN STUDENT HOUSING**

In Luther Hall, Wollaeger Hall and Hyatt Village in-room resident use of radios, stereos, televisions, coffee pots, small refrigerators (4 cu. ft. or less) and the like is permitted. The use of refrigerators larger than 4 cu. ft., electric heaters, microwave ovens, toaster ovens, hot plates, grilling machines, window air conditioning units and the like are not permitted. The University provides microwave ovens for student use in lobbies and common areas. St. Paul city ordinances prohibits food preparation in residence hall sleeping rooms. (Campus Housing Policy Section 13)

Holst Hall apartments are furnished with a stove, microwave oven and refrigerator. Cooking is permitted in the kitchen area of Holst Hall, and cooking appliances such as toasters may be used in the kitchens. Students responsible for activation of fire safety systems due to negligent cooking and or negligent use of kitchen appliances will be subject to judicial consequences. Personal refrigerators, electric heaters and hot plates are not permitted in Holst Hall. (Campus Housing Policy Section 13)

For fire safety reasons halogen lamps, candles and incense are not permitted. (Campus Housing Policy Section 41)

St. Paul city ordinance prohibits the use of multi-plug adapters or extension cords. UL-approved (with surge protection) power strips may be used. Refrigerators are to be plugged directly into an outlet, not into a power strip. (Campus Housing Policy Section 42)

The use of live or resin-bearing Christmas trees or wreaths is not permitted in the residence halls. Christmas/holiday lights may only be used from November 1<sup>st</sup> until the halls close for Christmas break, may not be strung over ceiling grids, and must be turned off when unattended. Decorations may not cover exit or emergency signs, fire extinguishers or sprinkler heads. All Christmas decorations must be taken down before the Christmas break. No other holiday lights may be used at other times throughout the year. (Campus Housing Policy Section 48)

Hookahs, pipes, e-cigarettes and other smoking devices are not permitted in the Residence Halls. (Campus Housing Policy Section 52)

All indoor areas are smoke-free, thus creating a “Clean Indoor Air Policy.” Smoking is not permitted in the entrances to buildings, offices, “tunnel” hallways, classrooms, residence halls, dining hall, athletic facilities and all other indoor areas. Note that “e-cigs” are included in the policy and are not permitted inside of buildings on campus. (Concordia Tobacco and Smoking Policy)

Receptacles for cigarettes, cigars and other tobacco products are positioned near building entrances. Smokers must smoke outdoors, at least 20 feet from any building to insure that entrances are free of smoke. (Concordia Tobacco and Smoking Policy)

## In Event of a Fire

Call the security emergency line in the event of any fire. Activate the local alarms and leave the building. Remember—the fire alarm does NOT inform security about a fire; it is intended to alert people to leave a building. When calling security, provide specific information such as the exact building address and room number as well as information as to if there is visible smoke or flames.

### ***POLICIES REGARDING FIRE SAFETY EDUCATION AND TRAINING***

Information regarding fire safety is available through the Employee Handbook and the Student Policy Guide. Fire safety education is conducted in the residence halls in the fall and spring semesters so students understand what is expected of them in the event of a fire emergency. In addition to this Resident Assistants for the residence halls have received training in the use of fire extinguishers. Additionally, high risk areas such as science labs and shop areas have additional information shared with students and employees regarding fire safety prevention and response.

### ***DESCRIPTION OF ON-CAMPUS STUDENT HOUSING FIRE SYSTEMS AND PLANS FOR IMPROVEMENTS***

The chart below provides details regarding the type of fire systems found in each building in addition to the dates when fire drills were conducted. At this time, Concordia University has no plans for changes or improvements to their fire system. This is continually considered when building renovations occur. Recommendations are often offered by the Saint Paul Fire Inspections division.

Residence Hall	Alarm System	Test Date	Sprinkler System	Portable Fire Extinguisher	Fire Drills
Holst Hall <i>1241 Carroll Avenue</i>	Central alarm system monitoring, and pull stations in all common areas; Duct sensors in mechanical rooms; Rooms have dual voltage smoke detectors for room notification only	July & August 2017	Yes; alarm on sprinkler system	Yes	March 1, 2017 & September 12, 2017
Wollaeger Hall	Pull stations in common areas as well as central monitoring system; Heat detectors in mechanical closets; Rooms have single battery operated smoke detector	July & August 2017	No	Yes	March 1, 2017 & September 13, 2017

1250 Concordia Ave.					
Luther Hall	Pull stations in common areas as well as central monitoring system; Heat detectors in mechanical closets; Rooms have dual voltage smoke detector	July & August 2017	No	Yes	February 28, 2017 & September 13, 2017
269 Syndicate Street North					
Hyatt Village	Pull stations in common areas as well as central monitoring system; Heat detectors in mechanical closets; Rooms have dual voltage smoke detector	July & August 2017	No	Yes	February 28, 2017 & September 12, 2017
1303 Marshall Avenue					

**REPORTING OF FIRES FOR STATISTICAL PURPOSES**

If a fire occurs or is suspected in any campus building or property around campus it is critical to call the security emergency line to ensure that the appropriate fire response occurs. In addition, any known or suspected fires should immediately be reported to Campus Security so that an officer can assist in responding and also take a report. This information is then utilized to ensure that all reports of fires are included in the Annual Security Report.

<b>BUILDING</b>	2017 Number of Fires	2017 Fatalities	2017 Damages	2017 Fires Resulting in Injuries	2016 Number of Fires	2016 Fatalities	2016 Damages	2016 Fires Resulting in Injuries	2015 Number of Fires	2015 Fatalities	2015 Damages	2015 Fires Resulting in Injuries
<b>Academic Buildings</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Hyatt</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Luther</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Wollaeger</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Holst Hall</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Mary</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Martha</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total Fires</b>	0	0	0	0	0	0	0	0	0	0	0	0

## **MISSING STUDENTS**

The purpose of this policy is to establish procedures for the University's response to reports of a missing student, as required by the Higher Education Opportunity Act of 2008. This policy applies to students who reside in University operated residence halls, apartment buildings.

For purposes of this policy it is important to define "missing student". A student may be considered to be a "missing student" if the person's absence is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include a reasonable/reliable report or suspicion that the missing student may be endangered. Examples include, but are not limited to, possible victim of foul play, expression of suicidal thoughts, alcohol or other drug abuse, a life-threatening situation, or recent contact with persons who may endanger the student's welfare.

### **A. Procedures for designation of emergency contact information**

#### **1. Students age 18 and older, emancipated minors.**

Residential students will be given the opportunity upon check-in to a University operated residence hall/apartment/house, to designate an individual or individuals to be the emergency contact for the student. In addition, all students are required to update their emergency contact information each semester. The most current emergency contact will be used. This emergency contact will be contacted by the University no more than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below.

#### **2. Students under the age of 18.**

In the event a student who is not emancipated is determined to be missing pursuant to the procedures set forth below, the University is required to notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing in accordance with the procedures set forth below.

### **B. Official notification procedures for missing students**

1. Any individual who has information that a student may be missing must notify the Security Department as soon as possible. The Security Department will immediately notify local law enforcement authorities if a minor child (under the age of 18) is reported missing. The Security Department will notify local law enforcement of any missing student over 18 when there is reasonable suspicion that the student may be in physical danger. All other reports of missing students over 18 years of age will be reported to law enforcement after 24 hours of no contact with said student. The Security Department will assist external authorities with these investigations as requested.

2. The Security Department will work with campus offices, the reporting person(s) and the student's acquaintances to gather all essential information about the student (description, clothes last worn, where student might be, who student might be with, vehicle description, information about the student's physical and mental well-being, an up-to-date photograph, class schedule, etc.). Appropriate campus staff will be notified to aid in the search for the student.

3. If the above actions are unsuccessful in locating the student or it is apparent immediately that the student may be endangered (e.g., witnessed abduction), the Security Department will contact the appropriate local law enforcement agency to report the student as a missing person and the local law enforcement agency will take charge of the investigation.

4. No later than 24 hours after determining that a student is missing, the Dean of Students, or designee, will notify the emergency contact (for students 18 and over) or the parent/guardian (for students under the age of 18) that the student is believed to be missing.

5. For missing students who are 18 years of age or older, and did not designate an individual to be contacted, the Dean of Students will act in accordance with FERPA and Minnesota Government Data Privacy guidelines with regard to contacting a parent/guardian.

### **C. Campus communications about missing students**

In cases involving missing persons, law enforcement personnel are trained to provide information to the media in a manner designed to elicit public assistance in the search for a missing person. Therefore, all communications regarding missing students will be handled by outside law enforcement authorities, who may consult with the University Office. All inquiries to the University regarding missing students, or information provided to any individual at the University about a missing student, shall be referred to the Marketing Office, who shall refer such inquiries and information to law enforcement authorities.

Prior to providing the University community with any information about a missing student, the University Crisis Response Team will strive to ensure that communications comply with FERPA and Minnesota Government Data Privacy guidelines and do not hinder the investigation.

## ***SEXUAL MISCONDUCT AND VAWA POLICIES***

Concordia University St Paul does not discriminate on the basis of gender in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited and include dating violence, domestic violence, and stalking. Concordia University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University official. In this context, Concordia University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

For more information regarding Concordia University's policies and processes related to sexual misconduct, visit [www.csp.edu/reporting](http://www.csp.edu/reporting)

The University's Title IX Coordinator is Cheryl Chatman and she should be contacted by calling 651-603-6151 in person by visiting her campus office in the Poehler Administration Building Office 251 or emailing her at [chatman@csp.edu](mailto:chatman@csp.edu) or [titleix@csp.edu](mailto:titleix@csp.edu)

### **A. DEFINITIONS**

**Consent** is defined in Minnesota 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 section cannot consent to a sexual act. Corroboration of the victim's testimony is not required to lack of consent." (Minnesota Statute 609.341)

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

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



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

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

**Criminal sexual conduct in Minnesota is all of the following based on the degree:**

First Degree Sexual **penetration** (vaginal, oral, or anal sex or any intrusion of the victim's genital or anal openings by any part of the defendant or an object) of anyone or sexual contact with a person under 13 (intentional touching of victim's bare genitals or anus by defendant or another's genitals or anus with sexual or aggressive intent) in the following circumstances:

- The victim is under 13 years old and the defendant is 3 years older than the victim
- The victim is 13 to 16 years old and the defendant is 4 years older and in a position of authority over the victim (such as a parent, foster parent, psychotherapist, etc.)
- The circumstances placed the victim in reasonable fear of imminent physical harm to him/herself or another
- The defendant was armed with a dangerous weapon or threatened the victim with the weapon
- The defendant causes injury to the victim and either uses force or coercion for sexual penetration or knows the victim is mentally or physically impaired
- The defendant is helped by another person to make the victim submit to the accomplice is armed with a weapon
- The defendant has a significant relationship (defendant is victim's parent, stepparent, guardian, relative by blood, marriage or adoption or an adult who lives in the same house and isn't the victim's spouse) with the victim and the victim is under 16 at time of sexual penetration (Minnesota Statute Section 609.342)

Second Degree Engaging in sexual contact (intentional touching of victim's intimate parts, touching of another's intimate parts by coercion, the touching can be over clothes) under any of the same circumstances as listed above under the first degree. (Minnesota Statute 609.343)

Third Degree –Engaging in sexual penetration under these circumstances:

- The victim is under 13 and the defendant is 3 years older than the victim
- The victim is 13-15 years old and the defendant is more than 2 years older, but no more than 10 years older
- The defendant uses force or coercion to sexually penetrate the victim
- The defendant knows or should know the victim is mentally or physically incapacitated
- The defendant has significant familial or living relationship with the victim who is at least 16, but under 18 at the time of the sexual penetration
- The defendant is a psychotherapist of the victim when the sexual penetration occurred during a session or while the professional relationship existed. Also unlawful if a former patient/victim is emotionally dependent on the therapist or the sex occurred by deception
- The defendant accomplishes the sex by means of deception or false representation that it has a medical purpose
- The defendant is a clergy, the victim isn't married to him or her, and the sex occurs during a spiritual advice meeting
- The defendant is an employee or volunteer at a correction or juvenile facility and the victim is in custody or treatment there
- The defendant works for a special transportation service and has sex with the victim, who is a client before or after transporting him or her
- The defendant is a massage therapist and the victim used the services and the nonconsensual sex occurred during or immediately before or after the massage (Minnesota Statute 609.344)

Fourth Degree –Engaging in sexual contact (not penetration) in any of the same situation as third degree described above (Minnesota Statute 609.345)

Fifth Degree –Engaging in nonconsensual sexual contact (not including touching a clothed butt, but including attempts to remove clothing covering victim’s intimate parts if done with sexual or aggressive intent) or knowingly masturbating or exposing one’s genitals in the presence of a child under 16. (Minnesota Statute 609.3451)

**Domestic Assault:** The term “domestic assault” means

1) Felony or misdemeanor crimes of violence committed—

- (i) By a current or former spouse or intimate partner of the victim;
- (ii) By a person with whom the victim shares a child in common;
- (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- (v) By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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

According to the State of Minnesota, “domestic abuse” means the following is committed against a family or household member by a family or household member:

- Physical harm, bodily injury or assault
- The infliction of fear of imminent physical harm, bodily injury or assault or
- Terroristic threats, criminal sexual contact or interference with an emergency call

“Family or household members” means:

- Spouses and former spouses
- Parents and children
- Persons related by blood
- Persons who are presently residing together or who have resided together in the past;
- Persons who have a child in common regardless of whether they have been married or have lived together at any time
- A man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time
- Persons involved in significant romantic or sexual relationship (Minnesota Statute 518B.01)

**Dating Violence:** The term “dating violence” means violence committed by a person

1) Who is or has been in a social relationship of a romantic or intimate nature with the victim and

2)The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition-

- (i) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse
- (ii) Dating violence includes acts covered by the domestic assault statute for Minnesota

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

Minnesota does not have a specific dating violence statute, however some aspects of the above definitions are addressed in Minnesota Statute 518B.01

**Stalking:** The term “stalking” means

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

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

(ii) Suffer substantial emotional distress.

2) For the purposes of this definition—

(i) 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.

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

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

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

By Minnesota statute “stalking” means to engage in conduct which the actor knows or has reason to know would cause the victim under the circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated and causes this reaction on the part of the victim regardless of the relationship between the actor and victim. (Minnesota Statute 609.749)

#### ***B. EDUCATION AND PREVENTION PROGRAMS***

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

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.
- Embrace that Lutheran Church Missouri Synod and Concordia University are committed to the authority of the Scripture that leads us to believe that a sexual relationship is to be understood and experienced within the context of that mutually acknowledged commitment to lifelong union known as marriage. The University also recognizes that not all students share that belief nor are all sexual acts covered by this policy consensual.

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

- a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- b. Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;

- c. Defines what behavior and actions constitute consent to sexual activity in the State of Minnesota and/or using the definition of consent found in the Student Code of Conduct if state law does not define consent;
- d. Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- e. Information on 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.
- f. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

During calendar year 2017, a variety of programming on domestic violence, dating violence, sexual assault and stalking were presented such as “Start by Believing” with Ramsey County on September 26. First year traditional students are required to complete an online educational component called Haven by EverFi. In addition, there was training on these topics which was offered in the first year seminar class. Training is provided to various groups of new students addressing the definitions covered in the University's Sexual Misconduct policy as well as reporting options through both on-campus and off-campus resources. Examples of new student groups which receive training include PSEO (post-secondary education opportunity), international students and DPT (Doctoral of Physical Therapy students). The specific breakdown of groups allows us to present information that is specific to some of the needs of each group while at the same time being culturally relevant.

Ongoing training opportunities for students includes programming such as bulletin boards and informational tables such as in April, which was Sexual Assault Awareness Month, a table dedicated to information and activities for all students. Residence Life shares information through hall meetings and student Resident Assistants go through 2 hours of training specific to the university's policy and their response strategies. The athletics department addresses topics of sexual misconduct policy awareness through mandatory team meetings.

In 2017, the department of Student Life provided dating and domestic violence training to peer advisors, peer ministers and presented awareness information on these topics to students during welcome weekend. The continued partnership with RCSAPT (Ramsey County Sexual Assault Protocol Team) has provided the campus community with support and information.

### ***PROCEDURES FOR REPORTING A COMPLAINT***

Concordia University has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking. This includes informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional action steps to prevent contact between a complainant and a respondent (respondent). These steps include alternate housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the Concordia Security or local law enforcement. To file a report students and employees may contact:

- Title IX Coordinator
  - Cheryl Chatman [chatman@csp.edu](mailto:chatman@csp.edu)

All employees are required to report any sexual assault they are aware of via the student (verbally or written) or any other source. Only employees in Campus Ministry, Accessibility Services and the Counseling Center are confidential employees.

- Confidential Employees
  - Rev. Tom Gundermann [gundermann@csp.edu](mailto:gundermann@csp.edu)
  - Shelly Schwalm [schwalm@csp.edu](mailto:schwalm@csp.edu)
  - Jill Carlson [jcarlson2@csp.edu](mailto:jcarlson2@csp.edu)
  - Josie Hurka [hurka@csp.edu](mailto:hurka@csp.edu)

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible. The medical exam includes checking for injuries, screening for sexually transmitted infections, gathering evidence, providing medications for follow up care, and preserving a legal chain of custody of the evidence. Local hospitals include:

- |                      |   |              |
|----------------------|---|--------------|
| • Regions Hospital   | 640 Jackson Street St. Paul, MN 55101           | 651-254-3456 |
| • St. Joe's Hospital | 45 W 10 <sup>th</sup> Street St. Paul, MN 55102 | 651-232-3000 |
| • United Hospital    | 33 Smith Avenue N. St. Paul, MN 55102           | 651-241-8000 |

In Minnesota evidence may be collected even if you chose not to make a report to law enforcement<sup>1</sup> an individual may have a forensic medical exam at no cost to them and not have it billed to their insurance if they report at the hospital that they are a victim of a sexual assault. At the hospital a SANE (sexual assault nurse examiner) will conduct an exam, a sexual assault advocate may also be available to accompany the individual and provide support. The medical exam will include medical care as well as medications to prevent pregnancy or sexually transmitted infections and collect any evidence of the sexual assault that might be on the individual's body. Forensic evidence is typically most viable if collected as soon as possible, however exams may now be conducted up to 10 days after an assault. Victims are encouraged not to take a bath or a shower, brush their teeth or go the bathroom until they've gotten medical care. If some of these things have been done, evidence may still be collected and medical care provided. The individual has an option of providing the clothing and underwear they were wearing during the assault as forensic evidence. Consider bringing these articles of clothing in a paper (not plastic) bag and/or bring an extra change of clothes to the exam. Exams are available to anyone who was sexually assaulted regardless of alcohol consumption, drug use or gender.

Many victims want time to decide whether or not they want to engage the criminal justice system. Ensuring that they have immediate access to medical care and a forensic examination ensures that their health needs are met and evidence is collected in a timely fashion should they decide to report the sexual assault. Victims who are undecided at the time of an exam who then receive quality exam with access to advocacy services are more like to report to law enforcement afterward.

If the victim does not want to report the sexual assault the evidence will be stored until such time as the victim decides to release the evidence to law enforcement. The evidence will be destroyed after a certain period of time (made known to the victim) if the victim decides not to report to law enforcement. Only the victim can release the evidence for testing. Authorizing the release of the evidence for testing is a freely made, voluntary choice by the victim. Evidence is only tested if a victim has reported to law enforcement, and law enforcement has submitted it to a crime lab for testing. Experience has shown that requiring victims to release the evidence to law enforcement would have a chilling effect on victims seeking care. If the victim wants to report the sexual assault to law enforcement the victim will sign a release

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<sup>1</sup> Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not "require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both."

form and the SANE or health care provider will contact law enforcement. Law enforcement will pick up the sexual assault evidence and submit it to one of the state’s forensic laboratories for processing.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Security or St Paul Police to preserve evidence in the event that the victim changes her/his mind at a later date.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if applicable, that would be useful to University investigators or police. Although the university strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim’s choice whether or not to make such a report and victims have the right to decline involvement with the police. The Title IX Coordinator, Human Resources officer, Security office or confidential employee will assist any victim with notifying local police if they choose. The St Paul Police Department may also be reached directly by calling 911 or 651-291-1111, or in person at 367 Grove Street, St Paul, MN 55101. Reports may also be filed at the West District Office (near the Concordia Campus) 389 Hamline Avenue N. St. Paul, MN 55104.

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

Incident Being Reported:	Procedure Institution Will Follow:	Evidentiary Standard TO MEET YOUR STANDARDS
<b>Sexual Assault</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), institution will provide complainant with information regarding access to medical care</li> <li>2. Institution will assess immediate safety needs of complainant</li> <li>3. Institution will assist complainant with contacting local police if complainant requests AND provide complainant with contact information for local police department</li> <li>4. Institution will provide complainant with referrals to on and off campus mental health providers</li> <li>5. Institution will assess need to implement interim or long-term protective measures, such as</li> </ol>	Sexual assault cases are referred to the Title IX Coordinator and are adjudicated using the preponderance of the evidence standard.

	<p>housing changes, change in class schedule, “No Contact” directive between both parties</p> <ol style="list-style-type: none"> <li>6. Institution will provide a “No trespass” directive to respondent party if deemed appropriate</li> <li>7. Institution will provide written instructions on how to apply for Order for Protection</li> <li>8. Institution will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for investigation and resolution</li> <li>9. Institution will inform the complainant of the outcome of the investigation, whether or not the respondent will be administratively charged and what the outcome of the hearing is</li> <li>10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>	
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<p><b>Stalking</b></p>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Order for Protection</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide a “No trespass” directive to respondent party if deemed appropriate</li> </ol>	<p>Stalking cases are referred to the Title IX Coordinator and Security and are adjudicated using the preponderance of the evidence standard.</p>
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<p><b>Dating Violence</b></p>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Order for Protection</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide a “No trespass” directive to respondent party if deemed appropriate</li> </ol>	<p>Dating violence cases are referred to the Title IX Coordinator and Security and are adjudicated using the preponderance of the evidence standard.</p>
<p><b>Domestic Violence</b></p>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Order for Protection</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide a “No trespass” directive to respondent party if deemed appropriate</li> </ol>	<p>Domestic violence cases are referred to the Title IX Coordinator and Security and are adjudicated using the preponderance of the evidence standard.</p>



**C. ASSISTANCE FOR VICTIMS: RIGHTS & OPTIONS**

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

Further, Concordia University complies with Minnesota law in recognizing orders of protection by supporting individuals who have an order for protection through these measures. Any person who obtains an order of protection from Minnesota, another state, Indian tribe, or United States territory should provide a copy to the Campus Security Department and the Office of the Title IX Coordinator. A complainant may then meet with Campus Security and the Title IX Coordinator to develop a Safety Action Plan, which is a plan for Campus Security and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, or changing class schedule/assisting in exploring alternate learning arrangements such as online classes. The University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s).

If a student is attending school in Minnesota and has an order of protection issued by another state there are steps to help Minnesota recognize and enforce the judgement. A victim obtains a certified copy of the order for protection from the issuing state. The victim takes the order to the court administrator in the county where s/he lives. The victim then asks the court administrator to file or register the order as a foreign judgment. Once this process is complete, other jurisdictions must recognize and enforce the judgment.

The victim is required to apply directly for these services in conjunction with the agency listed in the chart below. Students attending Concordia University and living on campus reside in Ramsey County.

Type of Order	Who Can File for One	Court	Based On
<b>Order for Protection</b>	<ul style="list-style-type: none"> <li>• Spouse or former spouse</li> <li>• Person involved in a significant romantic or sexual relationship</li> <li>• Parents &amp; children</li> <li>• Persons related by blood</li> <li>• Persons living together or who have in the past</li> <li>• Persons who have or had a child in common (regardless of marriage)</li> </ul>	<p>District court in the county where you reside</p> <p>It is best to seek help from domestic abuse advocates who know the process and can support you through all the steps.</p> <p><i>Bridges to Safety (M-F)</i> 651-266-9901</p> <p><i>St. Paul Intervention Project (24 hrs.)</i> 651-645-2824</p>	<p>Used in instance of violations of the Domestic Abuse Act (MN Statutes CH518B) where there is domestic abuse committed by a family or household member against another family or household member (may include infliction and/or fear of physical harm, bodily injury or assault, terroristic threats, acts of criminal sexual conduct, interference with an emergency call)</p>

<b>Harassment Restraining Order</b>	Anyone –there does not need to have a personal relationship with the respondent	District court in the county where you reside (or forms are available at <a href="http://www.mncourts.gov">www.mncourts.gov</a> )	Used in situations where a person or organization has repeatedly committed unwanted acts, words, gestures toward you which have adversely affected your safety, security or privacy.
<b>No Contact Order</b>	It is not specifically applied for but something that is issued as a result of a criminal case.	Issued by a judge in a criminal court	Criminal defendants are then required to not have contact with someone.

The University may issue an institutional no contact directive if deemed appropriate or at the request of the victim or respondent. Upon the victim’s request and to the extent of the victim’s cooperation and consent, university offices will work cooperatively to assist the victim with their health, physical safety, work and academic status, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, working or transportation situations regardless of whether the victim chooses to report the crime to campus police 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 park in a different location, assisting the student with a safety escort, etc. To the extent possible, Concordia University will also provide assistance with and/or information about obtaining resources and services such as counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Concerns with no contact directives or accommodations being adhered to should be shared with the Title IX Coordinator or in emergency situations Campus Security.

Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Further, 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 name of crime victims nor house identifiable information regarding victims in the campus security departments Daily Crime Log or online in accordance with CSP FERPA Directory Information Policy.

Victims may request that directory information on file be removed from public sources. To request withholding, students complete the Student Information Suppression/Release Form, available from the Registrar’s office. After this form is processed, the entire student record is suppressed until the student submits the Student Information Suppression/Release to release information.

**RESOURCES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT & STALKING**

**ON-CAMPUS**

Counseling/Mental Health	Nystrom & Associates, LTD	651-641-8252
	CSP Campus Ministry	651-641-8271
Title IX Coordinator	Dr. Cheryl Chatman	651-603-6151
Title IX Deputy Coordinator	Jason Rahn	651-641-8706
Concordia Security	Bryan Hamilton, Director	651-641-8717
Visa and Immigration Assistance	International Student Services	
Health	<a href="http://info.csp.edu/Student-Resources/student-health-and-wellness/">http://info.csp.edu/Student-Resources/student-health-and-wellness/</a>	

**OFF-CAMPUS**

Counseling	Lutheran Social Services	612-879-5320
Health	Regions Hospital	651-254-5000
	United Hospital	651-220-8755
	St. Joseph's Hospital	651-232-3348
Mental Health	Mental Health Crisis Hotline	651-266-7900
Victim Advocacy	SOS -Sexual Violence Services	651-643-3006
	Sexual Violence Center	612-871-5111
	Rape and Sexual Abuse Center	612-825-4357
	Crisis Connections	612-379-6363
	Men's Crisis Connections	612-3796367
Legal Assistance	Ramsey County District Attorney	651-266-3222
Visa and Immigration Assistance	Immigrant Law Center of Minnesota	651-641-1001

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

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

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

## **HOW TO BE AN ACTIVE BYSTANDER**

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”<sup>2</sup> 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<sup>3</sup> of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is being physically or verbally 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 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 this document for support in health, counseling, or with legal assistance.

## **SEXUAL VIOLENCE RISK REDUCTION**

It is important to remember that while we can take steps to minimize risk, the only person to blame when sexual violence occurs is the perpetrator.

Strategies you can use to minimize the risk of sexual assault include:

- Trust your gut instinct. If a situation doesn't feel right, don't worry about offending someone, just leave.
- Notice when someone doesn't respect your boundaries. Don't be afraid to assert your rights to have your boundaries respected.
- Most perpetrators of sexual violence will look for vulnerable targets.
- Don't be afraid to ask for help in situations where you feel unsafe: ask for an escort to your car, tell your friends you want to leave the party, ask a friend to stay with you, etc.

### ***VULNERABLE TARGETS ARE PEOPLE WHO...***

- Appear to not be aware of their surroundings.
- Are under the influence of alcohol or drugs.
- Are isolated from their friends
- Provide access by not locking the door, not closing windows and propping doors.
- Travel alone and not in groups.



<sup>2</sup> Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792.

<sup>3</sup> Bystander intervention strategies adapted from Stanford University's Office of Sexual Assault & Relationship Abuse

## **WARNING SIGNS OF AN ABUSIVE PERSONALITY**

It is sometimes possible to predict the likelihood of the person you are currently dating or about to become involved with, becoming abusive. Below are a list of behaviors and traits that are common in abusive personalities.

While not all abusive people show the same signs, or display the tendencies to the same extent, if several of these behavior traits are present, there is a strong tendency the person may become abusive. In some cases, an abuser may have only a few behavioral traits that can be recognized by they are exaggerated.

Often the abuser will initially try to explain their behavior as signs of their love and concern, and the victim may be flattered at first; however, as time goes on, the behaviors become severe as they dominate, control and manipulate the victim.

- a. **Jealousy** -At the beginning of a relationship, an abuser will always say that jealousy is a sign of love. S/he may question you about whom you have spoken to or seen during the day, may accuse you of flirting or be jealous of time you spend with friends, family, children or hobbies which do not include him/her. As the jealousy progresses s/he may call you frequently during the day or drop by unexpectedly. S/he may be unhappy about or refuse to let you participate in activities or even work for fear you will meet someone else. They may check the car mileage or ask friends to keep an eye on you. Jealousy is not proof of love; it is a sign of insecurity and possessiveness.
- b. **Controlling Behavior** -This is often disguised or excused as concern; concern for your safety, your emotional or mental health, the need to use your time well or to make sensible decisions. S/he may be angry or upset if you are "late" coming back for work, shopping, visiting friends, etc. even if you told them you would be back later than usual. S/he may question you closely about where you were, who you spoke to, the content of every conversation held, or why you did something they were not involved in. As this behavior gets worse, you may not be allowed to make personal decisions. Alternately, s/he may theoretically allow you to make your own decisions, but penalize you for making the wrong ones. Concern for our loved ones to a certain extent is normal however trying to control their every move is not.
- c. **Quick Involvement** -The abuser will often claim 'love at first sight', that you are 'made for each other', or that you are the only person whom s/he could ever talk to so openly, feel so comfortable with or understand him/her so well. S/he may tell you that they have never loved anyone so much or felt so loved by anyone so much before, when you have really only known each other for a short time. S/he needs someone desperately, and will pressure you to commit to him/her or have sex before you feel the relationship has move to that level. S/he may also make you feel guilty for not committing yourself to him/her.
- d. **Threatening Suicide** -An abusive partner may use threats of suicide to maintain a relationship. "I don't know what I would do if you ever left me. I think I would have to kill myself" is an example of how this may sound. The abusive partner may phrase the threat in a loving and affectionate way but ultimately have violent intentions. These threats are intended to cause the partner to remain in the relationship because of fear of what will happen if they leave.
- e. **Hypersensitivity** -Most abusers have very low self-esteem and are therefore easily insulted or upset. They may claim their feelings are 'hurt' when they are really angry or take unrelated comments as personal attacks. They may perceive normal set-backs (having to work additional hours, being asked to help out, etc.) as grave personal injustices. They may view your preference for something that differs from their own as a criticism of their taste and therefore of them.
- f. **Verbal Abuse** -In addition to saying things that are meant to be cruel and hurtful, either in public or in private, this can include degrading remarks or criticism of any accomplishments. Often the abuser will tell you that you are 'stupid', could not manage without him/her. S/he may keep you up all night so you can 'sort this out once and for all' or even wake you at night to continue to verbally abuse you. The abuser may even say kind things to your face but speak negatively about you to friends and family.

- g. **Threatening Violence** –This would include threats of physical force such as “If you speak to him/her again, I’ll kill you”, or “If any girlfriend of mine acted like John’s did, I’d smack her.” Threats are designed to manipulate and control you and keep you in your place and prevent you making your own decisions. Most people do not threaten their partners but an abuser will excuse this behavior by saying “everybody talks like that”, maintaining s/he is only saying this because the relationship or you are so important to him/her or tell you you’re “over-sensitive” for being upset by such threats.
- h. **Isolation**- The abuser may try to curtail your social interactions. S/he may prevent you from spending time with your friends or family and demand that you only go places ‘together.’ S/he may accuse you of being “tied to your mother’s apron strings” or not being committed to the relationship, or s/he may view people who are your personal friends as causing trouble or trying to put a wedge between you.
- i. **History of Battering or Sexual Violence**- Very rarely is abuse or violence a one-time event. A person who is abusive with one partner will likely be abusive with future partners. Sometimes friends or family may try to warn you about the abuser. Sometimes the abuser may tell you that s/he assaulted someone in the past, however they go on to explain that “they made me do it...” or find another way to not take responsibility or shift the blame on to the victim. They may tell you it won’t happen again with you because “you love them enough” or “you won’t get them that upset.” Past violence is one of the strongest indicators that future abuse will occur.
- j. **Blame Shifting for Problems** –Very rarely will an abusive personality accept responsibility for any negative situation or problem. If they aren’t doing well in class, can’t keep a job or had a fall out with their family, it is always someone else’s fault. S/he may feel that someone is always doing them wrong or is out to get them.
- k. **Unrealistic Expectations** – The abuser may expect you to be the perfect girlfriend, boyfriend, partner, etc. S/he is very dependent on you for all his/her needs and may tell you how s/he can fulfill all your needs. Statements such as “If you love me, I’m all you need” are common. S/he may expect you to provide something for him/her emotionally, practically, financially or spiritually and then blame you for not being perfect or living up to the expectations.

If you are in an abusive relationship, there are a number of resources to support you. You can contact Concordia Security and they can assist you in contacting local law enforcement. You can also contact the Minnesota Domestic Violence Crisis Line at 1-866-223-1111 or the National Domestic Violence Center -24 hours a day at 1-800-799-7233. Locally, individuals who are experiencing domestic abuse can contact Bridges to Safety. This program provides support for victims with personal and legal advocacy, filing for Orders for Protection, civil legal services, consultation with law enforcement and prosecution, child care while the parent is receiving services and referral to community partners ([www.bridgestosafety.org](http://www.bridgestosafety.org))

#### ***D. ADJUDICATION OF VIOLATIONS***

Whether or not criminal charges are filed, the university<sup>4</sup> or a person may file a complaint under the Sexual Misconduct Policy alleging that a student or employee violated the University’s policy on Sexual Misconduct

#### ***FILING A REPORT***

Any student, staff, or faculty member may file a report. The report form need not include the name of the complainant nor the accused unless the person chooses to include them. Initials of the complainant should be included to be able to keep a record of the report in the event the complainant wishes to file a formal report at a future time. Filing a report

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<sup>4</sup> Title IX states that if an institution knows or reasonably should know of sexual harassment, to include sexual violence, the institution has a duty to investigate. Consequently, whether a complainant chooses to cooperate or not should not be the deciding factor for whether or not disciplinary charges are brought against a respondent party. If an investigation determines that it is more likely than not that the institution’s sexual misconduct policy was violated, then the “University” may assume the role of the complainant.

will assist the University in a proper investigation of the incident and in compiling crime statistics. It will not result in a police investigation. A report may be submitted at: [www.csp.edu/reporting](http://www.csp.edu/reporting). The report will be sent to the Title IX Coordinator.

**Formal Reports-** Persons may elect to file a formal report through the Title IX office or Security Department. A formal report will include the names of the person filing the report and will include the name of the accused, if known. If a person chooses to file a formal report, then either or both of the following procedures may result:

- a) **Internal Conduct Process-** The Title IX Coordinator will assign two Title IX Investigators to review the report and conduct an investigation. The investigation may consist of interviewing the complainant, respondent and any witnesses. The goal of the investigation is to gather as much information as possible. Parties may be interviewed more than once as part of the investigation and hearing.

The University will respond to allegations of sexual misconduct, which may include taking interim measures such as no contact between parties, interim suspension from the residence halls and/or University, room reassignment, and/or academic accommodations. The University prohibits retaliation against complainants and anyone participating in an investigation.

CSP will investigate all reported incidents of sexual misconduct, regardless of whether a complaint is filed. Both parties (respondent(s) and complainant(s)) will be advised in writing of the outcome of a complaint once a decision has been reached (after the investigation and recommended decision to the Title IX Coordinator). Either party may appeal the results of the investigation. Complaints may be resolved through formal or informal resolution procedures.

All sexual misconduct investigations will proceed whether or not a related criminal matter is pending. The University will ask the complainant(s) and respondent(s) for a written acknowledgement of the incident(s). Investigations will be kept as private as possible and information is disclosed only on a need to know basis. The University is obligated to investigate the matter to the best of its ability even if a complainant asks the University not to take any action.

CSP balances the rights of alleged perpetrators with complainants' Title IX rights in disciplinary hearings involving sexual misconduct. The University will treat the parties equitably. Both parties will be given similar and timely access to information that will be used at the hearing (investigation meeting). Both parties will receive simultaneous written notice of the outcome of the hearing and of any appeal process.

Please note that the University investigation is kept separate from any criminal justice investigations.

The sanctions which result if an individual is found responsible include a full range of responses from the University.

Student Sanctions:

- Warning
- Restitution
- Fines
- Community Service Requirements
- Restrictions of Privileges
- Loss of Privileges
  - i. Ineligibility to hold any office in a student organization or hold an elected or appointed office at the University
  - ii. Ineligibility to represent the University to anyone else outside of the University in any way including: participation in study abroad trips, attending conferences, representing the University

at an official event, function or intercollegiate competition as a player, manager or student coach

- Confiscation of Prohibited Property
- Behavior Requirements
- Alcohol Education
- Educational Programming
- Random Drug Testing
- No Contact Order
- Parental Notification
- Trespass
- Housing Probation
- Housing Reassignment
- Housing Suspension
- Housing Expulsion
- Disciplinary Probation
- Suspension
- Disciplinary Suspension
- Expulsion
- Delayed Registration
- Rescinding of Admission
- Withholding of Degree
- Revocation of Degree
- Class Reassignment
- Academic Program Notification
- Inability to Participate in Commencement

#### Employee Sanctions

- Warning
- Restitution
- Fines
- Community Service Requirements
- Restrictions of Privileges
- Loss of Privileges
  - i. Ineligibility to hold an elected or appointed office at the University
  - ii. Ineligibility to represent the University to anyone else outside of the University in any way including: participation in study abroad trips, attending conferences, representing the University at an official event, or function
- Confiscation of Prohibited Property
- Behavior Requirements
- Conflict Resolution Plan
- Referral to EAP
- Alcohol Education
- Performance Plan/Educational Programming
- Random Drug Testing
- Position Reassignment
- Job Description Revision
- No Contact Order



- Trespass
- Housing Expulsion (for employees in campus housing facilities)
- Disciplinary Probation
- Suspension
- Suspension with no pay
- Suspension with pay
- Demotion or Reassignment
- Termination

b) Criminal Justice Process- The report may lead to a review by the criminal justice system. Individuals may choose to report these incidents to the University Security Department or to any other law enforcement agency. The Title IX Coordinator, Human Resource Officer or Security Office can assist in the reporting process within the criminal justice system. Individuals may also contact local police authorities directly to file a report.

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

The university disciplinary process is consistent with the institution's policy and will include a prompt, fair, and impartial investigation and resolution process transparent to the complainant and the respondent. Usually, the resolution of complaints of sexual misconduct are completed within 60 days of the report, however the proceedings timeframe allows for extensions for good cause with notice to the complainant and the respondent of the delay and the reason for the delay. Investigators are trained annually on issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. The Sexual Misconduct Policy provides that:

1. The complainant and the respondent each have the opportunity to be part of an investigation. This investigation may consist of interviewing the complainant, respondent and any witnesses. The goal of the investigation is to gather as much information as possible. Parties may be interviewed more than once as a part of the investigation. The Title IX Coordinator, Deputy Coordinator and Investigators all receive annual and ongoing training on sexual misconduct, investigations and proceedings that protects the safety of victims and promotes accountability of the process.
2. The complainant and the respondent will have timely notice for meetings at which the complainant or respondent, or both, may be present;
3. The institution will allow for timely access to the complainant, the respondent and appropriate officials to any information that will be used after the fact-finding investigation;
4. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the complainant or the respondent;
5. The institution provides the complainant and respondent the same opportunities to have others present during an institutional disciplinary proceeding. The complainant and the respondent student each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or proceeding. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing. The advisor may change throughout the hearing and does not need to be the same. Individuals serving as advisors may include parents, staff or faculty members, coaches or attorneys. These individuals are to be a support to the student. The process may not be delayed due to the availability of an advisor;

6. A student conduct decision is based on the preponderance of evidence standard, i.e. “more likely than not to have occurred” standard. In other words, the conduct process asks: “is it more likely than not that the respondent student violated the university’s Sexual Misconduct Policy?”

7. The Title IX Coordinator will inform the parties of the final determination within three (3) days of the resolution, simultaneously. Notification that a determination has been made will be emailed to both parties with consideration of both the reporting party and responding party’s class schedule. This allows both parties to choose where they would like to be and who they would like to be present when they receive the notification. Emails will be sent to party’s CSP accounts if they are both students or to the preferred email of a non-CSP individual that is shared at an intake. Once mailed, emailed and/or received in person, notice will be presumptively delivered. The notification of outcomes will specify the finding on each alleged policy violation, any sanctions that may result which the University is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the University is permitted to share under state or federal law. The notice will also include information on when the results are considered by the University to be final, any changes that occur prior to finalization, and any appeals options that are available.

8. The complainant and the respondent each have the right to appeal the outcome of the hearing by contacting the Title IX Coordinator and will be notified simultaneously in writing, of any change to the result prior to the time that it becomes final and of the final result after the appeal is resolved; and

9. The University investigation is kept separate from any criminal justice investigations.

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the university’s policy against Sexual Harassment which is part of the University Sexual Misconduct policy in order to remedy any hostile environment.<sup>5</sup> All conduct proceedings against students, however, will be resolved through the student policy pertaining to retaliation.

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

### **CONFIDENTIALITY**

Concordia University encourages victims of sexual violence to share with someone about what happened – so victims can get the support they need, and so the University can respond appropriately. Different employees on campus have different abilities to maintain a victim’s confidentiality.

- Campus ministry full-time staff and counseling staff who provide services on campus can maintain near confidentiality. They generally only report to the University that an incident occurred without revealing any personally identifying information.
- All other employees (also known as responsible employees) at Concordia University are required to report all the details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX coordinator. This triggers the Title IX coordinator to take initial steps which include but may not be limited to meeting with the victim to determine how they would like to proceed, the implementation of necessary or requested accommodations and in some instances notification to the campus community that aligns with Clery timely notification guidelines.

Confidential employees and/or the Title IX Coordinator will assist the victim in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and

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<sup>5</sup> “Hostile Environment” is the term used by Title VII in employment law as it relates to action taken against a person in retaliation of a complaint of sexual harassment or for cooperating with a sexual harassment investigation. Under Title IX, the term used is “retaliation.” Institutions may choose to provide both terms for clarification although it is not required.

changes to living, working or course schedules. A victim who at first requests confidentiality may later decide to file a complaint with the school or report the incident to local law enforcement, and thus have the incident fully investigated. If the victim requests assistance with filing a report with law enforcement, the victim will receive this assistance from the university.

If a victim discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the university must weigh that request against its obligation to provide a safe, non-discriminatory environment for all students, including the victim. If the request for confidentiality is honored, a victim must understand that the university's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. Although rare, there are times when the university may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students. Concordia University has designated that the Title IX Coordinator in conjunction with the Title IX Deputy Coordinator and the Director of Security evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual violence:

When weighing a victim's request for confidentiality or that no investigation or discipline be pursued, [name/position] will consider a range of factors, including the following:

- The increased risk that the alleged perpetrator will commit additional acts of sexual or other violence, such as:
  - o whether there have been other sexual violence complaints about the same alleged perpetrator;
  - o whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
  - o whether the alleged perpetrator threatened further sexual violence or other violence against the victim or others;
  - o whether the sexual violence was committed by multiple perpetrators;
- Whether the sexual violence was perpetrated with a weapon;
- Whether the victim is a minor;
- Whether the university possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence);
- Whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the University to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the University will likely respect the victim's request for confidentiality.

If Concordia University determines that it cannot maintain a victim's confidentiality, the university will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the university's response. Concordia University will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or University employees, will not be tolerated.

Concordia University will also:

- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus;
- Provide other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
- Inform the victim of the right to report a crime to campus security or local law enforcement – and provide the victim with assistance if the victim wishes to do so.

The University may not require a victim to participate in any investigation or disciplinary proceeding.

Because Concordia University is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the university to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices. If the university determines that it can respect a victim’s request for confidentiality, the university will also take immediate action as necessary to protect and assist the victim.

### ***OTHER CONFIDENTIALITY CONSIDERATIONS***

#### ***PUBLIC DISCLOSURE***

Public awareness events such as “Take Back the Night,” candlelight vigils, protests, “survivor speak outs” or other forums in which students disclose incidents of sexual violence, are not considered notice to the university of sexual violence for purposes of triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the university will provide information about students’ Title IX rights at these events.

#### ***ANONYMOUS REPORTING***

Although Concordia University encourages victims to talk to someone, the university provides an online system for anonymous reporting. The system will notify the user before s/he enters information that entering personally identifying information may serve as notice to the College for the purpose of triggering an investigation. This reporting option can be found at: [www.csp.edu/reporting](http://www.csp.edu/reporting).

#### ***OFF-CAMPUS COUNSELORS AND ADVOCATES***

Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with the College unless the victim requests the disclosure and signs a consent or waiver form.

#### ***SANCTIONS AND PROTECTIVE MEASURES***

In all cases, investigations that result in finding that a violation of the Sexual Misconduct Policy occurred will lead to the initiation of disciplinary procedures against the accused individual. University sanctions including, warnings, fines, restitution, community service, education, educational sanctions, hall restrictions, disciplinary probation, residence hall suspension and expulsion, suspension from university, expulsion from the university, disciplinary hold or parental notification may be imposed upon those determined to have violated this policy. The University may implement protective measures following the report of domestic violence, dating violence, sexual assault and/or stalking which may include some or all of the following actions: changes to work schedule, changes to residence hall assignments, escorts, special parking arrangements, or changing class schedule/assisting in exploring alternate learning arrangements such as online classes. For students, sexual assault, domestic violence, dating violence, and stalking are violations of the Student Conduct Code. Employees who violate this policy will be subject to discipline, up to and including termination of employment. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

The Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These

remedies may be applied to one, both, or multiple parties involved. <sup>6</sup>Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Concordia University.

The University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

### ***SEXUAL OFFENDER NOTIFICATION***

The Federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, went into effect October 28, 2002. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by the State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to 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, or is a student.

In the City of St. Paul the public risk posed by a Sex Offender about to be released is assessed by a committee of experts. The offender is given a risk level. Information about the offender, including their risk level, is sent to the law enforcement agency that has primary jurisdiction over the area in which the offender plans to reside. The risk imposed by the offender determines to whom law enforcement may disclose the offender's information. After October 1, 2002 the Bureau of Criminal Apprehension will be notifying the local police departments of registered Sex Offenders that are registered to attend schools in their city. The offenders are then subject to the same notifications as offenders who are actually residing in Minnesota (at their registered home address).

The Minnesota Predatory Offender Registration and Tracking Program is available via Internet pursuant to MN Statute 243.166 Session updates. Registry information provided under this section shall be used for the purposes of the administration of criminal justice, screening of current or prospective employees and volunteers, or otherwise for the protection of the public in general and children in particular. Unlawful use of the information for purposes of intimidating or harassing another is prohibited.

The following is a breakdown and explanation of the different levels of Sex Offenders in Minnesota. The breakdown also explains the specific people who may be notified before a Sex Offender is released.

#### **LEVEL I**

This is considered the "lowest risk of re-offense". Law Enforcement may notify other enforcement agencies. This is not for public notice. They shall notify victims of, or witnesses to, the offense who have requested information.

#### **LEVEL II**

In addition to Level I notification, Law Enforcement, may notify: the staff members of establishments and organizations that serve the individuals likely to be victimized by the offender (including schools, day-care, churches, park and recreation centers, etc.). Individuals likely to be victimized based on the offender's past victim preferences or pattern of offending. This level of notification is not public notification.

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<sup>6</sup> Applicable law requires that, when taking such steps to separate the complainant and the accused, the University must minimize the burden on the complainant and thus should not, as a matter of course, remove the complainant from his or her job, classes or housing while allowing the accused to remain.

### **LEVEL III**

In addition to Level II notifications. Law Enforcement may notify: other members of the community who the offender is likely to encounter. This usually involves Community Notification meetings.

When Concordia University is notified of a Level III Sex Offender, the university will work to educate the campus community regarding the Sex Offenders past offenses and any additional facts about the offender. This may be done by notifying campus members when a community Sex Offender Notification Meeting will be held. The university may also choose to post signs in residence halls and commons areas with notification and information on specific Level III Sex Offenders. While the notice may be disturbing for some, it is not the intent to increase fear in the campus community rather educate campus community members for their personal safety.

Below are two websites available to locate predatory offenders in St. Paul. These sites contain specific information on the Sex Offender and some information regarding his/her past offenses. Concordia University is not a registry point for Sex Offenders. The following web sites will provide you with access for additional information on Sex Offenders and Sex Offender Notification.

[mn.gov/doc/data-publications/fact-sheets](http://mn.gov/doc/data-publications/fact-sheets)

This website has the current fact sheets of offenders who live in Minnesota. Information regarding registered sex offenders may be obtained through the Minnesota Department of Corrections at (651) 361-7200.

[mn.gov/doc/family-visitor/search-offenders-fugitives](http://mn.gov/doc/family-visitor/search-offenders-fugitives)

This website allows you to search for sex offenders in a number of different ways.