

2016 Annual Campus Security and Fire Safety Report

“YOUR RIGHT TO KNOW”

The following document is being submitted by the University of St. Thomas in compliance with 34CFR§ 668.46 and 34CFR§ 668.49. This report contains detailed information and documentation dealing with public safety services, crime prevention policies, and campus crime statistics for the 2013 calendar year.

BACKGROUND INFORMATION

DEPARTMENT OF PUBLIC SAFETY MISSION STATEMENT

The Department of Public Safety, in partnership with the campus community and within the framework of the university's mission, is dedicated to creating and promoting a safe, secure and peaceful environment by applying policies and laws, delivering emergency services, performing requests for assistance, and providing on-going education.

The following are the Public Safety Department's guiding principles:

- Respect:** We will respect all people in all situations.
Integrity: We will maintain integrity in all that we do.
Impartial: We will be impartial in the delivery of services.
Information: We will provide clear, timely and accurate information.

OVERVIEW OF THE DEPARTMENT OF PUBLIC SAFETY

The Department of Public Safety operates 24 hours a day, 7 days a week, and 365 days a year to assist the University of St. Thomas community by providing core services for some or all of the following:

- Protection of the university and its community from all manner of significant danger, injury, harm, or property damage
- Law and code enforcement services, including uniformed patrol and incident response, and crime prevention, suppression and investigation
- Fire, rescue services, emergency medical services, and hazardous materials response
- Emergency communications and dispatch, including interfacing with public emergency communications telephone systems (9-1-1, E9-1-1)
- Emergency management services and crisis response during emergencies, disasters, and special events
- Security services, including alarm and video monitoring, access control, and lost and found services
- Parking management, enforcement, and transportation services
- Inspections, including building safety, lighting, site security surveys, etc.
- Animal control
- Unified command and liaison services with public agency counterparts, including the Federal Bureau of Investigations, The United States Department of Homeland Security, Federal Emergency Management Agency of the United States, The Minnesota Department of Public Safety and Bureau of Criminal Apprehension, the St. Paul and Minneapolis Police

Departments, the Ramsey County and Hennepin County Sheriff's Offices, St. Paul and Minneapolis Fire Departments, etc.

Annual Campus Security and Fire Safety Report.

The University of St. Thomas must prepare an annual campus security and fire report that minimally contains the information found in 34CFR§ 668.46 and 34CFR§ 668.47+

34CFR§ 668.46 institutional security policies and crime statistics

(1) The crime statistics described in paragraph (c) of this section.

See this section below for compliance with this section.

(2) Current Campus Policies for Students and Others to Reporting Criminal Actions or Other Emergencies

All faculty, staff, students and visitors of the University of St. Thomas are encouraged to report criminal or suspicious activity and other emergencies to the Department of Public Safety. Criminal or suspicious activity committed on and near University of St. Thomas property that is reported to the Department of Public Safety will be investigated by Public Safety staff. Information regarding these crimes and suspicious activity, including investigatory follow up, is also shared with the local police department. Other emergencies reported to the Department of Public Safety will be investigated by Public Safety staff and/or referred to the proper department or agency for follow up.

To report criminal activity, an emergency, or to request Public Safety assistance, contact the following Public Safety office:

UST Public Safety

EMERGENCY LINE - (651) 962-5555, or 5555 from any campus phone

Non-emergency on either the St. Paul or Minneapolis Campus - (651) 962-5100

Local police agencies can be reached from within their respective cities at the following phone numbers.

St. Paul Police Department

Emergency - 911

Non-emergency - (651) 291-1111

Minneapolis Police Department

Emergency - 911

Non-emergency - (612) 348-2345

Emergency call boxes and general-use wall phones are also available to report crimes. They are found throughout the St. Paul and Minneapolis campuses in elevators, parking garages and ramps, and in administrative, academic, and residence hall facilities. Also there are emergency alarm buttons in designated administrative and academic offices.

Emergency call box phones located outdoors and marked with a blue light above them provide a direct link to the Public Safety emergency line. Officers will respond immediately to the activation of these emergency boxes. (Check the UST map in this booklet for exact locations of the emergency call boxes.)

The reporting of criminal or suspicious activity and campus emergencies to Public Safety allows the department to continually reassess services and develop better methods of crime prevention.

(i) Policies for making timely warning reports to members of the campus community regarding the occurrence of crimes described in paragraph (c)(1) of this section.

The Department of Public Safety is authorized by the university to maintain accurate law enforcement records of all criminal activity on campus, near campus, or involving the university community.

Public Safety has a strong working relationship with the Dean of Students, Residence Life, Human Resources, and other departments and campus security authorities. Public Safety works closely with these reporting authorities to ensure timely reporting of criminal information while maintaining or extending confidentiality (except where required by law or university policy).

In order to make timely warnings to the University of St. Thomas community, it is important for all faculty, staff, students, and visitors to notify the Department of Public Safety and proper authorities when a crime occurs.

Various efforts are made to inform the campus community in a timely way about crime and suspicious activity, personal safety issues, and other crime-related concerns on campus and in the neighboring community. Sharing timely information educates our community and aids in the prevention of similar incidents. For these reasons, Public Safety and the university go beyond reporting requirements found in this law by sharing information about more than just the crimes gathered in this report. To protect confidentiality, Public Safety withholds the names of victims from its timely warnings.

The latest and most up-to-date information on timely warnings include postings by Public Safety throughout campus, notifications through *Bulletin Today*, the official daily campus electronic publications, and at the DEPARTMENT OF PUBLIC SAFETY website (www.stthomas.edu/psps).

These postings describe crimes or security concerns and solicit information from the university community regarding the reported incidents. They also share important crime prevention tips, ways to report crime, and phone numbers to use to share information.

There are three different types of postings for timely warnings:

Public Safety Bulletins

Public Safety bulletins are printed on blue paper and outline topics of concern that serve to educate students, faculty, and staff on the environment in which they live and work. These postings emphasize crime awareness and prevention and are posted around campus to warn of situations in which the university community may be vulnerable. Examples of incidents calling for Public Safety bulletins are thefts, fraudulent activity, or dangerous conditions.

Public Safety Advisories

Public Safety advisories are printed on yellow paper, and describe crimes on or off campus that are important to the university community. While not as critical as the incidents described in Public Safety alerts, advisories pose significant concern for the safety and well being of students, faculty, staff, and guests.

Public Safety Alerts

Public Safety alerts are printed on red paper and describe situations or incidents of the greatest magnitude. Alerts can include incidents such as robberies, burglaries, multiple thefts on campus, or aggravated assaults.

Please watch for Public Safety bulletins, advisories and alerts posted in campus buildings and in university publications throughout the year. Our safety as a community depends on each of us staying informed.

(ii) Policies for preparing the annual disclosure of crime statistics

The Department of Public Safety Investigations Division compiles all required information and statistics for this brochure.

Statistics are collected using Public Safety Initial Complaint Reports, and from other reporting authorities including but not limited to local law enforcement agencies and officials of the university who have significant responsibility for student and campus activities. These university officials, known as Campus Security Authorities, include individuals in departments such as Athletics, Enrollment Services, and the Dean of Students and Residence Life offices.

Other required information included in the annual Campus Security Act Report, including University of St. Thomas security-related policies and procedures, are also compiled from various sources.

By October 1st of each calendar year, all current employees and students are electronically notified of the availability of this report and how to request a copy. This report is accessible on the Public Safety website (www.stthomas.edu/publicsafety/securityact/), and is also made available upon request at several Public Safety office locations around campus.

All reasonable attempts have been made to identify all reported criminal activity and to present the crime statistics in this report in accordance with the Campus Security Act and its amendments.

(iii) A list of the titles of each person or organization to whom students and employees should report the criminal offenses.

The Department of Public Safety encourages all faculty, staff, students and visitors of St. Thomas to report all crimes and suspicious activity directly to Public Safety. Because safety issues impact the whole community, the Department of Public Safety encourages such reports even when the victim of such crime elects or is unable to make such a report. At the request of the reporting victim or witness, Public Safety will make every effort to maintain or extend confidentiality while respecting law and university policy.

Crime and suspicious activity may be reported on a voluntary, confidential basis to:

UST Public Safety

- EMERGENCY LINE - (651) 962-5555, or 5555 from any campus phone
- Non-emergency on the St. Paul or Minneapolis Campus - (651) 962-5100
- TIPS LINE – (651) 962-TIPS, or (651) 962-8477
- TIPS E-MAIL – pstips@stthomas.edu

For more information on the use of confidential reporting forms, please refer to our website at www.stthomas.edu/publicsafety/forms/

Reporting Crimes to Campus Security Authorities

The University of St. Thomas is required under federal law to report specific criminal offenses to the United States Department of Education. These criminal offenses are as follows:

- Criminal Homicide
- Sex Offenses, forcible or nonforcible (sexual assault)
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Manslaughter
- Arson
- Hate Crimes
- Stalking
- Domestic Violence
- Dating Violence
- Alcohol, Drug and Weapon violations

The Department of Public Safety coordinates this effort for the university by compiling relevant data for crimes occurring in the following places:

- On campus
- In non-campus buildings or on non-campus property
- On public property immediately adjacent to and accessible from campus

The above noted crimes within these geographic locations are statistically counted if they are reported to local police agencies, the Department of Public Safety, or to a **Campus Security Authority**.

The Department of Education defines a Campus Security Authority as “**any official of the university who has significant responsibility for students and campus activities.**” Student, employees and other members of the university community should report any of the criminal offenses above 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 Athletics Director
- Team coaches
- Faculty advisors to student groups

A faculty member *is not* considered a Campus Security Authority unless he or she serves as an advisor to a student group or has other significant responsibility for student and campus activity beyond the classroom.

If Campus Security Authorities have information regarding the above cited crimes they must forward that information to the Public Safety contact below for reporting purposes.

The following forms should be used to report incidents as outlined above (one incident per form). If you have difficulty opening these attachments, please call the Public Safety contact below.

- [Crime Statistic Report Form](#)
- [Confidential Sexual Assault Report Form](#)

Note: The Campus Security Authorities are told it is important that an exact date and location of the incident be included in the report. In addition, please provide a brief description of the incident so that crimes can be appropriately classified in accordance with the crime definitions published under the Federal Bureau of Investigation's Uniform Crime Reporting program.

If they have questions regarding this request, or if they would like to discuss a specific incident, please call the Public Safety contact below.

Please return completed forms in a "Confidential" envelope to:

Mike Barrett
Manager of Investigations
Department of Public Safety
University of St. Thomas
2115 Summit Avenue Mail #4081
St. Paul, MN 55105-1096
(651) 962-5106 Office
(651) 962-5110 Fax

(3) A statement of current policies concerning security of and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities

Security Measures

Public Safety has surveillance camera systems installed throughout St. Paul in residence halls, parking lots and ramps, and other key interior and exterior areas. At the Minneapolis Campus, these systems are also operational in all campus buildings and in some exterior areas.

These camera systems are monitored 24 hours a day and continuously record to digital media. The use of these camera systems, coupled with 24-hour monitoring and recording, enhances community safety and security while aiding in the investigation of criminal and suspicious incidents on campus.

Both campuses also utilize an electronic card access system on many interior and exterior doors, which improves security.

Alarms are also installed and monitored 24 hours a day across the St. Paul and Minneapolis campuses, and in high security areas.

Academic and Administrative Building Access

The Department of Public Safety receives thousands of requests each year by faculty, staff and students for access to buildings, offices and other rooms. Public Safety personnel strive to maintain the balance between personal safety, building security and community needs of accessing campus facilities. This presents unique challenges in maintaining safety and security at both the Minneapolis and St. Paul campuses.

Access to academic and administrative facilities varies by use and location. The Department of Public Safety and the Physical Plant maintains and implements a schedule to lock and unlock exterior and interior doors in each academic and administrative building.

Many of the academic and administrative buildings have electronic card access installed on exterior doors. With this system, Public Safety electronically monitors certain doors 24 hours a day and will dispatch an officer to the door if an alarm indicates that the door has been forced open or is ajar.

To ensure that campus facilities are accessible without compromising security, Public Safety has established building access guidelines. Faculty, staff, or students who need access to their offices may do so by seeking permission from a supervisor who has control of the space and completing an access authorization form. This may be accomplished by filling out a paper form available in the Public Safety office in Morrison Hall, or by an electronic Request for Services form on the UST Web page (www.stthomas.edu/rfs/).

Once this request is on file, access can be granted when requested through Public Safety, and with the presentation of proper university photo identification. Due to university liability, Public Safety officers cannot accept memos, notes, or verbal authorization in place of the access authorization form.

Additionally, the use of university athletic and recreation facilities requires appropriate university identification for admittance.

Residence Hall Access

Exterior doors to traditional residence halls are locked 24 hours a day, except during times when temporary access is needed (such as periodic building maintenance) or for students during move-in. Each exterior residence hall door is equipped with an electronic card reader, which replaces a traditional key system and greatly enhances building security. Individual resident doors are equipped with interchangeable cores and allow for expeditious key core changes during power outages, when room keys are lost, for roommate changes, or for other immediate security concerns.

Only resident students, their guests, and those with approved access are allowed inside residence halls. All others are considered trespassers and residents are urged to report their presence to the Department of Public Safety.

Night Access Attendants (Traditional Halls Only)

A security procedure has been established in UST halls for the personal safety of residents and to provide a secure environment in the residence halls. Night access attendants will be stationed at designated entrance doors at the following times:

9 p.m. until 1 a.m. – Sunday through
Wednesday

8 p.m. until 2 a.m. – Thursday

8 p.m. until 3 a.m. – Friday and Saturday

When Night Access is present, the hosts will log their guests in with the Night Access Attendant. When they leave, they will log the guests back out with the same Night Access Attendant. In buildings where there are multiple night access points, the guests must be checked out with the same attendant that has them checked in.

Resident students who lock themselves out of their rooms *first* contact a Residence Life staff member. If one is not available, then Public Safety should be contacted. Again proper identification is required.

Maintenance of Campus Facilities

The Physical Plant maintains university buildings and grounds with an interest toward the general safety and security of university faculty, staff and students. Public Safety officers also spot and report safety and security hazards during routine patrol.

Public Safety frequently conducts security surveys, exterior lighting surveys, and inspections of electronic security systems in an ongoing effort to maintain existing conditions while increasing campus protection. Channels of internal communications exist to facilitate the repair or improvement of security systems on campus. The Physical Plant recognizes the importance of responding promptly to requests that involve safety and security issues.

A safety committee comprised of representatives from the elected undergraduate student organization, administration, and various university departments meets to discuss safety concerns. The committee accepts suggestions, reviews problems, and makes recommendations for changes and improvements.

Students, faculty, staff, neighbors and visitors are all encouraged to express concerns to the safety committee by calling or writing to the Department of Public Safety at (651) 962-5100, Mail # 4081, 2115 Summit Avenue, St. Paul, MN 55105.

In order to help keep buildings safe and in good repair, it is important to promptly report maintenance problems. For plumbing, electrical, heating, elevator, door lock, key and other maintenance concerns, contact the Physical Plant at 962-6530. On weekends and holidays, or after 4:30 p.m. on weekdays, call the Department of Public Safety at (651) 962-5100.

(4) A statement of current policies concerning campus law enforcement that -

(i) Addresses the enforcement authority of Public Safety personnel, including their relationship with State and local police agencies and whether those Public Safety personnel have the authority to arrest individuals

Enforcement and arrest authority of Public Safety personnel

The Public Safety Department has been charged by the University with the public safety functions for the university. The department functions as an agent of the university to provide a sensitive, measured response to all situations requiring public safety services.

The Department of Public Safety is open 24 hours a day, 7 days a week, and 365 days a year. Public Safety officers are responsible at all times for the enforcement of university regulations and all federal, state and local laws as they apply to the University of St. Thomas

Public Safety officers are authorized to make citizen arrests and will detain people for local police agencies in accordance with state laws and university policies.

Working relationship between Public Safety, State and Local Police Agencies

The Department of Public Safety maintains a strong collaborative working relationship with federal, state and local police agencies. Public Safety works with these agencies on criminal matters, special operations, and security details during special events on and off campus.

ST. PAUL POLICE INVOLVEMENT

As noted above, the Department of Public Safety and the St. Paul Police Department have a close working relationship. In addition to training together and working together on criminal matters, the two departments work closely with quality of life issues in the neighborhood around the St. Paul campus.

Quality of life complaints near the St. Paul campus are addressed using a team approach by the St. Paul Police Department, Public Safety, the Dean of Students Office, University Relations, and our neighbors to mitigate effects of these public disturbances between students living in the neighboring community and the permanent residents in the area.

During each fall and spring semester, Public Safety hires off-duty St. Paul Police Department officers in to respond to quality of life complaints in the neighborhood around St. Thomas. Warnings and citations are issued when appropriate. This special detail increases quality of life for our students and neighbors, and has resulted in many arrests for crimes-in-progress including but not limited to robbery, burglary, driving while impaired offenses, and hit-and-run.

MINNEAPOLIS POLICE INVOLVEMENT

The Department of Public Safety and the Minneapolis Police Department also have a close working relationship. Public Safety is actively involved in both the Downtown Block Club Association and the Downtown Security Council. By participating in and sponsoring the Block Club, Public Safety stays updated on crime occurring in the area. The Security Council and Minneapolis Police also keep Public Safety updated on crime prevention methods and events occurring in the city that may affect the general safety of the campus community.

(ii) Encourages accurate and prompt reporting of all crimes to Public Safety and appropriate police agencies

The Department of Public Safety strongly encourages victims and witnesses to report crime promptly to both Public Safety and the St. Paul or Minneapolis Police Departments. Also, Public Safety officers provide encouragement, and assistance in reporting incidents to the police.

All Public Safety personnel are trained to respond to a wide variety of situations, emergencies complaints and calls from the St. Thomas community on either the St. Paul or Minneapolis campuses. . If any situation escalates beyond or falls outside officer training or policy, Public Safety personnel will contact proper emergency response authorities.

(iii) Describes procedures, if any, that encourage pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics

All employees and students of the university, including pastoral and professional counselors, are strongly encouraged to report crimes and encourage victims or witnesses of crime to voluntarily report these offenses to Public Safety. Pastoral and professional counselors are trained in how to report crimes to Public Safety and are provided confidential reporting forms. The reporting person may request to remain confidential.

(5) Description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and that of others

Campus Safety is everyone's responsibility. In addition to investigating and reporting crimes that occur on campus, the Department of Public Safety is dedicated to aiding in the prevention of crime and in maintaining a safe campus environment.

The following is a list of programs and projects available to faculty, staff, and students at the University of St. Thomas:

Escort Service

Each year, Public Safety provides community members escorts to their cars, classes, or other locations within an approximate six-block radius of the St. Paul campus, and an approximate two-block radius of the Minneapolis campus.

All university faculty, staff, students and visitors are encouraged to use the escort service when appropriate and for each individual's personal safety needs. Several thousand escorts are provided annually.

Campus Crime Prevention Month

Each September, Public Safety provides information on crime prevention to the campus community through brochures, fliers, and presentations. Representatives from Public Safety, the St. Paul and Minneapolis Police Departments, and other key departments on campus are on hand at both the St. Paul and Minneapolis campuses to offer crime prevention tips and personal safety information. The major areas addressed each year involve general personal safety, protection of personal property, bike and motor vehicle theft prevention, sexual assault awareness, and drug and alcohol abuse.

Student Orientation Program

Public Safety provides information on campus safety policies, procedures and crime prevention on an annual basis during and at every new student orientation.

Employee Orientation Program

Public Safety provides information on campus safety policies, procedures, and crime prevention as part of a new employee orientation programs that are offered to new university staff and faculty.

Sexual Violence and Sexual Harassment Training

Employee orientation programs offered to new staff and faculty and orientation programs for undergraduate students include sexual violence and sexual harassment awareness training in order to increase awareness and response. Current employees may also be required to take refresher or updated courses.

Minnesota Crime Alert Network

Public Safety is a member of the Minnesota Bureau of Criminal Apprehension Crime Alert Network, which issues crime alerts across the state and region. Public Safety's associate director is a past president and current Crime Alert Network advisory board member. The purpose of the Crime Alert Network is to aid in the prevention of crime, aid in the apprehension of criminals, and to locate missing persons. When appropriate, these alerts are distributed to the university community by Public Safety as addressed under the "*Policies for making timely warning reports to members of the campus community regarding the occurrence of crimes described in this report.*"

Minnesota Crime Prevention Association

Public Safety is a member of the Minnesota Crime Prevention Association (MCPA), a statewide, non-profit organization of citizens, law enforcement officers, and crime prevention practitioners who work together to promote, develop, and advance crime prevention programs. MCPA and its members foster cooperation, encourage the exchange of information, provide leadership, and seek involvement from all segments of society to expand, improve and develop crime prevention programs throughout Minnesota.

Public Safety designates one of their full time positions to crime prevention. This person is certified in crime prevention and crime prevention through environmental design (CPTED).

Public Safety Seminars

Public Safety staff is also available on request to conduct site security surveys and seminars on a variety of topics including personal safety, self-defense, first-aid and CPR, and theft prevention. Materials containing tips for personal safety and crime prevention are available at the St. Paul and Minneapolis campus Public Safety offices.

(6) A description of programs designed to inform students and employees about the prevention of crimes

Crime prevention is a top priority for Public Safety. The previous section outlines many of the programs used to inform the university community about crime prevention. The new student and new employee orientations, Campus Crime Prevention Month, Public Safety seminars, and the use of Public Safety Bulletins, Advisories and Alerts are all tools to advise the community of crime prevention measures. Additionally, Public Safety participates in the Minnesota Crime Prevention Association to stay updated and trained in crime prevention education, and to share applicable information with the UST community.

Public Safety also promotes crime prevention through periodic use of a variety of novelty items, including posters, key chains, and bookmarks. These items include emergency telephone numbers, and are distributed in conjunction with regularly scheduled programs and services.

Public Safety performs site security surveys, or security audits, for employees, students, and departments upon request. Security audits include recommendations, instruction and trouble-shooting services for access control, surveillance systems, and alarm systems.

The Public Safety Investigations Division maintains a strong working relationship with University Relations and TommieMedia. Close contact with these news agencies provides another avenue for the dissemination of accurate information regarding significant or recurring incidents, and provides tips to prevent similar crimes.

A weekly incident summary publication and crime log are also available for on-line viewing at www.stthomas.edu/publicsafety/crimelog/. This log includes a brief description of campus crimes and incidents as reported to, or by, Public Safety.

Public Safety Special Projects does a comprehensive review of safety issues in the planning of events on campus. It works with campus event planners in assessing safety needs and the use of public safety services. Additionally there are post event action reports that are done after events or major incidents to better learn how safety may be improved.

(7) A statement of policy concerning the monitoring and recording through local police agencies of criminal activity in which students engaged at off-campus locations of student organizations

officially recognized by the University of St. Thomas, including student organizations with off-campus housing facilities.

The University of St. Thomas does not officially recognize or sanction student organizations that have off-campus locations or housing facilities.

However, as noted in preceding sections the Department of Public Safety and the St. Paul and Minneapolis Police Departments have a close working relationship with each other. In addition to working together on criminal matters, Public Safety and their public counterparts work closely in neighborhood matters.

St. Paul Police and Public Safety share information regarding criminal and suspicious activity on and near campus, and at residences believed to be owned or controlled by university students. These students are subject to dual jurisdiction and may be sanctioned by both the university and the city.

(8) A statement of policy regarding possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws, and

(9) A statement of policy regarding the possession, use, and sale of illegal drugs and enforcement of Federal and State drug laws.

The University of St. Thomas neither approves of nor condones the unauthorized possession, use or sale of alcohol or illegal drugs.

The possession, use, and sale of drugs or alcohol by students, staff, or faculty must conform to federal, state and local laws and ordinances.

- Use of alcohol by faculty, staff or students at the university or at a university-sanctioned event must be at approved and represent responsible use.
- Students living in off-campus housing may participate in responsible consumption in accordance with state laws, city ordinances, and student policy.
- Students of legal drinking age may possess and participate in responsible alcohol consumption in their campus housing and at approved all-school and club functions that allow alcohol.
- Minors and those found illegally consuming alcoholic beverages will be referred to the Dean of Students office and disciplined according to policy.
- Open containers of alcoholic beverages in public areas of campus are prohibited unless authorized by policy and ordinance.

(10) A description of any drug or alcohol-abuse education programs, as required under section 120(a) through (d) of the HEA.

The university encourages and provides reasonable help for students, faculty or staff who seek information on or treatment for chemical dependency. The available programs are both proactive and reactive, depending on individual needs and circumstances.

The following university departments provide information or counseling for persons seeking help with substance abuse. To get more information regarding the services these departments provide, we encourage you to contact them directly.

Wellness Center	962-6128
Counseling and Psychological Services	962-6780
Student Health Services	962-6750
Human Resources	962-6510
Athletics	962-5900
Residence Life	962-6470
Public Safety	962-5100

(11) A statement of policy regarding St. Thomas' campus programs to prevent domestic violence, dating violence, sexual assault, and stalking and procedures to follow when an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from such report.

The University of St. Thomas is committed to maintaining high standards of respect and civility that are both implicit and explicit in its convictions statement. This commitment extends to creating and maintaining a learning environment that is free of sexual misconduct and that promotes personal dignity and fair treatment of all members of the University community.

Sexual misconduct, including sexual assault, domestic violence, dating violence, and stalking, is a serious breach of that commitment and compromises the integrity of human relationships and threatens the security and well-being of all individuals. Not only is sexual misconduct unlawful but it also undermines the atmosphere of trust and respect that is essential to creating a healthy working and learning environment. Sexual misconduct interferes with a student's right to an education free from sex discrimination and is a violation of Title IX of the Education Amendments of 1972. In recognition of this, the University has adopted a [Sexual Misconduct Policy](#) that is designed to investigate and resolve such claims in a direct and thorough manner while respecting the rights of all parties involved.

This statement of policy is intended to inform the community of our comprehensive plan to address sexual misconduct, the available educational programs, and the relevant procedures that address sexual assault, domestic violence, dating violence and stalking.

A. Important Definitions

1. Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

The University of St. Thomas prohibits dating violence, domestic violence, sexual assault and stalking as those terms are defined by the Clery Act and as those terms are defined in the University's Sexual Misconduct policy. The Clery Act defines those terms as follows:

Dating violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition

- dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence is defined as a felony or misdemeanor crime of violence committed

- by a current or former spouse or intimate partner of the victim.
- by a person with whom the victim shares a child in common.
- by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner.
- by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- 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.

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- fear for the person's safety or the safety of others; or
- suffer substantial emotional distress.

Sexual Assault is defined as an offense that meets the definition of Rape, Fondling, Incest or Statutory Rape as used in the FBI's UCR program and included in Appendix A of 34 CFR Part 668. According to the National Incident-Based Reporting System User Manual from the FBI UCR program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

- **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any 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 their age or because of their temporary or permanent mental incapacity.
- **Incest** is defined as nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is defined as a nonforcible sexual intercourse with a person who is under the statutory age of consent.

2. Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking under Minnesota Law:

In addition to being prohibited by St. Thomas policy, domestic violence, dating violence, sexual assault and stalking are prohibited by Minnesota law.

Domestic Violence: The state of Minnesota does not define the term "domestic violence" but does define the similar term of "domestic abuse." See Minn. Stat. § 518B.01. Under Minnesota law, domestic abuse means the following, if 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
- terroristic threats, within the meaning of section 609.713, subdivision 1; or criminal sexual conduct, within the meaning of sections 609.342, 609.343, 609.344, 609.345, or 609.3451; or interference with an emergency call within the meaning of section 609.78, subdivision 2

A “family or household member” means the following:

- 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; and
- persons involved in a significant romantic or sexual relationship

Dating Violence: The state of Minnesota includes dating violence in the domestic abuse definition above. See Minn. Stat. § 518B.01.

Sexual Assault: The state of Minnesota does not define the term sexual assault in its statutes; however acts of sexual assault are included in Minnesota’s criminal sexual conduct statutes. Under Minnesota law, criminal sexual conduct falls into five categories: first through fifth-degree criminal sexual conduct. First-degree criminal sexual conduct carries the most severe penalties and fifth-degree the least. See Minn. Stat. §§ 609.341 to 609.3451. Generally speaking, the first-degree and third-degree crimes apply to sexual conduct involving sexual penetration of the victim; the second-, fourth-, and fifth-degree crimes apply to sexual conduct involving sexual contact with the victim without sexual penetration.

Stalking: The state of Minnesota defines stalking as follows: 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. See Minn. Stat. § 609.749.

3. Definition of *Consent* Under Minnesota Law and St. Thomas Policy.

- a. Minnesota’s criminal sexual conduct laws define **consent** as follows:

"Consent" means words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the complainant or that the complainant failed to resist a particular sexual act. 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 show lack of consent.

See Minn. Stat. § 609.341.

b. St. Thomas defines **consent** as follows:

Consent is conduct or words that indicate a person freely agrees to engage in a sexual act at the time of the act, subject to the following:

- In order to give consent, one must be of legal age.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Silence or failing to resist a sexual act does not constitute consent.
- A current or previous relationship does not imply consent.
- A person who is asleep, unconscious or substantially impaired by drugs, alcohol, disability or other means, or who lacks full knowledge or information of what is happening, cannot consent to a sexual act. This is true regardless whether the person voluntarily or involuntarily consumed drugs or alcohol.
- Use of alcohol or other drugs does not excuse behavior that violates this policy.
- Corroboration of a victim's testimony is not required to show lack of consent.
- UST maintains a separate [Consenting Relationships](#) policy applicable to students, faculty and staff that, depending on the circumstances, prohibits or strongly discourages romantic, intimate or sexual relationships involving persons of unequal power, even when consent is present. Covered Persons are expected to comply with the Consenting Relationship policy.

B. Educational programs and campaigns to promote the awareness of domestic violence, dating violence, sexual assault, and stalking, including primary prevention and awareness programs for all incoming students and new employees and ongoing prevention and awareness campaigns.

The University educates the University community about domestic violence, dating violence, sexual assault, and stalking through a variety of prevention and awareness programs. The University recognizes that no single event, training or policy will eliminate sexual violence, dating violence or other forms of sexual misconduct from our community. We work to take a multitude of prevention and awareness strategies. Following a public health approach, outlined in the [Catholic Health Initiatives Violence Prevention Resource Guide](#) we focus on creating a comprehensive approach to violence prevention. A few examples of our efforts include;

1. In 2016 all University of St. Thomas students were required to complete an online sexual misconduct awareness and prevention training. Continuing in 2016, all incoming students are required to complete the training.
2. Our Sexual Misconduct Policy and Procedures outlines clearly our commitment to promoting and protecting the personal dignity and well-being of every member of our community. The policy and procedures also ensures we respond to reported incidents of sexual misconduct in a prompt, fair and equitable manner.
3. Throughout the school year we utilize the digital screens across campus with messages about healthy relationships, decision-making and communication.
4. The University of St. Thomas is an active participating member of the [Ramsey County Sexual Assault Protocol Team \(SAPT\)](#). Our participation on this team helps ensure our response to sexual misconduct is based in best practice and collaborative with the community response.

5. We implement one of the most promising violence prevention, risk reduction, and by-stander intervention strategies: [Green Dot](#). The Green Dot program empowers every member in our community to take an active role in prevention and bystander intervention. It helps student recognize high risk situations that could lead to violence and offers safe ways to intervene; making it less likely a person will be hurt.

The University also addresses these issues at new student orientation for undergraduates, during welcome weekend (first weekend) activities, and through new faculty and staff orientation. Education and awareness programs are also offered to new graduate students through schools and colleges.

The University's prevention and awareness programs available to new and continuing students and employees also include: the Clothesline Project and Take Back the Night (offered through the Luann Drummer Center for Women), Breaking Ice Theater (offered during welcome weekend activities); educational and awareness programs available to all members of the campus community; regular training for faculty and staff involved in student life and student activities; classroom discussions led by faculty when relevant to course subject; easy on-line access to the University's Sexual Misconduct Policy and resolution procedures; on-line information about what to do if you are a victim or if a friend is a victim of sexual assault; on-line and other promotional information about the escort service available from the University's Public Safety department; periodic programs for students living in residence halls; and literature and resources on sexual violence and relationship violence available on the Dean of Students website and in restrooms on campus. The University uses the [Green Dot](#) campaign to promote violence prevention, by-stander intervention, and risk reduction. Green Dot programs are held throughout the year. The University's Luann Drummer Center for Women and Dean of Students Office supports student leaders in a variety of student-led initiatives intended to raise awareness of issues related to sexual assault, relationship violence, and stalking.

The University's education, prevention and awareness programs cover:

- The University's prohibition of sexual assault, dating violence, domestic violence, stalking (as those terms are defined by Clery) and other forms of sexual misconduct and other information about the University's Sexual Misconduct Policy;
- Definitions of sexual assault, dating violence, domestic violence, and stalking;
- The definition of consent, under the University's Sexual Misconduct Policy and Minnesota law;
- Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is risk of domestic violence, dating violence, sexual assault, or stalking, including information on recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options (such as distraction or calling for help), and taking action to intervene;
- Information on risk reduction to recognize signs of abusive behavior, decrease perpetration and bystander inaction, increase empowerment for victims in order to promote safety, and help individuals and communities address conditions that facilitate violence;
- Possible sanctions or protective measures the University may impose;
- Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred;
- Information about the procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking.

C. Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred.

1. What to do following an assault or incident of domestic violence, dating violence or stalking

As soon as possible after an assault, an attempted assault, a perceived assault, or other violent act or incident of stalking, victims should talk to someone who they trust. That someone may be a friend, a counselor, a professional staff person at the university, a university Public Safety officer or a police officer. The university recognizes that with incidents of sexual violence it can take weeks, months or even years before victims realize that an assault did indeed take place. Nevertheless, the university urges victims of sexual violence to:

- Contact the Department of Public Safety and the police as soon as possible;
- Seek support from appropriate medical resources;
- Utilize on-campus and/or off-campus counseling resources;
- Use university procedures to report the incident

Information and assistance is also available 24 hours a day from Sexual Offense Service (S.O.S.) in St. Paul at (651) 643-3006.

If victims do not wish to pursue an official course of action or are unsure what action to take, victims may contact the University of St. Thomas Counseling and Psychological Services department at (651) 962-6780. Counseling and Psychological Services staff psychologists are legally bound to maintain confidentiality and will not report or officially pursue an incident without consent of the victim.

2. How and to whom the alleged offense should be reported

The University urges victims of sexual violence to contact Public Safety and the police as soon as possible so that the authorities can take whatever action is necessary to preserve evidence, pursue the assailant or take other appropriate steps. Making a police report involves talking to an officer about the incident and providing other requested cooperation. St. Thomas Public Safety will help facilitate the making of a police report at the request of a students or employee, including calling the police and asking an officer to come to campus.

To report a crime or request assistance, contact the following agency:

UST Public Safety (UST will assist you in notifying the appropriate police department as necessary)

EMERGENCY LINE - (651) 962-5555, or 5555 from any campus phone

Non-emergency on the St. Paul Campus - (651) 962-5100

Non-emergency on the Minneapolis Campus - (651) 962-4100

Local police agencies can be reached from within their respective cities at the following phone numbers.

St. Paul Police Department

Emergency - 911

Non-emergency - (651) 291-1111

Minneapolis Police Department

Emergency - 911

Non-emergency - (612) 348-2345

Reports may also be made to the University by contacting a Trained Responder (the Title IX Coordinator, Dean of Students office, Human Resources Partner or Public Safety). For contact information, see [On-Campus Places to Report Sexual Violence](#).

Contacting Public Safety and law enforcement immediately can help ensure the preservation of evidence. Preserving evidence of sexual assault, relationship violence, and stalking is critical if a victim wants to seek criminal prosecution or a harassment restraining order. Detailed advice on preserving evidence can be found at [What to do if you have been sexually assaulted](#) and is also included below.

3. The importance of preserving evidence as may be necessary to the proof of a criminal domestic violence, dating violence, sexual assault, or stalking or in obtaining a protection order;

Contacting Public Safety and law enforcement immediately can help ensure the preservation of evidence. Preserving evidence of sexual assault, relationship violence, and stalking is critical if a victim wants to seek criminal prosecution or a harassment restraining order. Detailed advice on preserving evidence can be found on [the Title IX website](#) and is also outlined below.

Preserving evidence of sexual assault:

It is strongly recommended that all victims of sexual assault or violence seek medical attention within hours of the crime. A forensic medical exam by a Sexual Assault Nurse Examiner (SANE nurse) or another medical professional allows evidence to be preserved. Such an exam is recommended even if survivor has not yet decided whether to make a report to the police or the University. Until a report is filed or an exam conducted:

- Do not shower
- Do not douche
- Do not change or wash clothes; if you do change clothes, don't wash them. Put them in a paper bag.
- Do not comb hair
- Leave the scene untouched
- Do not disturb evidence

Preserving evidence of stalking

To preserve evidence, individuals who suspect that they are being stalked should:

- Keep an up-to-date, precise, and detailed journal or "log" of every encounter with the stalker. Include the date, time, location, form of contact or interaction, and any witnesses.
- Keep all text messages, electronic messages, and/or handwritten notes.
- Keep all messages you received or sent through any and all social medias; if electronic messages, videos, or photos cannot be stored, or are destroyed after viewing, ask a friend to take a video or picture on their phone or take a screen shot.
- Do not delete your phone's call log.
- Contact university or law enforcement authorities for assistance.

Further information and a sample log are available at: http://www.victimsofcrime.org/docs/src/stalking-incident-log_pdf.pdf?sfvrsn=4.

Preserving evidence of domestic violence and dating violence

To preserve evidence, individuals who are victims of relationship violence should:

- Seek medical attention for injuries. A medical provider can assist in preserving evidence, such as documenting and photographing injuries, and can provide advice on maintaining your safety. For cases of sexual assault, an exam by a sexual assault nurse examiner (SANE) may help preserve evidence. A SANE exam is available even in cases where an individual is not sure they want to report to police. To preserve the most evidence, a SANE exam should take place as soon as possible after an assault. Many hospitals require that a SANE exam be conducted within 3-5 days of the assault. In Ramsey County, a SANE exam is available up to 10 days after an assault.
- Keep any computer, internet/ email, text messages, social media and other forms of electronic evidence (voicemails, answering machine tapes, emergency number police tapes).
- Keep a list of any witnesses who can provide information about any incidents of relationship violence.
- If reporting an incident, do not clean up or alter the location in which an act of violence occurred; broken household items should not be moved.
- Maintain records of any past incidents of relationship violence, including statements from service providers involved in past incidents of violence, prior police incident reports, prior medical files detailing any past injuries, previous court orders such as protective orders or bail restrictions, and any past criminal record/history of the offenders or suspects. Ensure that these records are in a place where they won't be found or can't be read by the offender.

4. Options regarding law enforcement and campus authorities

Victims have the right to notify law enforcement authorities about an incident of sexual assault, domestic violence, dating violence, and stalking and to be assisted by campus authorities in notifying law enforcement if the victim chooses to make a report. The University will comply with a student's request for assistance in notifying law enforcement authorities. Victims also have the right to decline to notify authorities.

On request, UST Public Safety will assist law enforcement officials in a timely fashion in obtaining, securing and maintaining evidence in connection with an incident of sexual violence.

5. Existing on- and off-campus counseling, mental health, or other student services for victims of sex offenses

Medical Resources

UST Health Services
(651) 962-6750

Regions Hospital Emergency Room
640 Jackson Street
St. Paul, MN 55101

(651) 221-2121

<http://www.regionshospital.com/rh/specialties/emergency-center/sexual-assault-questions.html>

United Hospital Emergency Room

333 North Smith Avenue

St. Paul, Minnesota

55102

(651) 241-8755 (direct connection to the Emergency Room)

www.allinahealth.org/SANE

Hennepin County Medical Center Emergency Room

701 Park Avenue

Minneapolis, Minnesota 55415

Sexual Assault Resource Service:

(612) 873-5832

http://www.hcmc.org/services/HCMC_MAINCONTENT_428

Crisis Program

(651) 221-8922

Counseling/Advocacy Resources

UST Counseling and Psychological Services

(651) 962-6780

UST Campus Ministry

(651) 962-6560

Sexual Offense Services (S.O.S.)

(651) 643-3006

Sexual Violence Center of Hennepin County

(612) 871-5111

RAINN (Rape, Assault, and Incest National Network)

www.rainn.org/bin/counseling-centers

1 (800) 656-HOPE (24-hour hotline; free and confidential)

Minnesota Coalition for Battered Women

60 East Plato Blvd., Suite 130

St. Paul, MN 55107

Office: (651) 646-6177 or (800) 289-6177

Additional information about existing counseling, health, mental health, victim advocacy, legal assistance resources are available on the [Title IX website](#).

6. Orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a court or St. Thomas.

Victims of sexual assault, domestic violence, dating violence, and stalking may seek a harassment restraining order or order for protection from a state court. The University of St. Thomas will comply with any lawfully issued harassment restraining order or order for protection. If you have obtained an order for protection or harassment restraining order against another member of the community, please contact the Dean of Students, Human Resources, or Public Safety to inform the University of the order and to ensure that the University is able to take appropriate steps with respect to the order. In addition, the University seeks to support students and employees who may need to obtain an order for protection or harassment restraining order. Employees may take reasonable time off work to seek a harassment restraining order or order for protection and the University prohibits retaliation against an employee who seeks such an order. Students who need to seek a harassment restraining order should contact the Dean of Students if they need class accommodations. Information about obtaining harassment restraining orders and orders for protection is available from both [Ramsey](#) and [Hennepin](#) Counties. In Ramsey County, call the Domestic abuse and Harassment Office at 651-266-5130. The requirements for obtaining a harassment restraining order are available on the Minnesota Court website [here](#). Instructions for obtaining an order for protection are available on the Minnesota Court website [here](#). Minnesota recommends that parties seeking an order for protection contact an advocacy service, like [Minnesota Coalition for Battered Women](#), for assistance in seeking an order for protection.

The University has the ability, in appropriate circumstances, to issue no-contact directives to community members and to issue notices limiting campus access by community members or members of the public. Community members should contact the Title IX Coordinator or UST Public Safety (651-962-5100) to request this type of protection. The University is a private entity and does not issue orders for protection.

D. Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault or stalking.

1. Response and Resolution Procedures Generally

The University follows its Sexual Misconduct Response and Resolution Procedures in cases involving domestic violence, dating violence, sexual assault, stalking, and other forms of sexual misconduct. Copies of these procedures are available on the Title IX website: <http://www.stthomas.edu/title-ix/sexualmisconduct/>. A copy of these procedures is also attached as an attachment to this report. These procedures describe in detail the steps, timelines, and decision-making process followed as part of processing a formal complaint. An informal process is also available for resolving certain allegations. Process advisor(s) are assigned to the complainant and the respondent to help ensure that they understand the procedures and available resources. When a student or employee reports sexual misconduct to the University, they are provided written information about their rights and options to pursue a complaint through the University's processes.

The University's response and resolution procedures are designed to provide for a prompt, fair, and impartial investigation and resolution of sexual misconduct complaints and concerns. A preponderance of the evidence ("more likely than not") standard is used. Both the Complainant and the Respondent are provided written information about available support resources, on and off-campus, and such resources are also available on the [University's Title IX website](#).

2. Interim Measures Available

The University may take interim action while an investigation is being conducted to protect the campus community and the parties. The designated Response Manager(s) will consider whether interim action is reasonably necessary or appropriate to protect the parties and the broader UST

community, pending completion of the response and resolution process. If the Response Manager(s) determine that interim action is reasonably necessary and appropriate, the Response Manager(s) and their respective designees are authorized to take or direct such action. Response Managers may initiate new or different interim action at any point during the response and resolution process based on their determination of how best to protect the parties and the broader UST community.

If the designated Response Manager(s) are not immediately available and the Title IX Coordinator determines that immediate action is reasonably necessary and appropriate, the Title IX Coordinator is authorized to take or direct such action.

Examples of interim actions include, without limitation:

- Establishing a “no contact” order prohibiting the Respondent and Complainant from communicating with each other during the response and resolution process.
- Prohibiting a Respondent from physically entering or being on UST property.
- Prohibiting a Respondent from participating in UST-sponsored events.
- Changing a Complainant’s or Respondent’s on-campus residency or prohibiting a Respondent from residing in a UST residence.
- Changing a Complainant’s or Respondent’s student or employee status, including a suspension or leave of absence, in consultation with appropriate administrator(s).
- Changing a Complainant’s or Respondent’s work or class schedule, in consultation with with appropriate administrator(s).
- Issuing a timely warning of any substantial threat or danger to the community.
- Making information about orders for protection and harassment restraining orders available to a Complainant.
- Notifying and consulting with appropriate UST administrators, faculty and staff members as warranted under the circumstances.

3. Equitable Rights and Opportunities for the Parties

In the formal process, the Complainant and Respondent have equitable rights and opportunities, including:

- equitable procedures that provide both parties with a prompt, fair and impartial investigation and resolution conducted by officials who receive annual training on conduct prohibited by the policy;
- notice of the allegations and defenses and an opportunity to respond;
- an equal opportunity to identify relevant witnesses and other evidence and to suggest possible questions to be asked of witnesses during the formal process;
- present information on their own behalf, including written and oral statements and physical exhibits;
- similar and timely access to information, including a written summary of all allegations and defenses, consistent with the Family Education Rights and Privacy Act;
- timely notice of meetings; and
- have a support person of the individual’s choice, who is not a fact witness, accompany him or her throughout the response and resolution process. The support person is allowed to consult with and advise the Complainant or Respondent the support person is accompanying, but is not otherwise permitted to participate in any proceedings.

In addition, in cases involving sexual assault, the Complainant and Respondent are entitled to:

- determine when and whether to provide or repeat a description of an incident of sexual assault, and to be informed of the consequences, if any, of not providing or repeating such a description. A decision not to provide or repeat a description of an incident involving a reported sexual assault may impact the outcome of the investigation because the determination of responsibility made by the Factfinder(s) will be based on a preponderance of evidence available to them.

4. Notice of Outcome

Following a formal process for discipline in a complaint involving sexual assault, domestic violence, dating violence, or stalking, the University simultaneously informs the complainant and respondent, in writing, of: (1) the outcome of the response and resolution procedures; (2) the procedures for either party to appeal; (3) any change in result; and (4) when the results will become final. In applicable cases, the University also notifies both parties simultaneously and in writing of any change to the result that occurs before the results become final.

The outcome letter sent to the Complainant will contain the following information: whether the Respondent was found to have violated the Sexual Misconduct Policy, and any sanctions imposed that directly relate to the Complainant. In sexual misconduct cases involving allegations of sexual assault, stalking, dating violence, or domestic violence, additional information about the rationale for the decision and sanctions against a Respondent who violated this sexual misconduct policy will be provided.

5. Possible sanctions or protective measures that the University may impose following the final determination of an institutional disciplinary procedure

Students, employees, and third parties who are found to have engaged in sexual misconduct, including sexual assault, domestic violence, dating violence, and stalking, will be subject to disciplinary action.

St. Thomas imposes sanctions based on the facts and circumstances. The sanctions that may be issued in cases involving sexual assault, dating violence, domestic violence, and/or stalking¹ include but are not limited to the following:

Student Respondent

- Written warning;
- No-contact order;
- Disciplinary probation;
- Requirement that Respondent attend educational meetings with a professional;
- Requirement that Respondent participate in drug and/or alcohol treatment;
- Required training or educational project;
- Removal from University housing;

¹ The same range of sanctions is considered for each of these offenses, depending on the particular facts and circumstances and the severity of the offense. A written warning will rarely be used, alone, as a sanction, but may be used in combination with other sanctions.

- Removal from specific course(s) or activities;
- Full or partial trespass from campus, including in cases of a partial trespass, a requirement that a Respondent may only be on-campus for classes, required class activities, and meetings with university officials;
- Suspension of one or more semesters, with reinstatement conditions that may include meeting with the Dean of Students;
- Expulsion;

Faculty/Staff Respondent

- Written warning;
- No-contact order;
- Requirement that Respondent attend educational meetings with a professional;;
- Requirement that Respondent participate in drug and/or alcohol treatment;
- Required training;
- Full or partial trespass from campus;
- Unpaid suspension;
- Loss of faculty or staff privilege(s);
- Demotion;
- Termination (staff);
- Recommendation to President to institute dismissal for cause proceedings (faculty).

The sanctions may include one or a combination of the actions described above. Sexual assault, dating violence, domestic violence and stalking are very serious offenses. While the sanction issued will depend on the particular facts and circumstances, sanctions are often on the more severe end of the range listed above.

6. Appeal

Either the Complainant or the Respondent may appeal the results of the formal process within 10 working days on one or more of the following bases:

- a. that a procedural error occurred that substantially affected the outcome of the process;
- b. that the decision was arbitrary and capricious or violated academic freedom;
- c. that there has been discovery of significant new factual material not available to the Factfinder that could have affected the original outcome; however, intentional omission of factual information by the appealing party is not a ground for an appeal; or
- d. that the sanction or other response by UST under the formal process was excessively severe or grossly inadequate.

7. Training for Campus Officials who Conduct Response and Resolution Process

The response and resolution procedures are conducted by officials who receive training on issues related to domestic violence, dating violence, sexual assault, and stalking and training on how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability. Such training is provided annually, or more frequently, and an official must receive training prior to his or her involvement in the response and resolution procedure. Training topics include: Information on identifying and analyzing relevant evidence; effective techniques for questioning witnesses, including trauma-informed techniques, procedural rules for conducting investigations, including the standard of review and providing equitable opportunities to the parties; writing investigative reports, and understanding law enforcement investigations in sexual assault and domestic and dating violence situations.

8. Opportunity to Be Accompanied by a Support Person of Choice

As part of the University's response and resolution procedures, the complainant and the respondent are entitled to the same opportunities to be accompanied by a support person of their choice, who is not a fact witness, to any meeting or other institutional disciplinary proceeding. The support person may advise and consult with the party they are accompanying, but is not otherwise permitted to participate in any proceeding. The University may remove or dismiss a support person who becomes disruptive or who does not abide by restrictions on their participation.

9. Information about how the institution will protect the confidentiality of victims and other necessary parties, including how publicly available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

In conducting the response and resolution procedures, the University seeks to protect confidentiality to the extent reasonably possible consistent with a thorough, fair and effective investigation and response and as required by applicable laws and UST policies. In all cases, the officials investigating and responding to incidents or allegations of sexual misconduct will share information about the incident or allegation, investigation and response within and outside UST only on a "need to know" basis. The Title IX Coordinator, Public Safety, Human Resources and/or Dean of Students will assist in determining who has a need to know. The victim's name will not be published by the University in its Clery Act reports or timely warnings. As a private institution subject to the Family Educational Rights and Privacy Act, most University records related to students are treated as confidential and are not publicly available. Any publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

The University 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 accommodations or protective measures. Information about accommodations and protective measures will be shared on a need-to-know basis, as determined by the Title IX Coordinator, Public Safety, Human Resources and/or Dean of Students.

E. Changes to a victim's academic and living situations after an alleged sex offense and of the option for those changes, if those changes are requested by the victim and are reasonably available

If requested by the victim, and if reasonably available, the university will comply with a student's reasonable request for a living or academic situation change following an alleged offense of stalking,

domestic violence, dating violence or stalking if the accommodations are reasonably available. Available options may include transferring the victim to a different residence hall or floor within a residence hall, transferring the respondent to a different residence hall or floor within the residence hall, releasing a victim from a housing contract, requiring a respondent to move off campus, switching the victim's class section when another section is reasonably available, switching the respondent's class section when another class section is reasonably available, issuing a mutual no-contact order, and limiting the Respondent's access to campus. Decisions about appropriate interim and protective measures are made by the Response Manager based on all the facts and circumstances, including the following factors: (1) protection of the parties; (2) protection of the broader community; (3) reasonableness of request; and (4) whether the requested action is reasonably available. The victim does not need to make a report to law enforcement or initiate the Response and Resolution Process before requesting such changes.

(12) Beginning with the annual security report distributed by October 1, 2003, a statement advising the campus community where law enforcement agency information provided by a State under section 170101(j) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071(j)), concerning registered sex offenders may be obtained, such as the Public Safety Department, the St. Paul or Minneapolis Police Departments, or a computer network address.

LOCATION OF LAW ENFORCEMENT AGENCY INFORMATION REGARDING REGISTERED SEX OFFENDERS

The Federal Campus Sex Crimes Act, effective October 28, 2002, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state regarding registered sex offenders may be obtained. The Campus Sex Crimes Act also mandates that sex offenders who are already required to register in a state to provide notice of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

The Minnesota Bureau of Criminal Apprehension administers a predatory offender registration and tracking program. Any questions regarding the program may be directed to the Predatory Offender Unit at (888) 234-1248 or (651) 793-7070. Information regarding this program can be found at the following web site:

<https://por.state.mn.us/>

Information regarding registered sex offenders may be obtained through the St. Paul Police Department (SPPD). The SPPD may be contacted at (651) 266-5685. General information on registration requirements and notification procedures can be found at the following web site:

www.stpaul.gov/index.aspx?NID=1811

Information regarding registered sex offenders may be obtained through the Minneapolis Police Department (MPD). The MPD may be contacted at (612) 673-3081. General information on registration requirements and notification procedures can be found at the following web site:

www.ci.minneapolis.mn.us/police/crime-prevention/sex-offender.asp

In addition, information regarding registered sex offenders may be obtained through the Minnesota Department of Corrections at (651) 642-0200. An offender locator, for offenders that have the highest risk for re-offense, can be accessed from the Minnesota Department of Corrections' web site:

www.doc.state.mn.us/publicviewer/main.asp

Lastly, the Dru Sjodin National Sex Offender Public Website (NSOPW), coordinated by the U.S. Department of Justice, is a cooperative effort between local and state jurisdictions hosting public sex offender registries and the federal government and is offered free of charge to the public

<http://www.nsopw.gov/>

(13) Beginning with the annual security report distributed by October 1, 2013, a statement of policy regarding response and evacuation procedures, as described in paragraph (g) of this section.

The University of St. Thomas has a policy regarding the response and evacuation procedures as described in paragraph (g). See this section of this report for further reference.

(14) Beginning with the annual security report distributed by October 1, 2013, a statement of policy regarding missing student notification procedures, as described in paragraph (h) of this section.

The University of St. Thomas has a policy regarding missing student notification procedures as described in paragraph (h). See this section of this report for further reference.

(c) CRIME STATISTICS

(1) Crimes that must be reported

The University of St. Thomas must report statistics for the three most recent calendar years concerning the occurrence on campus, in or on noncampus 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, including illustrative scenarios and specific crimes excluded from these categories, can be found at the following web link: [Uniform Crime Reporting Handbook](#)

(i) Criminal Homicide:

(A) Murder and nonnegligent manslaughter

The willful (nonnegligent) killing of one human being by another.

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

(B) Criminal Homicide – Negligent Manslaughter

The killing of another person through gross negligence.

As a general rule, any death caused by the gross negligence of another is classified as Criminal Homicide—Manslaughter by Negligence (1b).

(ii) Sex Offenses:

(A) Sex offenses.

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

Reported offenses may include:

- **Rape** - 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.

Agencies should classify the crime as rape, regardless of the age of the victim, if the victim did not consent or if the victim was incapable of giving consent. If the victim consented, the offender did not force or threaten the victim, and the victim was under the statutory age of consent, agencies should classify the crime as statutory rape.

In cases where several offenders rape one person, the responding agency should count one Rape (for one victim) and report separate offender information for each offender.

- **Sodomy** - Oral or anal sexual intercourse with another person, 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 or physical incapacity.

If the offender both raped and sodomized the victim in one incident, then LEAs should report both offenses.

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

An "object" or "instrument" is anything used by the offender other than the offender's genitalia, e.g., a finger, bottle, handgun, stick.

- **Fondling** - The touching 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.

(B) Sex Offenses, Nonforcible

Unlawful, nonforcible sexual intercourse.

Reported offenses may include:

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

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

(iii) 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 fearful.

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

(iv) Aggravated Assault

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

(v) Burglary

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

(vi) Motor Vehicle Theft

The theft or attempted theft of a motor vehicle.

Note: A motor vehicle is a self-propelled vehicle that runs on the surface of land and not on rails and that fits one of the following property descriptions:

- **Automobiles** - sedans, coupes, station wagons, convertibles, taxicabs, or other similar motor vehicles that serve the primary purpose of transporting people
- **Buses** - motor vehicles that are specifically designed (but not necessarily used) to transport groups of people on a commercial basis
- **Recreational Vehicles** - motor vehicles that are specifically designed (but not necessarily used) to transport people and also provide them temporary lodging for recreational purposes
- **Trucks** - motor vehicles that are specifically designed (but not necessarily used) to transport cargo
- **Other Motor Vehicles** - any other motor vehicles, e.g., motorcycles, motor scooters, trail bikes, mopeds, snowmobiles, or golf carts.

(vii) Arson

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

(viii) Domestic Violence, Dating Violence, and Stalking

Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the

jurisdiction... or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Dating Violence: Violence committed by a person—

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

(i) the length of the relationship

(ii) the type of relationship

(iii) the frequency of interaction between the persons involved in the relationship

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

(A) fear for his or her safety or the safety of others; or

(B) suffer substantial emotional distress

(ix) Liquor Law violations, drug law violations, and illegal weapons possession

(A) Arrests for liquor law violations, drug law violations and illegal weapons possession.

(B) Persons not included in (c)(1)(viii)(A) of this section, who were referred for campus disciplinary action for liquor law violations, drug law violations and illegal weapons possession.

- **Liquor law violations - defined**

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

- **Drug law violations - defined**

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

- **Weapons law violations - defined**

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

All Public Safety reports involving current students are shared with the Dean of Students office. Public Safety reports involving current resident students are also shared with Residence Life. As such, current students who are arrested and/or documented for violation of federal, state, or local weapons, drugs, or alcohol law shall be statistically counted in each year's annual report under the respective sections for arrests and referrals. All incidents concurrently reported by other university departments or divisions will be reviewed by Public Safety for accuracy and statistical reconciliation.

Arrests for weapons, drugs and alcohol are statistically scored and do not also result in a judicial referral. Public Safety is only required to score one arrest if multiple violations of weapons drugs or

alcohol were apparent. Typically, Public Safety scores weapons arrests first, followed by drugs and then alcohol.

If no arrest was made yet results in a statistical score for more than one violation of weapons, drugs, or alcohol laws, only one of the categories shall be used. For instance, in most cases involving drugs and alcohol Public Safety scores only the drug violation. This is in accordance with standing practice and is acceptable under federal law.

(2) Recording crimes

The University of St. Thomas must record a crime statistic in its annual security report for the calendar year in which the crime was reported to a campus security authority.

(3) Reported crimes if a hate crime

The University of St. Thomas must report, by category of prejudice, the following crimes reported to local police agencies or to a campus security authority that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability:

(i) Any crime it reports pursuant to paragraph (c)(1)(i) through (vii) of this section, or Criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson.

(ii) The crimes of larceny-theft, simple assault, intimidation, and destruction//damage/vandalism of property.

- **Larceny-theft** – The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another person.
- **Simple Assault** - An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Intimidation** - To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

Note: This offense includes stalking.

- **Destruction/Damage/Vandalism of Property** - To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

(iii) Any other crime involving bodily injury.

(4) Crimes by location

The University of St. Thomas must provide a geographic breakdown of the statistics reported under Crimes that must be reported and Reported crimes if a hate crime, according to the following categories:

(i) On campus

(ii) Of the crimes reported in paragraph (c)(4)(i) of this section, the number of crimes that took place in dormitories or other residential facilities for students on campus.

(iii) In or on a non-campus building or property.

University of St. Thomas students may attend other colleges and universities through exchange and consortium agreements. In these agreements, St. Thomas neither owns or controls the space or established security policies and practices. St. Thomas students understand they abide by all rules of the visiting school. As such, St. Thomas provides access to these programs not physical use of the space. These institutions and locations are not considered non-campus buildings or property.

The University of St. Thomas considers the following addresses to be non-campus property as defined in this report. Data requests were made from each of these locations through their city or county government for crime data only during the times the University of St. Thomas used these locations. No reportable data was found for any of these locations:

Noncampus Location	Street	City, State, Zip
Academy of Holy Angels	6600 Nicollet Ave	Richfield, MN 55423-2462
Benilde-St. Margarets	2501 Highway 100 S	Saint Louis Park, MN 55416-1732
Cretin-Derham Hall	550 South Albert Street	St. Paul, MN 55116-1699
Daniel C. Gainey Campus	2480 S County Road 45	Owatonna, MN 55060-5113
DeLaSalle High School	1 DeLaSalle Dr	Minneapolis, MN 55401-1500
Diamond Head Education Center	200 W Burnsville Parkway #100	Burnsville, MN 55337-4292
Edina Community Center	5701 Normandale Rd	Edina, MN 55424-1599
Fairview Community Center	1910 County Road B W	Roseville, MN 55113-5422
Farmington High School	20655 Flagstaff Avenue	Farmington, MN 55024-9242
Intermediate District 287 Area Learning Center	1820 Xenium Ln N	Plymouth, MN 55441-3708
Lakeville South High School	21135 Jacquard Ave	Lakeville, MN 55044-6022
Maple Grove Senior High	9800 Fernbrook Lane N	Maple Grove, MN 55369-9747
Osseo Education Service Center	11200 93rd Ave N	Maple Grove, MN 55369-3669
Osseo Senior High School	317 2 nd Ave	Osseo, MN 55369-1005
Pioneer Ridge Center	1085 Pioneer Tr	Chaska, MN 55318-1148

(iv) On public property.

(5) Identification of the victim or the accused

The statistics required under *Crimes that must be reported* and *Reported crimes if a hate crime* of this section may not include the identification of the victim or the person accused of committing the crime.

(6) Pastoral and professional counselor

The University of St. Thomas is not required to report statistics under *Crimes that must be reported* and *Reported crimes if a hate crime* of this section for crimes reported to a pastoral or professional counselor.

(7) Uniform Crime Reporting (UCR) definitions

The University of St. Thomas must compile the crime statistics required under *Crimes that must be reported* and *Reported crimes if a hate crime* of this section using the definitions of crimes provided in appendix A to this subpart and the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Hate Crime Data Collection Guidelines and Training Guide for Hate Crime Data Collection.

For further guidance concerning the application of definitions and classification of crimes, the University of St. Thomas must use either the UCR Reporting Handbook or the UCR Reporting Handbook: NIBRS EDITION, except that in determining how to report crimes committed in a multiple-offense situation the University of St. Thomas must use the UCR Reporting Handbook.

(8) Use of a map

In complying with the statistical reporting requirements under *Crimes that must be reported* and *Reported crimes if a hate crime* of this section, the University of St. Thomas may provide a map to current and prospective students and employees that depicts its campus, non-campus buildings or property, and public property areas if the map accurately depicts its campus, non-campus buildings or property, and public property areas.

(9) Statistics from police agencies

In complying with the statistical reporting requirements under paragraphs (c)(1) through (4) of this section, the University of St. Thomas must make a reasonable, good faith effort to obtain the required statistics and may rely on the information supplied by a local or state police agency. If the institution makes such a reasonable, good faith effort, it is not responsible for the failure of the local or State police agency to supply the required statistics.

(d) SEPARATE CAMPUS

The University of St. Thomas must comply with the requirements of this section for each separate campus.

(e) TIMELY WARNING AND EMERGENCY NOTIFICATION

(1) The University of St. Thomas must, in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar crimes, report to the campus community on crimes that are:

- (i) Described in paragraph (c)(1) and (3) of this section.
- (ii) Reported to campus security authorities as identified under the statement of current campus policies pursuant to paragraph (b)(2) of this section or local police agencies.
- (iii) Considered by the University of St. Thomas to represent a threat to students and employees.

(2) The University of St. Thomas is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

(3) If there is an immediate threat to the health or safety of students or employees occurring on campus, as described in paragraph (g)(1) of this section, the University of St. Thomas must follow its emergency notification procedures. The University of St. Thomas is not required to issue a timely warning based on the same circumstances if it follows its emergency notification procedures; however, the University of St. Thomas must provide adequate follow-up information to the community as needed.

(f) CRIME LOG

(1) The University of St. Thomas Department of Public Safety must maintain a written, easily understood daily crime log that records, by the date the crime was reported, any crime that occurred on campus, on a non-campus building or property, on public property, or within the patrol, or extended patrol jurisdiction of the department and is reported to the department.

Public Safety maintains this crime log on line and in the Public Safety office in 100 Morrison Hall.

www.stthomas.edu/publicsafety/crimelog/

This log must include:

(i) The nature, date, time, and general location of each crime.

(ii) The disposition of the complaint, if known.

(2) The University of St. Thomas, through the Department of Public Safety, must make an entry or an addition to an entry to the log within two business days, as defined under paragraph (a) of this section, of the report of the information to Public Safety, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.

(i) The University of St. Thomas may withhold information required under paragraphs (f)(1) and (2) of this section if there is clear and convincing evidence that the release of the information would:

(A) Jeopardize an ongoing criminal investigation or the safety of an individual.

(B) Cause a suspect to flee or evade detection.

(C) Result in the destruction of evidence.

(ii) The University of St. Thomas must disclose any information withheld under paragraph (f)(3)(i) of this section once the adverse effect described in that paragraph is no longer likely to occur.

(4) The University of St. Thomas may withhold under paragraphs (f)(2) and (3) of this section only that information that would cause the adverse effects described in those paragraphs.

(5) The University of St. Thomas must make the crime log for the most recent 60-day period open to public inspection during normal business hours. The University of St. Thomas must make any portion of the log older than 60 days available within two business days of a request for public inspection.

(g) EMERGENCY RESPONSE AND EVACUATION PROCEDURES

The University of St. Thomas must include a statement of policy regarding its emergency response and evacuation procedure in the annual security report.

For compliance with the following sections please see **Appendix A**.

This statement must include:

(1) The procedures the University of St. Thomas will use to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on the campus.

(2) A description of the process the University of St. Thomas will use to:

(i) Confirm that there is a significant emergency or dangerous situation as described in paragraph (g)(1) of this section

(ii) Determine the appropriate segment or segments of the campus community to receive a notification.

(iii) Determine the content of the notification.

(iv) Initiate the notification system.

(3) A statement that the University of St. Thomas will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

(4) A list of the titles of the person or persons or organization or organizations responsible for carrying out the actions described in paragraph (g)(2) of this section.

(5) The University of St. Thomas' procedures for disseminating emergency information to the larger community.

(6) The University of St. Thomas' procedures to test the emergency response and evacuation procedure on at least an annual basis.

(i) Tests that may be announced or unannounced.

(ii) Publicizing its emergency response and evacuation procedures in conjunction with at least one test per calendar year.

(iii) Documenting, for each test, a description of the exercise, the date, time, and whether it was announced or unannounced.

For this reporting period, there were two unannounced tests of the UST Emergency Notification System: February 5, 2010 and December 8, 2010.

(h) MISSING STUDENT NOTIFICATION POLICIES AND PROCEDURES

(1) The University of St. Thomas provides on-campus student housing facilities and must include a statement of policy regarding missing student notification procedures for students who reside in on-campus student housing facilities in this annual security report.

For compliance with this section see **Appendix B**

This statement must:

- (i) Indicate a list of titles of the persons or organizations to which students, employees, or other individuals should report that a student has been missing for 24 hours.
- (ii) Require that any missing student report must be referred immediately to the University of St. Thomas Public Safety Department.
- (iii) Contain an option for each student to identify a contact person or persons whom the institution shall notify within 24 hours of the determination that the student is missing, if the student has been determined missing by the University of St. Thomas Department of Public Safety, or the local law enforcement agency.
- (iv) Advise students that their contact information will be registered confidentially, that this information will be accessible only to authorized campus officials, and that it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.
- (v) Advise students that if they are under 18 years of age and not emancipated, the University of St. Thomas must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.
- (vi) Advise students that, the University of St. Thomas will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

34CFR§ 668.48 Institutional fire safety policies and fire statistics

(a) ADDITIONAL DEFINITIONS THAT APPLY TO THIS REPORT

Cause of fire

The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

Fire

Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Fire drill

A supervised practice of a mandatory evacuation of a building for a fire.

Fire-related injury

Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters, or any other individuals.

Fire-related death

Any instance in which a person—

- (1) Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or
- (2) Dies within one year of injuries sustained as a result of the fire.

Fire safety system

Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.

Value of property damage

The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

(b) ANNUAL FIRE SAFETY REPORT

Annual fire safety report. Beginning by October 1, 2010, an institution that maintains any on-campus student housing facility must prepare an annual fire safety report that contains, at a minimum, the following information:

- (1) The fire statistics described in paragraph (c) of this section.

For compliance with this section, see the section below.

(2) A description of each on-campus student housing facility fire safety system.

See **Appendix D**

(3) The number of fire drills held during the previous calendar year.

See **Appendix D**

(4) The institution's policies or rules on portable electrical appliances, smoking, and open flames in a student housing facility.

See Resident Student Handbook www.stthomas.edu/residencelife/handbook/default.html

(5) The institution's procedures for student housing evacuation in the case of a fire.

See **Appendix A**

(6) The policies regarding fire safety education and training programs provided to the students and employees. In these policies, the institution must describe the procedures that students and employees should follow in the case of a fire.

During fire drills, the process is evaluated by Public Safety staff. This information is given to Residence Life staff to better educate the students on evacuation. Also Resident Hall Assistants are also given information about the policies and they train their hall members in them.

See **Appendix A and Appendix C** for information on the procedures.

(7) For purposes of including a fire in the statistics in the annual fire safety report, a list of the titles of each person or organization to which students and employees should report that a fire occurred.

All fires are to be reported to Public Safety.

(8) Plans for future improvements in fire safety, if determined necessary by the institution.

At this time this is unknown.

(c) FIRE STATISTICS

The University of St. Thomas must report statistics for each on-campus student housing facility, for the three most recent calendar years for which data are available, concerning—

- The number of fires and the cause of each fire.
- The number of persons who received fire-related injuries that resulted in treatment at a medical facility, including at an on-campus health center.
- The number of deaths related to a fire; and
- The value of property damage caused by a fire

Given the effective date of this law, at this time the university only has two years of data. Please see **Appendix D**

The University of St. Thomas is required to submit fire statistics to the Secretary on an annual basis.

Fire log

The University of St. Thomas maintains on-campus student housing facilities and therefore must maintain a written, easily understood fire log that records, by the date that the fire was reported, any fire that occurred in an on-campus student housing facility. This log, updated and maintained by Public Safety, must include the nature, date, time, and general location of each fire.

Public Safety must make an entry or an addition to an entry to the log within two business days of the receipt of the information.

The University of St. Thomas must make the fire log for the most recent 60-day period open to public inspection during normal business hours. The institution must make any portion of the log older than 60 days available within two business days of a request for public inspection.

The University of St. Thomas must make an annual report to the campus community on the fires recorded in the fire log. This requirement may be satisfied by the annual fire safety report described in this report.

See **Appendix D**

Emergency Notification, Response and Evacuation

Introduction

The University of St. Thomas (UST) is dedicated to providing a safe and secure environment for students, faculty, staff, and visitors. The Higher Education Opportunity Act (HEOA) requires institutions to disclose emergency response policies and evacuation procedures that will be implemented whenever a significant emergency or dangerous situation exists on campus that involves an immediate threat to the health or safety of students, staff or community members.

Policy Statement

It is the policy of the university to be in compliance with the HEOA Emergency Response and Evacuation Regulations.

Reporting an Emergency

All members of the UST community are urged to report any potential or actual emergency or dangerous situation involving an immediate threat to the health or safety of students, employees or guests that may be occurring on the campus. Members shall call the UST Public Safety Department emergency number at 651-962-5555.

Institutional Response

The Public Safety Department will initiate the institutional response by immediately investigating these reports. The Public Safety Department may request assistance from other emergency responders e.g. police, fire, emergency management offices or other university departments or units, as necessary, to confirm that a significant emergency or dangerous situation exists on campus that involves an immediate threat to the health or safety of students, staff or community members. Some of these situations may include but not limited to: Examples may include, but are not limited to:

- Bomb threats or other imminent violent threats
- Fires, natural gas leaks and hazardous spills affecting the entire campus
- Building evacuations and shelter in place situations affecting the entire campus
- Biological or pandemic emergency notifications
- Natural disasters
- Power outages and utility failures resulting in an imminent threat
- Campus closure due to declared civil emergency

Emergency Notification

Once a significant emergency or dangerous situation is confirmed on campus that involves an immediate threat to the health or safety of students, staff or visitors the Public Safety Department will notify students, employees and other community members without unreasonable delay. This shall not apply if the Public Safety Department determines that an immediate notification would place the UST community or a victim at greater risk or would compromise efforts to contain, respond to or mitigate the threat to the health or safety of students, employees or community members. It is the responsibility of the Public Safety Department to coordinate this notification. It may consult and seek the assistance of other departments or units, as necessary to:

- Determine the content of any notification
- Determine the appropriate campus segments to notify
- Initiate the appropriate notification system
- Continue to update the UST community during the emergency

Methods of Communication

UST has several systems in place for communicating emergency information to members of the community. Any or all of the following methods of emergency notification may be used depending on the type and nature of the emergency:

- UST Emergency Notification System
- University web site
- Voice Mail System
- E-mail System
- Social Networking Sites
- Emergency telephone voice recording
- Public address systems
- Personal communication
- Signage

UST Emergency Notification System: This is an electronic system for quickly delivering emergency messages to students, faculty and staff. Notifications may be sent via landline phones, cell phones, text messages and e-mail. Messages will be brief, include basic information and provide instructions on how to obtain more details. The UST Emergency Notification System will be used only for a confirmed significant emergency or dangerous situation exists on campus that involves an immediate threat to the health or safety of students, staff or community members.

All students and employees are encouraged to keep their UST Emergency notification information up to date in MURPHY Online.

University web site: Updated information following a message notifying the campus of an emergency will be found on the university website, available for the university and general communities and media outlets, if warranted. In cases of extreme emergency, the university has the ability to replace the regular website with a website designed for emergency communications only. Regular website functionality can be obtained from a link on the emergency website. Unlike some of the methods, this communication vehicle requires the person to be first notified separately to go the site for this information. This is viewed as a secondary level of communication.

E-Mail System: In addition to the Emergency notification system, e-mails may be sent to specific groups through distribution lists or campus wide. Also, this is the primary method that the University sends its daily e-newsletter, *Bulletin Today*, and campus wide updates.

Social Networking Sites: The University has access to social networking sites where notices and updates can be provided. Unlike some of the methods, this communication vehicle requires the person to be first notified separately to go the site for this information. This is viewed as a secondary level of communication.

Emergency telephone voice recording: In addition to the Emergency notification system, a voicemail may be placed on all holders of a University telephone. Once the message is placed on the phone, the person listening would need to acknowledge the message prior to proceeding with the use of the phone.

Public address systems: Specific areas and buildings on campus have public address systems which can be used in the case of an emergency to disseminate information. In addition, Public Safety has hand held PA devices and its vehicles are equipped with public address systems which can be used in specific emergencies.

Personal communication: This involves direct contact with people and informing them of the situation and updates. One of the more popular methods to implement this communication is through the use of runners. Also, individual departments and units are encouraged to maintain a variety of forms of personal communication, including phone trees and email lists that can be accessed if needed.

Signage: A variety of signage may be created to help provide directions or instructions. These may include electronic signage for traffic, the posting of written signs, or the use of “A-frame” signs .

Testing

All emergency communications methods are tested on at least an annual basis, according to standards as appropriate.

Evacuation

In the case of fire alarm, all persons must leave the building by the nearest available exit. Elevators are not to be used. For severe weather or tornado warnings, occupants should go the basement or interior hallways away from windows or glass

Policy Awareness

This policy will be included in the Emergency Guide which is available electronic at the UST Public Safety.

Building Evacuation during a Fire, Weather Emergency

I. General Evacuation

- A.** Public Safety recommends members of the community preplan any evacuation. This may include knowing the location of all of the exits, waking alternative routes to the exits, knowing where exit doors lead to, and knowing general safety procedures.
- B.** In the case of a localized fire alarm (a fire alarm that is limited to a room), the occupants shall leave the room and shut the door.
- C.** In the case of a full building fire alarm or at the direction of a university or other public safety official, all students, employees, or guests must immediately leave the building or area through the nearest available exit. During the evacuation the person shall:
 - Close all of the room’s windows;
 - Before opening any door, feel the door. If it is HOT, do not open it; if it is not hot, brace yourself against the door, open it slightly, and if heat or heavy smoke are present, close the door and stay in the room. If you are unable to leave the room call Public Safety at 651-962-55555 with your name and location. Also hang something bright in the window to attract attention.
 - If the door is not hot, leave immediately and shut the door when you leave. (Do not lock it)
 - Do not use any cell phone during the evacuation unless it is an emergency.

- Do not use elevators during an evacuation.
- Exit in an orderly fashion. Do not run or push. Running can lead to falls and injuries.
- Gather at a designated a safe location or distance from the building or area, taking care not to block entrances and exits for other people including emergency personnel. Depending on the nature of the emergency, people may be directed to one of the alternative meeting areas. (See Attachment A for alternative meeting locations.)
- Stay together and assess who is present by gathering names.
- Report the condition and location of any persons unable to leave the building or area or who need assistance to Public Safety or other emergency personnel.

D. Wait for the all clear to reenter the space or proceed to an alternative meeting location or designated shelter.

Evacuation for Individuals with Disabilities during an Emergency

I. Notification of Residence Hall Students with Disability

- A. If there is a student living in a residence hall and discloses a mobility disability, the student shall meet with Director of Enhancement Program - Disability Services to discuss emergency evacuation processes including access of elevators during emergencies or malfunctions. This will result in an individualized emergency plan for the student.
- B. In these cases, the Director of Enhancement Program-Disability Services will notify the Lead Communications Supervisor and Special Projects Manager of Public Safety and the Director and Associate Directors of Residence Life of the student's name, residence hall and phone numbers. They will keep this information on file in case of an emergency evacuation of the building or elevator malfunction.
- C. If there is fire or fire alarm in the student's assigned residence hall, the Public Safety dispatcher will advise the responding officers and one of the officers will go to the room as soon as possible to update the student and determine any assistance that may be needed.
- D. In the case of a non-emergency elevator malfunction in a residence hall that Public Safety is aware of, it will notify the on-call Hall Director. This director will notify any student whose name has been forwarded by the Director of Enhancement Program - Disability Services of the malfunction.

II. Mobility Disability Evacuation for Fire

- A. In the case of a fire or fire alarm, the person who has a mobility disability and is unable to leave directly from the building or without the assistance of an elevator, the person shall stay in the room with the doors closed. The person should also tell someone who is leaving building to ask for further assistance from Public Safety or the Fire Department. The person may also call Public Safety at 651-962-5555 and advise the dispatcher of the room location and assistance that may be needed.

- B. When a Public Safety Officer makes contact with the person, the officer will assess the situation and advise the person that if evacuation of the building is needed and further assistance is required, this will be done by the responding fire department. If required, the officer will immediately notify the fire department of the location of the person, and transmit the information to dispatch.

III. **Mobility Disability Evacuation for Other Emergencies**

- A. If there is a severe thunderstorm or tornado warning, the person with a mobility disability shall try to evacuate to the basement or designated shelter in the building. If unable to evacuate, the person will stay in the room and if possible go into an interior wall area or bathroom. The person also may call Public Safety at 651-962-5555 and advise the dispatcher of the location and any special assistance they need.
- B. Other evacuations for emergencies will be based on the nature of the emergency. Except in a natural gas evacuation, the person may call Public Safety at 651-962-5555 and advise the dispatcher of the room location and assistance that may be needed.

Attachment B

Missing Persons

This policy is developed in accordance with the 34 CFR 668.46 and contains the official notification procedures for the University of St. Thomas concerning missing students and guests including those who reside in on-campus housing.

“Missing” means when a person has not been seen or made any contact with another person and the person’s location is unknown and unexplainable for a period of time that is regarded by knowledgeable parties as highly unusual or suspicious in consideration of the person’s usual behavior patterns, plans or routines.

PUBLIC SAFETY RESPONSIBILITIES

The primary department at the University of St. Thomas for the response, investigation and coordination of missing persons will be Public Safety. Also, the department will be the university’s liaison and assist the primary law enforcement agency having jurisdiction for the investigation of missing persons.

As appropriate, the Public Safety department will consult with and seek assistance from other university departments or law enforcement agencies in a missing person case.

The Director of Public Safety and the Dean of Students will confer and determine if and when the University Action and Response Team (UART) may be notified in the case of missing persons.

II. INFORMATION TO BE PROVIDED BY STUDENTS

- A. University of St. Thomas students may identify a confidential contact that may be contacted within 24 hours of the determination that the student is missing from campus. They may do so by completing the appropriate registration forms during address verification procedures in MURPHY ONLINE. The request for this contact is different than the emergency contact request even though the names supplied by the student may be the same. Students may change this name at any time through MURPHY.
- B. When registering, students are advised that their contact information will be confidential, that this information will be accessible only to authorized campus officials, and that it may not be disclosed except to law enforcement personnel in the furtherance of a missing person investigation.
- C. The custodial parent or legal guardian of students under the age of 18 will also be contacted no later than 24 hours after the student is determined to be missing.

III. NOTIFICATION to PUBLIC SAFETY REQUIRED

- A. Public Safety shall be immediately notified by a university employee or student or member of the university community who has reason to believe:

1. that a student who resides in on-campus housing is missing for 24 hours; or
2. there is a student or guest under the age of 18 who is missing.

The person should call 651-962-5555 if it is an emergency and 651-962-5100 in other cases.

- B. If the missing person is under the age of 18, Public Safety will immediately take a report, call the local police department and commence a search.
- C. Public Safety will take a report and notify the police within 24 hours of the determination that a student who is over the age of 18 years old and resides on campus is missing. Also, Public Safety will commence a reasonable search of the campus based on the available information
- D. In all other cases of a missing person from campus, Public Safety will take a report, commence a reasonable search of the campus based on the available information and the reporting party will be directed to contact the police department where the person was last seen or went missing from.
- E. If the person is missing from a location other than campus, the reporting party will be directed to contact the appropriate police department.
- F. Public Safety shall take a report, commence a campus search and contact the local police in any case when there is a missing student, employee or guest from campus and there are unusual circumstances including but not limited to: person's medical condition, location the person was last seen, weather, documentation or statements made by the person, potential victim of foul play, or reasons to believe the person may be a danger to themselves or others.

IV. INFORMATION for PUBLIC SAFETY

- A. The person contacting Public Safety should try to provide as much information to Public Safety as possible including: name, age, and address of the person, date and time last seen, medical condition, any physical or intellectual disabilities, time last seen, location last seen, any circumstances related to the person's absence and a physical description of the person.
- B. Any vehicles, computers, residence hall rooms, or other personal belongings for the missing person from campus should be secured; including rekeying the room.

V. RESPONSE and INVESTIGATION

- A. In a missing person case originating from on campus, The Incident Command System will be implemented. The first responding officer will obtain available information about the incident and determine the resources that will be needed. The officer will also notify the supervisor on-duty.
- B. If warranted a preliminary search of the area will be conducted and other needed resources activated.
- C. The on-duty supervisor will then contact the manager on-duty and update information. The manager on-duty will contact the Director or Associate Director of Public Safety if the person is a student, or the person is missing from campus. They will then coordinate the response and investigation.

VI. COMMUNICATION

- A. The Director, Associate Director, or designees will coordinate the communication of a missing student to Student Life, University Relations, Academic Affairs or other appropriate department. In the case of a non-student, the communication will be with the person or department responsible for the person on campus.
- B. If it is determined an on-campus residence student has been missing for 24 hours, the Director of Public Safety, Dean of Students, and Director of Residence Life shall coordinate informing the confidential contact of the missing student and the associate director will be responsible for notifying the local law enforcement agency.
- C. Any internal or external communication by the university regarding the missing person will be coordinated by Public Safety, University Relations, and the local police department.
- D. University Relations or its designee shall serve as the spokesperson of the university to internal and external constituents on these cases.

Reports for Fires and Alarms

Definitions

For the purposes of this policy the following terms are defined based on 34 CFR 668.49, the federal law that requires colleges and universities to have policies related to fires and fire alarms.

Cause of fire: The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

Fire-related injury: Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters, or any other individuals.

Fire: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner

Fire-related death: Any instance in which a person—

(1) Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or

(2) Dies within one year of injuries sustained as a result of the fire.

Value of property damage: The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

Reporting of Fires: Any fire or fire alarm on campus must be reported to the Public Safety Department. This also includes any extinguished fire.

ICR and Report Policy: An Initial Complaint Report (ICR) is required when the fire system or alarm has been tampered, pull stations activated with no evidence of a fire or emergency and including but not limited to the following cases:

- there is activation of a building sprinkler alarm and the fire department is called;
- any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner ;
- there is any damage caused by smoke or flame;
- hazardous material spill; or
- any gas or pressure steam leak (not steam from shower or cooking)when the fire department or energy company are notified.

This applies regardless if the fire alarm is localized, full building or there is no alarm at all. If there is any doubt that an ICR is required, the officer shall write a report. A report and ICR is not necessary when there is overcooked food that creates smoke and not a flame, when there is no damage, and the overcooked food is confined to its original cooking container. For the purposes of CAD and any report the term “overcooked food” will be used rather than “burned” food.

In addition to the required information for any Public Safety report, a report or CAD entry required by this policy must contain the following information:

- The number of fires and the cause of each fire;

- The number of persons who received fire-related injuries that resulted in treatment at a medical facility, including at an on-campus health center;
- The number of deaths related to a fire; and
- The value of property damage caused by a fire
- The value of ancillary property damage and its cause.

The value of the property damage caused by the fire will be determined by the owner of the property. In the case of University of St. Thomas property the determination will be made by the department staff member who is responsible for the property. The officer who is responsible for writing the report will also coordinate the determination of the value from the owner. If the information is not immediately received, the officer will follow-up with the property owner and write a supplemental report documenting the value of the damage. The officer will also notify the Special Projects manager by e-mail of the value of amount of the damage.

Examples

To assist with understanding this section on a fire and reports, four examples are provided.

- A fire alarm is set off and after the investigation; it is determined steam from a shower set off the alarm. This is considered an alarm malfunction. The information is entered into CAD but no ICR or report is needed. However, a RFS should be submitted to PHP with a copy given to the Special Projects Manager.
- A fire alarm is set off and after the investigation it is determined there was overcooked popcorn in the microwave. An ICR and report are not needed unless there was a flame or damage that resulted. All details about the call must be entered into the CAD.
- A fire alarm is set off and after the investigation it is determined smoke from a candle was created when the person blew out the candle. The candle was inside of the holder. No report for a fire is needed because the burning was in a place that is intended to contain the burning. However, a report still needs to be written for a policy violation.
- On routine patrol, an officer finds burned toilet paper on the floor in one of the residence hall bathrooms. A report would be required because there was burning in place not intended to contain the burning.
- There is a report of a light bulb that flashes, sparks fly, chars the shade, and creates smoke. The owner of the property calls Public Safety. There would be a report because there was a fire and smoke.
- Outside a UST class room buildings there is a concrete ashtray that has several cigarettes burning in it. The officer is required to use water to extinguish it. A report is not needed because the purpose of the concrete ashtray is intended for this use.
- A person in Flynn hall is cooking walleye. The walleye becomes overcooked. It begins to fill the room with smoke. The cook takes the cast iron pan and puts it on the Formica counter. This causes a large burn on the top of the counter and creates some smoke. A report is needed because of the burning of the Formica. Also, if the smell of burned fish stays, there is smoke damage. This damage would be included in the report for the damage to the counter.

Fire Statistics and Fire Log Policy

The fire log as required by 34 CFR 668.49 will be the responsibility of Special Projects office in conjunction with the Associate Director. This log shall contain records, by the date that the fire was reported, any fire that occurred on-campus, and indicate if the building was a student housing facility. This log must include the nature, date, time, and general location of each fire. An entry or an addition to an entry to the log shall be made within two business days, as defined under CFR 668.46(a), of the receipt of the information.

The log will be maintained at the Public Safety Communications Center and it must make the fire log for the most recent 60-day period open to public inspection during normal business hours. Public Safety must make any portion of the log older than 60 days available within two business days of a request for public inspection. This information will also be forwarded to the Crime Prevention sergeant to be included on the Public Safety's web page.

In addition, the Special Projects office in conjunction with the Associate Director shall maintain the fire statistics including:

- The number of fires and the cause of each fire;
- The number of persons who received fire-related injuries that resulted in treatment at a medical facility, including at an on-campus health center;
- The number of deaths related to a fire; and
- The value of property damage caused by a fire.
- The value of ancillary property damage and its cause.

The Associate Director shall report on behalf of the university a copy of the fire statistics to the Secretary for Education on an annual basis.

Attachment D

Annual Fire Safety and Log Report 2014

Time of Fire	General Location	On-Campus Student Housing Facility	Cause of Fire	Nature of the Fire	Status	Persons to Receive Fire Related Injuries	Deaths Related to Fire	Value of Property
0025	2085 Grand Ave.	Yes	Fire: Unknown in Oven	Public Safety and St. Paul Fire Department responded to a small oven fire. Extinguished without any reported injury or damages. (ICR 14-01546)	Closed	0	0	\$0
0045	MOR 731	Yes	Fire: Rag on Stove	Public Safety and the St. Paul Fire Department responded to a burned rag in a kitchenette. No injuries or damages. (ICR 14-01775)	Closed	0	0	\$0

**On-Campus Student Housing Fire Safety Systems
Test Held**

Alarm System	Test Date	Fire Sprinkler	Test Date	Portable Extinguishers	Testing	Fire Evacuation
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Child Development Student Residence	PSD/HD/PSSA	May/June 2014	Yes	May/June 2014	Yes	06/01/2014 – 07/01/2014	04/05/2014 09/18/2014
Cretin Residence Hall	PSD/PSSA	May/June 2014	Yes	May/June 2014	Yes	06/01/2014 – 07/01/2014	03/20/2014 09/18/2014
Dowling Residence Hall	PSD/PSSA	May/June 2014	Yes	May/June 2014	Yes	06/01/2014 – 07/01/2014	03/18/2014 09/16/2014
Faculty Residence	PSD/PSSA	May/June 2014	N/A	N/A	Yes	06/01/2014 – 07/01/2014	04/04/2014 09/17/2014
Flynn Residence Hall	PSD/HD/PSSA	May/June 2014	Yes	May/June 2014	Yes	06/01/2014 – 07/01/2014	04/04/2014 09/17/2014
Grace Residence Hall	PSD/HD/PSSA	May/June 2014	Yes	May/June 2014	Yes	06/01/2014 – 07/01/2014	03/20/2014 09/18/2014
Ireland Residence Hall	PSD/PSSA	May/June 2014	Yes	May/June 2014	Yes	06/01/2014 – 07/01/2014	03/18/2014 09/16/2014
John Paul II Residence Hall	PSD/PSSA	May/June 2014	Yes	May/June 2014	Yes	06/01/2014 – 07/01/2014	04/04/2014 09/17/2014
Morrison Hall	PSD/HD/PSSA	May/June 2014	Yes	May/June 2014	Yes	06/01/2014 – 07/01/2014	04/04/2014 09/18/2014
Murray Residence	PSD/DSD/PSSA	May/June 2014	Yes	May/June 2014	Yes	06/01/2014 – 07/01/2014	04/14/2014 09/15/2014
St. Paul Seminary/School of Divinity: Seminary Residence	(PSD/DSD/PSSA)	May/June 2014	Yes	May/June 2014	Yes	06/01/2014 – 07/01/2014	09/2014
St. John Vianney Seminary	PSD/DSD/PSSA	May/June 2014	Yes	May/June 2014	Yes	06/01/2014 – 07/01/2014	03/18/2014 09/16/2013
2171 Grand Avenue	PSD/PSSA	May/June 2014	N/A	N/A	Yes	06/01/2014 – 07/01/2014	03/20/2014 09/18/2014
2175 Grand Avenue	PSD/PSSA	May/June 2014	N/A	N/A	Yes	06/01/2014 – 07/01/2014	03/20/2014 09/18/2014
2085/2087 Grand Avenue (Residence Life-2012)	PSD/PSSA	May/June 2014	N/A	N/A	Yes	06/01/2014 – 07/01/2014	04/04/2014 09/19/2014
2109 Grand Avenue (Men's Transfer)	PSD	03/2014	N/A	N/A	Yes	06/01/2014 – 07/01/2014	03/20/2014 09/19/2014
2110 Summit Avenue (Women's Transfer)	PSD	03/2014	N/A	N/A	Yes	06/01/2014 – 07/01/2014	03/20/2014 09/19/2014
2151 Grand Avenue(Sophomore Experience)	PSD	03/2014	N/A	N/A	Yes	06/01/2014 – 07/01/2014	03/20/2014 09/19/2014
2154 Summit Avenue (Residence Life-2013)	PSD	03/2014	N/A	N/A	Yes	06/01/2014 – 07/01/2014	03/20/2014 09/19/2014
2166 Summit Avenue (Residence Life-2013)	PSD	03/2014	N/A	N/A	Yes	06/01/2014 – 07/01/2014	03/20/2014 09/19/2014
2144 Summit Avenue (Residence Life-2013)	PSD	03/2014	N/A	N/A	Yes	06/01/2014 – 07/01/2014	03/20/2014 09/19/2014

PSD - Photoionization smoke detector
PSSA - Pull station single action
HD - Heat Detector
DSM - Duct smoke detector

Institution Policies or Rules on portable electrical appliances, smoking, and open flame in student housing

See page 10, 17 and 20 in <http://www.stthomas.edu/media/residencelife/pdf/Res-Life-Handbook-Fall-2014-v2.pdf>
 See following for evacuation of student housing facility <http://www.stthomas.edu/publicsafety/emergencyguide/>

Annual Fire Safety and Log Report 2013

Fire Statistics

Date Reported	Date of Fire	Time of Fire	General Location	On-Campus Student Housing Facility	Cause of Fire	Nature of the Fire	Status	Persons to Receive Fire Related Injuries	Deaths Related to Fire	Value of Property
04/08/2013	04/08/2013	2148 hrs.	Anderson Parking Facility	No	Mobile Vehicle: Passenger Vehicle	Public Safety responded to an extinguished engine fire in a passenger vehicle. There was damage to the engine; however, it was driven away.	Closed	0	0	Less than \$500.
05/02/2013	05/02/2013	1956 hrs.	Anderson Student Center	No	Fire Cooking: Grease Fire	Public Safety responded to a grease fire in the kitchen area. Out upon Public Safety's arrival.	Closed	0	0	\$0.00
05/17/2013	05/17/2013	1616 hrs.	Terrence Murphy Hall	No	Electrical Wiring: Overheated motor or wiring	Public Safety responded to an extinguished smoldering floor scrubber.	Closed	0	0	Less than \$200
06/20/2013	06/20/2013	0603 hrs.	Lot B Surface Parking	No	Mobile Vehicle: Passenger Vehicle	Public Safety responded to an engine fire in a passenger vehicle. It	Closed	0	0	Unknown

						was inoperable after the fire.				
11/17/2013	11/17/2013	1407 hrs.	John Paul II Residence Hall	Yes	Fire Other: Trash in receptacle	Public Safety responded to smoldering embers coming from a trash container. Extinguished by Public Safety upon arrival.	Closed	0	0	\$0.00
11/17/2014	11/17/2014	0144 hrs.	1000 block of Harmon Place	No	Fire Other: Outside Trash not in receptacle	A small pile of garbage was extinguished by Public Safety.	Closed	0	0	\$0.00

2013

**Description of Each On-Campus Housing Fire Safety Systems
Number of Fire Drills Held**

Residence	Alarm System	Test Date	Fire Sprinkler System	Test Date	Portable Extinguishers	Testing	Fire Drills
Brady Residence Hall	PSD/PSSA	May/June 2013	Yes	May/June 2013	Yes	06/01/2013 – 07/01/2013	03/18/2013 09/16/2013
Child Development Student Residence	PSD/HD/PSSA	May/June 2013	Yes	May/June 2013	Yes	06/01/2013 – 07/01/2013	04/05/2013 09/18/2013
Cretin Residence Hall	PSD/PSSA	May/June 2013	Yes	May/June 2013	Yes	06/01/2013 – 07/01/2013	03/20/2013 09/18/2013
Dowling Residence Hall	PSD/PSSA	May/June 2013	Yes	May/June 2013	Yes	06/01/2013 – 07/01/2013	03/18/2013 09/16/2013
Faculty Residence	PSD/PSSA	May/June 2013	N/A	N/A	Yes	06/01/2013 – 07/01/2013	04/04/2013 09/17/2013
Flynn Residence Hall	PSD/HD/PSSA	May/June 2013	Yes	May/June 2013	Yes	06/01/2013 – 07/01/2013	04/04/2013 09/17/2013
Grace Residence Hall	PSD/HD/PSSA	May/June 2013	Yes	May/June 2013	Yes	06/01/2013 – 07/01/2013	03/20/2013 09/18/2013
Ireland Residence Hall	PSD/PSSA	May/June 2013	Yes	May/June 2013	Yes	06/01/2013 – 07/01/2013	03/18/2013 09/16/2013
John Paul II Residence Hall	PSD/PSSA	May/June 2013	Yes	May/June 2013	Yes	06/01/2013 – 07/01/2013	04/04/2013 09/17/2013

Morrison Hall	PSD/HD/PSSA	May/June 2013	Yes	May/June 2013	Yes	06/01/2013 – 07/01/2013	04/04/2013 09/18/2013
Murray Residence	PSD/DSD/PSSA	May/June 2013	Yes	May/June 2013	Yes	06/01/2013 – 07/01/2013	04/14/2013 09/15/2013
St. Paul Seminary/School of Divinity: Seminary Residence	This property owned and operated by Archdiocese of St. Paul and Minneapolis (PSD/DSD/PSSA)	May/June 2013	Yes	May/June 2013	Yes	06/01/2013 – 07/01/2013	09/2013
St. John Vianney Seminary	PSD/DSD/PSSA	May/June 2013	Yes	May/June 2013	Yes	06/01/2013 – 07/01/2013	03/18/2013 09/16/2013
2171 Grand Avenue	PSD/PSSA	May/June 2013	N/A	N/A	Yes	06/01/2013 – 07/01/2013	03/20/2013 09/18/2013
2175 Grand Avenue	PSD/PSSA	May/June 2013	N/A	N/A	Yes	06/01/2013 – 07/01/2013	03/20/2013 09/18/2013
2085/2087 Grand Avenue (Residence Life-2012)	PSD/PSSA	May/June 2013	N/A	N/A	Yes	06/01/2013 – 07/01/2013	04/04/2013 09/19/2013
2109 Grand Avenue (Men's Transfer)	PSD	03/2013	N/A	N/A	Yes	06/01/2013 – 07/01/2013	03/20/2013 09/19/2013
2110 Summit Avenue (Women's Transfer)	PSD	03/2013	N/A	N/A	Yes	06/01/2013 – 07/01/2013	03/20/2013 09/19/2013
2151 Grand Avenue(Sophomore Experience)	PSD	03/2013	N/A	N/A	Yes	06/01/2013 – 07/01/2013	03/20/2013 09/19/2013
2154 Summit Avenue (Residence Life-2013)	PSD	03/2013	N/A	N/A	Yes	06/01/2013 – 07/01/2013	03/20/2013 09/19/2013
2166 Summit Avenue (Residence Life-2013)	PSD	03/2013	N/A	N/A	Yes	06/01/2013 – 07/01/2013	03/20/2013 09/19/2013
2144 Summit Avenue (Residence Life-2013)	PSD	03/2013	N/A	N/A	Yes	06/01/2013 – 07/01/2013	03/20/2013 09/19/2013

PSD - Photoionization smoke detector
PSSA - Pull station single action
HD - Heat Detector
DSM - Duct smoke detector

Institution Policies or Rules on portable electrical appliances, smoking, and open flame in student housing

See page 10, 17 and 20 in <http://www.stthomas.edu/media/residencelife/pdf/Res-Life-Handbook-Fall-2014-v2.pdf> (2013 version no longer available).

See following for evacuation of student housing facility <http://www.stthomas.edu/publicsafety/emergencyguide/>

2012**Description of Each On-Campus Housing Fire Safety Systems
Number of Fire Drills Held**

Residence	Alarm System	Test Date	Fire Sprinkler System	Test Date	Portable Extinguishers	Testing	Fire Drills
Brady Residence Hall	PSD/PSSA	May 2012	Yes	1/19/2012	Yes	06/01/2012-8/12/2012	03/19/2012 04/02/2012 09/20/2012
Child Development Student Residence	PSD/HD/PSSA	May 2012	Yes	1/13/2012	Yes	06/01/2012-8/12/2012	04/04/2012 07/23/2012 09/19/2012
Cretin Residence Hall	PSD/PSSA	May 2012	Yes	1/17/2012	Yes	06/01/2012-8/12/2012	04/04/2012 09/19/2012
Dowling Residence Hall	PSD/PSSA	May 2012	Yes	1/16/2012	Yes	06/01/2012-8/12/2012	03/19/2012 04/02/2012 09/20/2012
Faculty Residence	PSD/PSSA	May 2012	N/A	N/A	Yes	06/01/2012-8/12/2012	04/03/2012 09/18/2012
Flynn Residence Hall	PSD/HD/PSSA	May 2012	Yes	1/17/2012	Yes	06/01/2012-8/12/2012	04/03/2012 09/18/2012
Grace Residence Hall	PSD/HD/PSSA	May 2012	Yes	1/17/2012	Yes	06/01/2012-8/12/2012	04/04/2012 09/19/2012
Ireland Residence Hall	PSD/PSSA	May 2012		1/17/2012	Yes	06/01/2012-8/12/2012	03/19/2012 04/02/2012 09/20/2012
John Paul II Residence Hall	PSD/PSSA	May 2012	Yes	1/13/2012	Yes	06/01/2012-8/12/2012	04/03/2012 09/18/2012
Morrison Hall	PSD/HD/PSSA	May 2012	Yes	1/13/2012	Yes	06/01/2012-8/12/2012	04/03/2012 09/18/2012
Murray Residence	PSD/DSD/PSSA	May 2012	Yes	1/6/2012	Yes	06/01/2012-8/12/2012	04/27/2012 09/20/2012

St. Paul Seminary/School of Divinity: Seminary Residence	This property owned and operated by Archdiocese of St. Paul and Minneapolis (PSD/DSD/PSSA)	May 2012	Yes	1/24/2012	Yes	06/01/2012- 8/12/2012	* Fire Alarm – successful evacuation 05/27/2012
St. John Vianney Seminary	PSD/DSD/PSSA	May 2012	Yes	1/6/2012	Yes	06/01/2012- 8/12/2012	03/19/2012 04/02/2012 09/20/2012
2171 Grand Avenue	PSD/PSSA	May 2012	N/A	N/A	Yes	06/01/2012- 8/12/2012	04/04/2012 09/19/2012
2175 Grand Avenue	PSD/PSSA	May 2012	N/A	N/A	Yes	06/01/2012- 8/12/2012	04/04/2012 09/19/2012
2085/2087 Grand Avenue (Residence Life- 2012)	PSD/PSSA	N/A	N/A	N/A	Yes	06/01/2012- 8/12/2012	04/03/2012 09/18/2012
2109 Grand Avenue (Men's Transfer)	PSD	04/04/2012 09/19/2012	N/A	N/A	Yes	06/01/2012- 8/12/2012	04/04/2012 09/19/2012
2110 Summit Avenue (Women's Transfer)	PSD	04/04/2012 09/19/2012	N/A	N/A	Yes	06/01/2012- 8/12/2012	04/04/2012 09/19/2012
2151 Grand Avenue(Sophomore Experience)	PSD	04/04/2012 09/19/2012	N/A	N/A	Yes	06/01/2012- 8/12/2012	04/04/2012 09/19/2012
2154 Summit Avenue (Residence Life-2012)	PSD	09/19/2012	N/A	N/A			09/19/2012
2166 Summit Avenue (Residence Life-2012)	PSD	09/19/2012	N/A	N/A			09/19/2012
2144 Summit Avenue (Residence Life-2012)	PSD	09/19/2012	N/A	N/A			09/19/2012

PSD - Photoionization smoke detector
PSSA - Pull station single action
HD - Heat Detector
DSM - Duct smoke detector

UNIVERSITY OF ST. THOMAS

SEXUAL MISCONDUCT POLICY AND PROCEDURES

Table of Contents

Sexual Misconduct Policy

Section I: Sexual Misconduct Prohibited	1
Section II: Scope and Applicability	1
Section III: Sanctions	2
Section IV: Formal Adjunction by UST	2
Section V: Behavior That Constitutes Prohibited Sexual Misconduct	2
Section VI: Reporting or Raising Concerns About Sexual Misconduct	7
Section VII: UST Response and Resolution Process	11
Section VIII: No Retaliation	12
Section IX: Resources and Contact Information	12

Sexual Misconduct Response And Resolution Procedures

Section I: Definitions	16
Section II: Scope and Application	16
Section III: General Provisions	16
Section IV: Initiation of Response and Resolution Process	17
Section V: Informal Process	22
Section VI: Formal Process	23
Section VII: Recordkeeping	31

In compliance with Title IX of the Education Amendment of 1972, the university does not discriminate on the basis of sex in its programs and activities. The university has appointed a Title IX coordinator to coordinate the university's efforts to comply with this law and its related regulations, including the investigation of any alleged noncompliance with or activity prohibited by Title IX such as sexual harassment.

Any person who believes that the university is not in full compliance with Title IX should contact the Title IX coordinator:

Ms. Nora Fitzpatrick
Associate Vice President,
Financial Planning and Analysis
Room 110D, Aquinas Hall
(651) 962-6884
nbfitzpatric@stthomas.edu

Any UST employee who becomes aware of a potential incident of sexual assault, sexual harassment, relationship violence or other assault or harassment involving a student at the University of St. Thomas - either as victim or perpetrator – on or off campus must promptly report the matter either to the Dean of Students Office, Public Safety, or the Title IX Coordinator. Exceptions to this policy are the confidential resources indicated in this document.

UNIVERSITY OF ST. THOMAS SEXUAL MISCONDUCT POLICY

SECTION I. SEXUAL MISCONDUCT PROHIBITED

The University of St. Thomas (UST) mission and convictions embody UST's commitment to promote and protect the personal dignity and well-being of every member of the UST community. Sexual harassment, sexual assault and other forms of sexual misconduct are antithetical to that commitment. Moreover, they constitute unlawful sex discrimination. All forms of sexual misconduct, as defined in this policy, are prohibited by UST.

The UST mission and convictions also embody UST's strong commitment to academic freedom, rigorous thinking and the free and full pursuit of knowledge and truth by every member of the UST community. The prohibition on sexual misconduct is critical to and consistent with these commitments. UST cannot achieve its educational objectives in an environment in which sexual harassment or other forms of sexual misconduct are tolerated.

SECTION II. SCOPE AND APPLICABILITY

This policy applies to:

- All UST employees, whether full-time or part-time staff, faculty, clergy, members of a collective bargaining unit, adjunct faculty or temporary staff;
- all persons taking courses at UST, whether full-time or part-time, non-degree or degree seeking, or pursuing undergraduate, graduate or professional studies;
- all participants in UST study abroad programs or other UST travel programs, including VISION trips;
- all persons residing in UST residential housing, whether or not currently enrolled or working at UST;
- all individuals volunteering on behalf of UST; and
- all members of the UST Board of Trustees.

The individuals listed above are referred to collectively as **Covered Persons**. This policy prohibits sexual misconduct by or against a Covered Person, both on and off the UST campus. In addition, this policy prohibits sexual misconduct by all persons visiting or licensing space from UST and by all persons and entities that provide services to UST.

SECTION III. SANCTIONS

Covered Persons who are found to have engaged in sexual misconduct prohibited by this policy will be subject to disciplinary action. The specific disciplinary action will depend on the particular facts and circumstances and may include sanctions up to and

including expulsion from UST, termination of UST employment and prohibition from campus. Third parties who are subject to this policy are also subject to sanctions for violations.

SECTION IV. FORMAL ADJUDICATION BY UST

Determinations of responsibility for violations of this policy and sanctions or other responsive action, if any, will be considered a formal adjudication of the matter by UST and will be subject to the reporting, disclosure and re-disclosure requirements and prohibitions under the Clery Act and the Family Educational Rights and Privacy Act.

SECTION V. BEHAVIOR THAT CONSTITUTES PROHIBITED SEXUAL MISCONDUCT

For purposes of this policy, sexual misconduct includes sexual harassment, actual or attempted sexual assault, sexual coercion, non-consensual sexual contact, non-consensual sexual intercourse, other forms of sexual assault, sexual exploitation, dating violence, domestic violence, and stalking. In determining whether conduct constitutes sexual misconduct, UST will consider all the circumstances.

When used in this policy, the following terms have the following meanings:

1. Consent

Consent is conduct or words that indicate a person freely agrees to engage in a sexual act at the time of the act, subject to the following:

- In order to give consent, one must be of legal age.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Silence or failing to resist a sexual act does not constitute consent.
- A current or previous relationship does not imply consent.
- A person who is asleep, unconscious or substantially impaired by drugs, alcohol, disability or other means, or who lacks full knowledge or information of what is happening, cannot consent to a sexual act. This is true regardless whether the person voluntarily or involuntarily consumed drugs or alcohol.
- Use of alcohol or other drugs does not excuse behavior that violates this policy.
- Corroboration of a victim's testimony is not required to show lack of consent.
- UST maintains a separate **Consenting Relationships** policy applicable to students, faculty and staff that, depending on the circumstances, prohibits or strongly discourages romantic, intimate or sexual relationships involving persons of unequal power, even when consent is present. Covered Persons are expected to comply with the Consenting Relationship policy.

2. Force

Force is the use of physical violence to gain sexual access. Force also includes threats, intimidation (implied threats), and imposing on someone physically.

3. Sexual Harassment

Sexual harassment is conduct that has all of the following elements:

- The conduct is unwelcome.
- The conduct is based on gender, sex or sexual orientation.
- The conduct unreasonably interferes with, denies or limits someone's ability to participate in or benefit from UST employment, educational programs and/or activities.

Sexual harassment includes both verbal and physical conduct. Sexual harassment can be between people of the same sex or between people of different sexes. Whether conduct constitutes sexual harassment under this policy will be determined based on the facts and circumstances. A single incident of conduct may constitute harassment depending on the facts and circumstances. In many cases, however, a finding of harassment will require a pattern of unwelcome conduct.

Examples of sexual harassment include, but are not limited to:

- Punishing a refusal to comply with a sexual-based request.
- Offering a benefit (such as a grade, promotion or athletic participation) in exchange for sexual favors or other verbal or physical conduct of a sexual nature.
- Repeatedly subjecting a person to unwelcome sexual attention or sexual advances.
- Pervasive displays of sexually explicit or sexually graphic content in a workplace or academic environment.
- A pattern of bullying based on gender, sex or sexual orientation.
- Persistent and offensive sexually oriented jokes and comments.
- Other severe or pervasive conduct that creates a hostile work or educational environment.

Other types of sexual misconduct defined in this policy also may be considered sexual harassment under applicable laws.

If you have concerns about potentially harassing conduct, UST wants to know about them, even if you are not sure the conduct rises to the level of harassment. Telling UST allows it to monitor patterns of conduct that may need to be addressed and to try to stop inappropriate conduct before it rises to the level of harassment. Students who have concerns regarding a comment or discussion in class are encouraged to speak directly to the faculty member, the department chair, or the dean of the school or college about the concern. Individuals also can contact a Trained Responder, as described in Section VI below.

Clarification Regarding the Academic Environment

The prohibition of sexual harassment does not circumscribe a faculty member's freedom as part of the faculty member's teaching to select, assign or discuss materials or topics that are legitimately related to the subject being taught. In the classroom and other forums, UST actively encourages and seeks to facilitate the free expression, challenge and debate of diverse and deeply held beliefs and opinions.

In situations where there are perceived or potential conflicts between (a) the limitations on conduct and communications implied by the definition of sexual harassment contained in this policy and (b) the principles of academic freedom, UST will use as a working definition of academic freedom the "1940 Statement of Principles and Interpretive Comments" and the "1970 Interpretive Comments" on academic freedom by the American Association of University Professors. When addressing complaints against faculty members, the existence of such a perceived or potential conflict and the appropriate application of the AAUP Principles and Comments will be considered in consultation with the dean of the respective school or college (or, if the dean has a conflict of interest, the provost or provost's designee).

4. Sexual Assault

The following types of misconduct, which often are referred to generally as sexual assault, may constitute criminal sexual misconduct under Minnesota law and are prohibited by this policy. *See Minnesota Statutes Section 609.341 et seq.*

a. Sexual Coercion

Sexual coercion is: (1) unreasonable pressure for sexual activity (2) applied through words or circumstances (3) that causes a person reasonably to fear that the other will inflict bodily harm.

Sexual coercion may include confining a person or using physical size or strength to cause a person to submit to an unwanted sexual act. When a person makes clear that the person does not want sex, wants to stop, or does not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

b. Non-Consensual Sexual Contact

Non-consensual sexual contact is: (1) any intentional touching, however slight, by any person (2) upon the breasts, buttock, groin, genital area or inner thigh of any other person, or of such other person's clothing covering these areas, (3) with or by any body part or any object, seminal fluid or sperm (4) with sexual or aggressive intent (5) without consent and/or by force.

c. Non-Consensual Sexual Intercourse

Non-consensual sexual intercourse is: (1) any sexual intercourse or penetration (anal, oral

or vaginal), however slight (2) by a penis, tongue, finger or any object (3) by any person upon any other person (4) without consent and/or by force.

5. Sexual Exploitation

Sexual exploitation occurs when: (1) a person takes non consensual or abusive sexual advantage of another (2) for the person's own advantage or benefit or to benefit or advantage anyone else (3) and that behavior does not otherwise constitute one of the other sexual misconduct offenses.

Examples of sexual exploitation include, but are not limited to:

- Prostituting another person.
- Non consensual video- or audio taping of sexual activity.
- Going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex).
- Voyeurism.
- Exposing one's genitals or inducing another to expose his or her genitals in non-consensual circumstances.
- Knowingly transmitting a sexually transmitted disease or sexually transmitted infection to another person.
- Possession of child pornography. (Possession of child pornography must be reported immediately in accordance with the UST Policy on Reporting Suspected Child Abuse.)

6. Dating Violence

Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be determined based on consideration of the following factors:

- the length of the relationship;
- the type of relationship; and
- the frequency of interaction between the persons involved in the relationship.

Dating violence is prohibited by Minnesota law. *See Minnesota Statutes Section 518B.01 et seq.*

7. Domestic Violence

Domestic violence is a felony or misdemeanor crime of violence committed by the victim's

- current or former spouse,
- current or former cohabitant,
- person similarly situated under domestic or family violence law, or
- anyone else protected under applicable domestic or family violence laws. *See Minnesota Statutes Section 518B.01 et seq.*

8. Stalking

Stalking is (1) a course or pattern of unwelcome and unwanted conduct (2) that a person knows or has reason to know (3) would cause the victim under the circumstances to feel frightened, threatened, oppressed or intimidated or to suffer substantial emotional distress.

Stalking is prohibited by Minnesota law. *See Minnesota Statutes Section 609.749.* Stalking behavior includes, but is not limited to:

- Repeated, unwanted and intrusive communications by phone, mail, text message, email and/or other electronic communications, including social media.
- Repeatedly leaving or sending the victim unwanted items, presents or flowers.
- Following or lying in wait for the victim at places such as home, school, work or recreational facilities.
- Making direct or indirect threats to harm the victim or the victim's children, relatives, friends or pets.
- Damaging or threatening to damage the victim's property.
- Posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth.
- Unreasonably obtaining personal information about the victim by accessing public records, using internet search services, hiring private investigators, going through the victim's garbage, following the victim, or contacting the victim's friends, family, work or neighbors.

SECTION VI. REPORTING OR RAISING CONCERNS ABOUT SEXUAL MISCONDUCT

UST is committed to investigating, resolving and preventing sexual misconduct, and the law generally requires it to do so. UST strongly encourages victims to tell someone about sexual misconduct they experience. As described below, UST expects certain Covered Persons to notify UST when they become aware of sexual misconduct. This ensures that victims will receive appropriate support. It also enables UST to fulfill its commitment to prevent and address sexual misconduct and to comply with applicable law.

A. HOW, WHEN AND WHOM TO TELL

Individuals who experience or allege sexual misconduct prohibited by this policy are referred to as **Complainants**. Individuals who are alleged to have engaged in sexual misconduct prohibited by this policy are referred to as Respondents.

1. Individuals Who Have Personally Experienced Sexual Misconduct

If you have personally experienced any form of sexual misconduct, UST **strongly urges** you to tell someone about the incident as soon as possible. There are multiple options to do this, as further described in Sections VI.B through VI.E below. In an emergency, call 911 if you are off campus and 2-5555 if you are on campus (see Section VI.B). If you have concerns about confidentiality, contact a Confidential Resource (see Section VI.C). To initiate UST's response and resolution process, you or another person must notify a Trained Responder (see Section VI.D). If you want to make a report to police about criminal sexual misconduct, UST can assist you in that process (see Section VI.E). UST also offers options for anonymous reporting (see Section VI.F).

UST and outside organizations offer numerous resources to support victims of sexual misconduct, including but not limited to sexual assault advocacy services. In addition, victims of criminal sexual misconduct have rights under the Crime Victims Bill of Rights contained in Chapter 611A of the Minnesota Statutes, including but not limited to the right to assistance from the Crime Victims Reparations Board and the commissioner of public safety. Links to additional information about these rights, and contact information for these support resources, is contained in Section X of this policy.

2. Individuals Who Become Aware of Sexual Misconduct Incidents or Allegations

If you become aware of an incident or allegation of sexual misconduct that is prohibited by this policy, contact the Title IX Coordinator, Dean of Students staff member, a Human Resources Partner or a member of the UST Public Safety Department right away for advice and assistance. These resources are referred to as **Trained Responders**. Trained Responders regularly deal with incidents and allegations of sexual misconduct and have received training on how to handle situations involving sexual misconduct. Trained Responders will provide advice and assistance to Complainants and other individuals who contact them, including referrals to fair and respectful health care and counseling services, and help ensure that UST responds appropriately and in accordance with applicable law.

- All UST employees who are not student workers, and all members of the UST Board of Trustees, are expected to contact a Trained Responder promptly after becoming aware of an incident or allegation of sexual misconduct.
- UST encourages, but does not require, all other persons who become aware of an incident or allegation of sexual misconduct to contact a Trained Responder.
- UST employees who learn of sexual misconduct while serving as a Confidential Resource, as defined in Section VI.C below, are not required to notify a Trained Responder.

Individuals who become aware of incidents of sexual misconduct must remember that there is no context in which violations of this policy are acceptable. Under no circumstances may UST employees suggest that a Complainant is at fault for the sexual misconduct they report or that the Complainant should have acted in a different manner to avoid being a victim of sexual misconduct. Moreover, consistent with UST's convictions, all members of the UST community are expected to treat Complainants, Respondents and other parties involved in a sexual misconduct matter with dignity, while also supporting the impartial pursuit of truth and upholding the community's expectation that individuals will be held accountable for personal conduct that is determined to violate this policy.

3. When to Make a Report

Notifying a Trained Responder, Confidential Resource, law enforcement or other support resources identified in Section X below promptly

after sexual misconduct occurs helps assure the preservation of evidence. It is best for any physical evidence to be collected immediately, ideally within the first 24 hours after the incident occurs. Prompt notice and the preservation of evidence makes it easier to investigate and respond appropriately to the situation.

In order to assure an inquiry and response by UST, a Trained Responder must receive notice of sexual misconduct within one calendar year of the incident. Complainants are urged to notify UST of an incident regardless of whether the Complainant knows the identity of the Respondent(s). If the Complainant does not know the identity of one or more Respondent at the time of the incident or notice to UST and later learns the Respondent's identity, the Complainant should notify UST as soon as possible, but no later than one calendar year following the date the Complainant learned the identity. The reason for this timing is that as time passes, evidence and witnesses may become unavailable and Respondents may leave UST, making it impractical for UST to conduct an effective and equitable response and resolution process.

Incidents reported after the one-year time limitation may be investigated or otherwise addressed at the discretion of UST based on the availability of witnesses and other evidence and UST's interest in providing a safe, non-discriminatory learning and working environment.

4. Confidentiality

Complainants may discuss incidents of sexual misconduct in complete confidence with a **Confidential Resource**, as defined in Section VI.C below. Only Confidential Resources can promise complete confidentiality. With the exceptions of student workers and Confidential Resources, all UST employees who become aware of incidents or allegations of sexual misconduct have a responsibility to contact a Trained Responder (as defined in Section VI.A.2 above), even if the Complainant requests confidentiality.

Trained Responders understand and seek to honor confidentiality requests to the extent they can. If a Complainant requests complete confidentiality or does not want UST to investigate or respond to the incident or allegation, UST will weigh the request against the seriousness of the alleged misconduct and UST's commitment to address and prevent recurrence of sexual misconduct. This determination will be made by the Title IX Coordinator in consultation with the individual designated to manage the response process, as set forth in the response and resolution procedures described in Section VII of this policy. The determination may not be made by other Covered Persons.

If UST determines it has an obligation to investigate and address the incident or allegations, UST will maintain confidentiality to the extent reasonably

possible consistent with a thorough, fair and effective investigation and response and as required by applicable laws and UST policies. In addition, UST will consider and take steps to address safety concerns. In all cases, the individuals investigating and responding to incidents or allegations of sexual misconduct will share information about the incident or allegation, investigation and response within and outside UST only on a “need to know” basis. However, complete confidentiality generally will not be possible due to UST’s legal obligation to respond. Accordingly, if a Complainant is not certain s/he wishes UST to initiate the response and resolution process, the Complainant should contact a Confidential Resource, as described in Section VI.C below, before sharing the information with another Covered Person or a Trained Responder.

B. EMERGENCY REPORTING

1. On-Campus Emergencies

In St. Paul and Minneapolis, dial (651) 962-5555 (or 2-5555 from any campus telephone) to reach UST Public Safety, who will direct emergency resources to your campus location.

In Rome, dial 113 from the nearest telephone.

2. Off-Campus Emergencies

In Minnesota, dial 911 from the nearest off-campus telephone.

In Rome, dial 113 from the nearest telephone.

C. TALKING TO A CONFIDENTIAL RESOURCE

Complainants who have personally experienced sexual misconduct and wish to keep details of the incident completely confidential, or are uncertain whether they wish to pursue the UST response and resolution process described in Section VII of this policy, are urged to contact a **Confidential Resource** as soon as possible following the incident.

- **Confidential Resources** provide confidential assistance and support to individuals who have experienced or otherwise are involved in sexual misconduct. Confidential Resources are not required to notify a Trained Responder or law enforcement about sexual misconduct so long as the allegations do not involve the physical or sexual abuse of a child or vulnerable adult or an imminent threat to the life of any person.

In accordance with applicable law, limited categories of individuals may serve as Confidential Resources. The Confidential Resources available on the UST campus are:

- licensed counselors in UST Counseling and Psychological Services;
- health care providers at UST Health Services; and
- clergy, or other ministers of any religion, in the following limited circumstances:
 - A member of the clergy or minister who learns of sexual misconduct through confession to such clergy member or minister, if disclosure is enjoined by the rules and practice of the

religious body to which the member of the clergy or minister belong.

- A member of the clergy or minister who does not have significant responsibility for student or campus activities other than pastoral counseling and who learns of sexual misconduct in the course of providing confidential pastoral counseling of a professional character, including religious or spiritual advice, aid or comfort. Clergy and other ministers are not Confidential Resources if they are not acting in the professional capacity of a pastoral counselor.

Confidential Resources also are available outside UST. Section X of this policy contains contact information for on-campus and off-campus Confidential Resources. If you are unsure of someone's duties and ability to maintain confidentiality about a situation, ask the individual before revealing confidential information.

D. CONTACTING A TRAINED RESPONDER

The UST response and resolution process described in Section VII of this policy will be initiated promptly when a Trained Responder becomes aware of an incident or allegation of sexual misconduct. Complainants are strongly encouraged to contact a Trained Responder as soon as possible following the incident. Other Covered Persons are expected or may choose to contact a Trained Responder as described in Section VI.A.2 above. Trained Responders (the Title IX Coordinator, Dean of Students staff member, a Human Resources Partner or a member of the UST Public Safety Department) will ensure Complainants receive support, guidance and information about their options, including referrals to fair and respectful health care and counseling services, and that UST timely and appropriately responds to the incident or allegation and takes appropriate action to try to prevent future incidents.

Contact information for Trained Responders is available by following the links above and at the end of this policy. In addition, reports may be made online using the designated form on UST's Title IX website.

E. REPORTING TO THE POLICE

Complainants have the right to report to law enforcement all misconduct that may violate criminal laws, and UST **strongly urges** Complainants to make such reports. If a Complainant of potentially criminal sexual misconduct, including sexual assault, dating violence, stalking or domestic violence, wishes to notify law enforcement authorities or file criminal charges, UST will assist the Complainant to do so promptly upon the Complainant's request to a Trained Responder.

Upon request by the police or the Complainant, UST Public Safety will provide reasonable assistance to the Complainant and police in obtaining, securing and maintaining evidence in connection with sexual misconduct allegations. At the request of the Complainant and to the extent permitted by student data privacy laws, UST will share data related to the reported incident with police conducting a criminal investigation.

F. MAKING AN ANONYMOUS REPORT

Any individual may make an anonymous report of sexual misconduct, and may do so without disclosing the reporter's name or the names of the parties to the incident, and without requesting any action. Individuals considering anonymous reporting should be aware that under Minnesota law, UST is not obligated to investigate a report made anonymously, and anonymous reporting often hinders UST's ability to investigate and respond to the incident, depending on the extent of information provided to UST. Anonymous reports often contain insufficient information to follow up with the parties involved, resulting in insufficient evidence to complete a thorough investigation. Accordingly, UST strongly urges individuals to report directly to a Trained Responder.

Anonymous reports may be made by submitting the designated form on UST's Title IX website.

Anonymous reports are received by the Title IX Coordinator, who will determine appropriate next steps, including whether there is sufficient information to conduct an investigation, individual or community remedies as appropriate, and compliance with UST's obligations under the Clery Act.

G. STATISTICAL REPORTING BY UST

Under the Clery Act, UST has a duty to track and publish information about certain types of sexual misconduct and to report certain information in UST's annual Campus Security Report. Personally identifiable information is kept confidential and will not be published.

Under Minnesota law, UST has a duty to track and publish certain information about sexual assault and to report certain related statistics on its website and to the Minnesota Office of Higher Education. Personally identifiable information and other data collected by UST for purposes of complying with this reporting requirement is kept confidential, will not be published except in accordance with Minnesota law, and otherwise is available only to UST employees whose work assignments reasonably require access.

UST also is required to issue timely warnings for incidents it becomes aware of that pose a substantial threat of bodily harm or danger to members of the campus community. UST does not disclose personally identifiable information of Complainants in such warnings, while making every effort to provide enough information for community members to make decisions to help ensure their safety.

SECTION VII. UST RESPONSE AND RESOLUTION PROCESS

When a Trained Responder becomes aware of an incident or allegation of sexual misconduct, the Trained Responder will take steps promptly to initiate

the response and resolution process described in the procedures attached to this policy as **Appendix A**.

The Title IX Coordinator is responsible for ensuring the uniform and consistent application of this policy and the related procedures and for ensuring incidents and allegations are addressed in a timely and appropriate manner. The Title IX Coordinator and the officials designated in the attached procedures to manage the response process have authority, alone or together, to take reasonable steps to protect the UST community or any individual member of the UST community from sexual misconduct, regardless whether such steps are explicitly contemplated in this policy or the related procedures.

In cases involving domestic violence, dating violence, sexual assault, and stalking and other cases involving safety concerns, the safety of the Complainant and the community is of primary importance. UST will consult with the Complainant and with other resources to determine, under the particular circumstances, how to conduct the response and resolution procedures in a way that protects the safety of the Complainant and the community while promoting accountability for prohibited misconduct. Both during and after the process, if requested by the Complainant or at UST's initiative, UST will assist in shielding the Complainant from unwanted contact with the Respondent, in cooperation with appropriate law enforcement, consistent with Minnesota law.

SECTION VIII. NO RETALIATION

UST, and federal and state law, prohibit retaliation against individuals for raising concerns about or making reports of sexual misconduct in good faith. No student, faculty or staff will be reprimanded or retaliated against for notifying UST about incidents or allegations of sexual misconduct in good faith or for participating in a factfinding investigation related to allegations of sexual misconduct. UST will take steps to prevent retaliation and will take strong responsive action if retaliation occurs. Any conduct by a Covered Person that constitutes retaliation or reprisal is subject to disciplinary action, up to and including dismissal, expulsion and prohibition from campus. Concerns regarding retaliation will be addressed in accordance with applicable UST policies and procedures addressing retaliation.

UST may impose sanctions if it determines that an individual knowingly initiated in bad faith a claim of sexual misconduct, knowingly provided false information, or intentionally misled a UST representative during an investigation of sexual misconduct allegations or a related complaint.

SECTION IX. AMNESTY

UST **strongly urges** reporting of sexual misconduct and seeks to remove any barriers to making a report or participating in an investigation. A student who reports sexual misconduct, either as a Complainant, a third party witness or a non-party to the incident, will not be subject to disciplinary action under the student code of conduct for their own personal consumption of alcohol or drugs in connection with the reported incident or any activity in connection with which the incident occurred.

SECTION X. RESOURCES AND CONTACT INFORMATION

A. EMERGENCY CONTACTS

24-Hour Emergency On Campus—St. Paul and
Minneapolis: (651) 962-5555

24-Hour Emergency Off Campus—St. Paul and
Minneapolis: 911

24-Hour Emergency—Rome: 113

B. ON-CAMPUS PLACES TO REPORT SEXUAL MISCONDUCT

Title IX Coordinator

Nora Fitzpatrick
Room 110D, Aquinas Hall
(651) 962-6884
nbfitzpatric@stthomas.edu

Dean of Students

Room 241, Anderson Student Center
www.stthomas.edu/deanofstudents
(651) 962-6050

Human Resources Partners

Room 217, Aquinas Hall
www.stthomas.edu/hr
(651) 962-6510

Department of Public Safety

St. Paul: Morrison Hall, 1st Floor
Minneapolis: School of Law, 1st Floor
www.stthomas.edu/pyps
(651) 962-5100

Online Reports

www.stthomas.edu/title-ix

C. ON-CAMPUS CONFIDENTIAL RESOURCES

Counseling and Psychological Services

www.stthomas.edu/counseling
(651) 962-6780

UST Health Services

www.stthomas.edu/studenthealth
(651) 962-6750

D. ON-CAMPUS SUPPORT SERVICES AND OTHER RESOURCES**Sexual Assault Response Information**

<https://www.stthomas.edu/deanofstudents/students/sexualassaultresponse/whensomeone>

UST Counseling and Psychological Services

www.stthomas.edu/counseling
(651) 962-6780

UST Health Services

www.stthomas.edu/studenthealth
(651) 962-6750

St. Thomas Center for Campus Ministry

www.stthomas.edu/campusministry/about

University of St. Thomas Employee Assistance Program

www.stthomas.edu/hr/benefits/eap

E. OFF-CAMPUS PLACES TO REPORT SEXUAL MISCONDUCT**Police**

St. Paul or Minneapolis: 911
Rome: 112

Sexual Assault Nurse Examiners (SANE) available at area hospitals**Regions Hospital (651) 254-3584**

640 Jackson Street
St Paul, Minnesota 55101
(651) 254-3584

United Hospital Emergency Room

333 North Smith Avenue
St. Paul, Minnesota 55102
(651) 241-8755 (direct connection to the Emergency Room)

Hennepin County Medical Center (HCMC)

701 Park Avenue
Minneapolis, Minnesota 55415
Sexual Assault Resource Service: (612) 873-5832

F. OFF-CAMPUS CONFIDENTIAL RESOURCES**Rome and Study Abroad:**

SASHAA: Sexual Assault Support and Help for Americans Abroad
24-hour toll-free hotline: In US dial 1-866-879-6636
In Rome dial 800-172-444 then 866-879-6636
See SASHAA website for other country specific direct access codes or to use live chat option

Sexual Assault & Sexual Harassment

RAINN (Rape, Abuse, and Incest National Network)
www.rainn.org/bin/counseling-centers
Available anywhere in the United States
1 (800) 656-6673 24-hour hotline, free and confidential
Online chat available on RAINN's website

SOS: Sexual Offense Services of Ramsey County
www.ramseycounty.us/residents/health-medical/clinics-services/sos-sexual-violence-services
St. Paul, Minnesota
(651) 266-1000
24-hour hotline; free and confidential

Sexual Violence Center (SVC)
www.sexualviolencecenter.org
Minneapolis, Minnesota
(612) 871-5111
24-hour hotline; free and confidential

Dating Violence, Domestic Violence & Stalking

Domestic Abuse Intervention Project
www.stpaulintervention.org/
St. Paul, Minnesota
(651) 645-2824
24-hour crisis line; free and confidential

Day One Services
dayoneservices.org/get-help
1 (866) 223-1111
Crisis support, information on shelters, safety planning, and orders for protection

Cultural & Community Specific Support Services

OutFront Minnesota
www.outfront.org/home
24-Hour Anti-violence crisis support line for LGBTQ victims
1-800-800-0350, option 3

Casa de Esperanza
<https://casadeesperanza.org>
St. Paul, Minnesota
(651) 772-1611 24-Hour Bilingual (English and Spanish) helpline

There many other culturally specific support services in Minnesota. Please contact the Title IX Office for additional resources.

G. VICTIM SERVICES AND LEGAL INFORMATION

Minnesota Crime Victims Bill of Rights

Under Minnesota law, crime victims, including victims of dating and domestic violence, stalking and sexual assault, have a number of rights, including the right to assistance from the Crime Victims Reparation Board and the commissioner of public safety. The Crime Victims Bill of Rights is available online. The Minnesota Department of Public Safety provides an on-line list of Minnesota Resources for Crime Victims.

Bridges to Safety – Ramsey County Service Center for victims of dating & domestic violence

(651) 266-9901

Provides legal advocacy, legal consultation and assistance filing orders for protection

Domestic Abuse Service Center (for victims of domestic violence and dating violence)

Hennepin County Government Center

Rm. #A-0650 (lower level)

300 S. 6th Street

Minneapolis, MN 55487

(612)348-5073

Minnesota Office of Justice, Crime Victims Programs

Monday - Friday, 8:00 AM – 4:30 PM

651-201-7300 or 888-622-8799, ext. 1 for financial help

800-247-0390, ext. 3 for information and referral

651-205-4827 TTY

Ramsey County Victim/Witness Services

Ramsey County Attorney's Office

(651) 266-3222

Hennepin County Victim Services

Hennepin County Attorney's Office

(612) 348-4003

Lawhelpmn.org (legal information on a variety of sexual assault issues)

Law Help MN

U.S. Embassy in Rome

Telephone: 06 46741

U.S. Department of Education, Office for Civil Rights (OCR)

400 Maryland Avenue, SW

Washington, DC 20202-1100 Customer Service Hotline

#: (800) 421-3481

Facsimile: (202) 453-6012 TDD#: (877) 521-2172

Email: OCR@ed.gov

www.ed.gov/ocr

H. RESOURCES AT OTHER INSTITUTIONS

If students who have experienced sexual misconduct transfer to another institution, UST's Title IX Coordinator can assist them in obtaining information about available resources for sexual assault victims at that institution. Students who would like such assistance should contact the Title IX Coordinator.

APPENDIX A TO SEXUAL MISCONDUCT POLICY

UNIVERSITY OF ST. THOMAS SEXUAL MISCONDUCT RESPONSE AND RESOLUTION PROCEDURES

SECTION I. DEFINITIONS

The definitions used in the University of St. Thomas Sexual Misconduct Policy (“policy”) also apply to these procedures, along with the additional definitions set forth in these procedures.

SECTION II. SCOPE AND APPLICATION

These procedures will be initiated when a Trained Responder becomes aware of allegations of sexual misconduct:

- where the Complainant and the Respondent are both Covered Persons; or
- where the Respondent but not the Complainant is a Covered Person and the alleged incident occurred on the UST campus or in connection with a UST activity.

In other situations where a Covered Person or a UST volunteer, service provider or other third party is a Complainant or Respondent, the Title IX Coordinator may determine in the Title IX Coordinator’s discretion, after consultation with the designated Response Manager (as defined in Section IV below), whether these procedures or another process is the best way to address the alleged sexual misconduct.

If a Trained Responder becomes aware of allegations of sexual misconduct that, even if true, would not rise to the level of a policy violation, these procedures do not apply, and the Trained Responder will handle the matter in the Trained Responder’s discretion, consistent with any other applicable UST policies, procedures and/or handbooks. Determinations that an allegation, even if true, would not rise to the level of a policy violation will be made jointly by the Trained Responder and the Title IX Coordinator.

SECTION III. GENERAL PROVISIONS

UST is committed to the prompt, fair and equitable resolution of reports of sexual misconduct. The response and resolution process will be conducted in compliance with the following provisions. These provisions are intended to be flexible so as to allow UST to meet its legal obligations while fulfilling its educational mission. The Title IX Coordinator may authorize departures from these provisions when warranted by the circumstances.

During the response and resolution process, UST may take interim and other actions to protect the parties and the community. In addition to any actions initiated by

UST, if requested by the Complainant during or after the process, UST will assist to shield the Complainant from unwanted contact with the Respondent, even in cases where there was insufficient evidence to find the Respondent responsible for violating the policy. Such measures may include a mutual no-contact order from UST or assistance to the Complainant in transferring to alternative classes or University housing, when such classes or housing are available and the transfer is feasible.

A. TIMING

UST will strive to conclude factfinding and make a determination of responsibility as soon as possible and within 60 calendar days of a Trained Responder becoming aware of sexual misconduct allegations. The time frame for particular matters may vary depending on the complexity of the factfinding investigation, and additional time may be necessary in complex investigations. In addition, temporary extensions to the timing requirements may be necessary due to factors like a witness being absent from campus, campus offices being closed, or for other good cause. If UST's factfinding is delayed due to law enforcement gathering evidence, UST will resume when law enforcement has finished collecting evidence or earlier, as permitted by law enforcement.

Appeals will be conducted within the timeframe set forth in Section VI.C. All timing extensions and postponements must be approved by the designated Response Manager for the particular matter or the Title IX Coordinator and will be no longer than reasonably necessary. The Complainant and Respondent will be provided timely notice of any timing extension or postponement and the reason for such extension and postponement.

B. CONFIDENTIALITY

Complainants and Respondents have the right to speak or otherwise share information about sexual misconduct allegations and the response and resolution process. However, both parties, and Respondents in particular, must ensure that their communications are consistent with the anti-retaliation provision of the policy, applicable confidentiality obligations, and any agreements among the parties or with UST.

Other individuals involved in the response and resolution process are expected to maintain the confidentiality of information related to the allegations and the response and resolution process to the greatest extent possible, and may communicate such information only to individuals who have a legitimate need to know the information.

SECTION IV. INITIATION OF RESPONSE AND RESOLUTION PROCESS

Trained Responders are responsible for initiating the response and resolution process promptly upon receipt of an **Assertion** or **Complaint** of sexual misconduct that, if true, would violate the policy.

- An **Assertion** is an informal oral or written statement by a Complainant or another person that alleges sexual misconduct. An assertion may be resolved informally or may be converted to a Complaint by the Complainant or the Title IX Coordinator.
- A **Complaint** is a formal written statement that clearly and thoroughly describes the incident(s) of sexual misconduct, including the name of the Respondent, if known, that is signed by the Complainant or by the Title IX Coordinator. A Complaint must be filed in order to initiate the formal resolution process described in Section VII below.

A. NOTICE TO THE TITLE IX COORDINATOR AND RESPONSE MANAGER(S)

The Trained Responder must promptly notify and share the Assertion or Complaint with the Title IX Coordinator. If the Trained Responder is not the designated or sole **Response Manager** for a particular complaint, the Trained Responder also must promptly notify and share the Assertion or Complaint with the designated or additional Response Manager.

- **Response Managers** are responsible for timely managing the response and resolution process in accordance with the policy and these procedures.

The determination who will serve as the Response Manager(s) for a particular situation is based on the identities of the Complainant and Respondent, as set forth below.

Before proceeding with the response and resolution process, each Response Manager designated to manage the particular matter must consider whether he or she has availability to timely manage the response and whether he or she has an actual or potential conflict of interest or bias that could be perceived to improperly influence the Response Manager's management of the response and resolution process. If so, the Response Manager must discuss this with the Title IX Coordinator, and the Title IX Coordinator will determine whether to designate a different Response Manager for the particular matter.

The Title IX Coordinator maintains a list of trained Response Managers who can manage the response and resolution process in the event a designated Response Manager is unable to serve due to a conflict or for other reasons.

B. INTERIM ACTION TO PROTECT THE PARTIES AND THE COMMUNITY

The designated Response Manager(s) will consider whether interim action is reasonably necessary or appropriate to protect the parties and the broader UST community, pending completion of the response and resolution process. If the Response Manager(s) determine that interim action is reasonably necessary and appropriate, the Response Manager(s) and their respective designees are authorized to take or direct such action. Response Managers may initiate new or

If the Complainant is a . . .	And the Respondent is a . . .	Then the Response Manager is the . . .
Student	Student	Dean of Students
Faculty or staff member	Faculty or staff member	AVP of Human Resources or designee
Student	Faculty or staff member	Dean of Students or designee and AVP of Human Resources or designee, working together as mutually determined by them
Faculty or Staff Member	Student	Dean of Students or designee and AVP of Human Resources or designee, working together as mutually determined by them
Student	Covered Person or third party who is not a student, faculty or staff member	Dean of Students or designee in consultation with the Title IX Coordinator
Covered Person or third party who is not a student, faculty or staff member	Student	Dean of Students or designee in consultation with the Title IX Coordinator
Faculty or Staff Member	Covered Person or third party who is not a student, faculty or staff member	AVP of Human Resources or designee in consultation with the Title IX Coordinator
Covered Person or third party who is not a student, faculty or staff member	Faculty or staff member	AVP of Human Resources or designee in consultation with the Title IX Coordinator
If either the Complainant and/or Respondent holds dual status as a UST employee and student		Dean of Students or designee and AVP of Human Resources or designee will work together as mutually determined by them

different interim action at any point during the response and resolution process based on their determination of how best to protect the parties and the broader UST community.

If the designated Response Manager(s) are not immediately available and the Title IX Coordinator determines that immediate action is reasonably necessary and appropriate, the Title IX Coordinator is authorized to take or direct such action.

Examples of interim actions include, without limitation:

- Establishing a “no contact” order prohibiting the Respondent and Complainant from communicating with each other during the response and resolution process.
- Prohibiting a Respondent from physically entering or being on UST property.
- Prohibiting a Respondent from participating in UST-sponsored events.
- Changing a Complainant’s or Respondent’s on-campus residency or prohibiting a Respondent from residing in a UST residence.
- Changing a Complainant’s or Respondent’s student or employee status, in consultation with appropriate administrator(s).
- Changing a Complainant’s or Respondent’s work or class schedule, in consultation with with appropriate administrator(s).
- Issuing a timely warning of any substantial threat or danger to the community.
- Making information about orders for protection and harassment restraining orders available to a Complainant.
- Notifying and consulting with appropriate UST administrators, faculty and staff members as warranted under the circumstances.

C. APPOINTMENT OF PROCESS ADVISOR

Next, the Response Manager(s) will appoint a **Process Advisor** to contact the Complainant or person raising the concern to review the situation and consider available options. The Process Advisor’s role is to understand the situation, explain the response and resolution process and provide information about available resources. If the formal resolution process is followed, the Response Manager will also appoint a Process Advisor for the Respondent.

The Process Advisor for the Complainant and Respondent may be the same person or different people, depending on the circumstances. The Response Manager may also serve as the Process Advisor depending on the circumstances. When a Complainant or Respondent is a faculty member, the Response Manager will designate another faculty member as the Process Advisor if a trained faculty member is available to serve and does not have a conflict of interest. If no such faculty member is available, the Response Manager will ask the provost to appoint a faculty member to serve as a consultant to the appointed Process Advisor.

The Title IX Coordinator maintains a list of the individuals who have received appropriate annual training to serve as Process Advisors. The Title IX Coordinator will work with the Provost and other

appropriate administrators to determine which faculty and staff are eligible for consideration to receive training and serve as a Process Advisor.

D. CLERY ACT REPORT

If the report or allegation of sexual misconduct involves behavior that, if found to have occurred, would violate the law, the Response Manager promptly will complete and submit a crime report to Public Safety to ensure compliance with the Clery Act. Public Safety does not disclose personally identifiable information about a Complainant in its Clery Act reporting.

E. MEETING WITH THE COMPLAINANT

Promptly following the Process Advisor's appointment, the Process Advisor will meet with the Complainant. At the meeting, the Process Advisor will:

1. Review the allegations of sexual misconduct with the Complainant and obtain additional information about the allegations from the Complainant as necessary to appropriately advise or support the Complainant with respect to the response and resolution process. Complainant may review UST's record of the Complainant's description of the incident.
2. Inform the Complainant about available resources to support the Complainant, including, in sexual assault cases, the availability of local programs providing sexual assault advocacy services, and about the Complainant's right to access these resources, and ensure the Complainant has an effective way to access the available support resources.

This discussion will include, among other available resources, information about the opportunity to seek a harassment restraining order or order for protection from a Minnesota court in appropriate circumstances and contact information for campus and local advocacy, counseling, health, mental health and legal assistance services.
3. Review the policy and these procedures with the Complainant, specifically noting:
 - a. the Complainant's options to pursue the informal or formal resolution process;
 - b. the Complainant's right to contact law enforcement and pursue criminal and/or civil remedies outside UST;
 - c. the options for interim action or other reasonable accommodations if the Complainant wishes to change academic, living, transportation, working or other situations within UST control after an alleged incident;
 - d. the timing and deadlines for taking action under the policy;
 - e. the confidentiality provisions; and
 - f. the prohibition on retaliation for good faith reporting of sexual misconduct allegations and for participating in an investigation of sexual misconduct allegations..
4. Address the Complainant's questions about the policy and procedures and the response and resolution process.

5. Discuss whether the Complainant has concerns about any potential conflicts of interest or bias that could affect the process.
6. Ask the Complainant how the Complainant wishes to proceed. Notify Complainant that if the Complainant chooses not to pursue the informal or formal resolution process, UST will consider whether to take action independently, and that if the Complainant chooses to pursue the informal process, UST will consider whether to initiate the formal process independently.
7. Set a time for the Process Advisor to follow up with the Complainant.

F. UST DETERMINATION WHETHER TO FOLLOW FORMAL PROCESS

After meeting with the Complainant, the Process Advisor will update the Response Manager regarding the meeting and provide any further information about the allegations gleaned from the meeting.

If the Complainant did not choose the formal resolution process, the Response Manager and the Title IX Coordinator will consider the Assertion and any additional information provided by the Process Advisor. The Response Manager and Title IX Coordinator will consider whether the informal process or any particular components of an informal process are inappropriate, and whether formal action should be taken given the nature of the allegations or other circumstances. They also may gather additional information if needed in order to make this determination. Based on this review, UST may, in its sole discretion, require the initiation of a formal process. For example, mediation between the Complainant and Respondent is not appropriate to address allegations of sexual assault such as non-consensual sexual intercourse. If UST determines to pursue the formal resolution process, it will take the steps in Section VII below.

If UST determines the informal process is appropriate and later becomes aware of information that it determines should be pursued through the formal process, the Title IX Coordinator can initiate the formal process at such later time.

SECTION V. INFORMAL PROCESS

If the Complainant chooses to pursue the informal process and UST does not decide to initiate the formal process, the Process Advisor will meet with the Complainant to review and consider available options to address the alleged misconduct using informal mechanisms. Such mechanisms may include (but are not limited to) mediation, discussion between the Complainant and Respondent with appropriate involvement by UST, a message communicated to the Respondent, or a change in Complainant's work, academic, living or other situation within the control of UST if reasonably available and requested by the Complainant.

The informal process will not result in a disciplinary sanction for the Respondent unless the Respondent is given an opportunity to review and respond to

the allegations. The disciplinary sanction in such situations may not include expulsion or termination of employment. For employees, the maximum disciplinary sanction available through the informal process is a termination warning for staff or a disciplinary letter for faculty.

At any time, both the Complainant and the Respondent have the right to end the informal process and begin the formal process by notifying the Process Advisor.

SECTION VI. FORMAL PROCESS

A. RIGHTS OF THE COMPLAINANT AND RESPONDENT

In the formal process, the Complainant and Respondent are entitled to:

- equitable procedures that provide both parties with a prompt, fair and impartial investigation and resolution conducted by officials who receive annual training on conduct prohibited by the policy;
- notice of the allegations and defenses and an opportunity to respond;
- an equal opportunity to identify relevant witnesses and other evidence and to suggest possible questions to be asked of witnesses during the formal process;
- present information on their own behalf, including written and oral statements and physical exhibits;
- similar and timely access to information considered relevant by the Factfinder(s), including a written summary of all allegations and defenses, consistent with the Family Education Rights and Privacy Act;
- timely notice of meetings; and
- have a support person of the individual's choice, who is not a fact witness, accompany the individual throughout the response and resolution process. The support person is allowed to consult with and advise the Complainant or Respondent the support person is accompanying, but is not otherwise permitted to participate in any proceedings.

In addition, in cases involving sexual assault, the Complainant and Respondent are entitled to:

- determine when and whether to provide or repeat a description of an incident of sexual assault, and to be informed of the consequences, if any, of not providing or repeating such a description. A decision not to provide or repeat a description of an incident involving a reported sexual assault may impact the outcome of the investigation because the determination of responsibility made by the Factfinder(s) will be based on a preponderance of evidence available to them.

B. STEPS IN THE FORMAL PROCESS

If the Complainant, Respondent, or UST determines to pursue the formal process, the following steps will be taken.

1. Submission of Signed Complaint

The Complainant must submit to the Process Advisor, Response Manager or Title IX Coordinator a signed Complaint that clearly describes the incident(s) of sexual misconduct, including the name of the Respondent, if known. If the Complainant does not wish to pursue the formal process and UST determines to initiate the formal process, then the Title IX Coordinator may sign the Complaint.

2. Review of Complaint with Response Manager(s)

The recipient of the Complaint (if not the Response Manager) will review it with the Response Manager(s).

3. Assignment of Factfinder

The Response Manager will appoint a **Factfinder** or **Factfinders**.

- The **Factfinder(s)** conduct an investigation into the facts of the incident alleged to have occurred, as further described in these procedures. The Response Manager may appoint two Factfinders to work together.

Depending on the nature and severity of the allegations, a Factfinder and Process Advisor may be the same individual. When the allegations involve force or non-consensual sexual contact or intercourse, or otherwise are sufficiently serious that, if found to have been more likely than not to have occurred, they would warrant suspension or expulsion from UST or termination of employment, different people generally will be assigned to serve as the Factfinder and Process Advisor.

The Title IX Coordinator maintains a list of the individuals who have received appropriate annual training to serve as Factfinders. The Title IX Coordinator and Response Manager will consider potential conflicts of interest and bias to ensure the appointed Factfinder(s) will not have a conflict of interest or bias for or against the Complainant or Respondent.

4. Notice to Complainant

The Response Manager will contact the Complainant in writing, by letter or email, to inform the Complainant of the name of the Factfinder(s), an estimate of the time required to complete the investigation, and any other information the Response Manager deems relevant given the particular situation.

5. Notice to Respondent

The Response Manager will contact the Respondent in writing, by letter or email, to inform the Respondent about the Complaint, the allegations made against the Respondent, the Respondent's rights, the initiation of a formal investigation and the name of the Process Advisor and Factfinder(s), an estimate of the time required to complete the investigation, any conditions that may affect the Respondent's status as a student or employee, and any other information the Response Manager deems relevant given the particular situation.

6. Meeting with Respondent

The Process Advisor will offer to meet with the Respondent. If the Respondent agrees to meet, at the meeting, the Process Advisor will:

- a. Review the allegations of sexual misconduct with the Respondent and obtain additional information from the Respondent as necessary to appropriately advise or support the Respondent with respect to the response and resolution process.
- b. Inform the Respondent about available resources to support the Respondent and the Respondent's right to access these resources. Ensure the Respondent has the means needed to access appropriate support resources.
- c. Review the policy and these procedures with the Respondent, specifically noting:
 - i. the Respondent's rights under the policy and procedures;
 - ii. the timing and deadlines for action under the policy;
 - iii. the confidentiality provisions; and
 - iv. the prohibition on retaliation.
- d. Address the Respondent's questions about the policy, procedures and the response and resolution process, and discuss whether the Respondent has concerns about any potential conflicts of interest or bias that could affect the process.
- e. Set a time for the Process Advisor to follow up with the Respondent.

After meeting with the Respondent, the Process Advisor will update the Response Manager regarding the meeting.

7. Investigation

a. Factfinding Process

The Factfinder(s) will conduct a thorough and impartial inquiry into the facts and circumstances surrounding the Complaint. At a minimum, the Factfinder(s) will seek to interview the Complainant, Respondent and other key persons who may have relevant information about or related to the incident and will seek to obtain all information, documentation and materials the Factfinder(s) deem potentially relevant to the investigation. The Factfinder(s) will ensure that, before the conclusion of the investigation, the parties have been provided an opportunity to review a written summary of all allegations and defenses and have had an opportunity to respond. The Factfinder(s) will further ensure that the Complainant and Respondent have timely and equal access to other information considered by the Factfinder(s) to be relevant to the investigation and an opportunity to respond to such information. The opportunity to respond includes: (1) an opportunity to identify relevant witnesses, documentation and other physical evidence; (2) to suggest questions to be asked of witnesses; and (3) to provide responsive written or oral statements.

The Factfinder(s) have authority to request such information, documentation and materials

from appropriate parties, on a need to know basis, as the Factfinder(s) deem likely to be relevant to the investigation. Given the possible application of professional duties of confidentiality, confidential email, files and other data of designated members of the School of Law, the College of Education, Leadership and Counseling, and the School of Social Work will not be examined for content nor disclosed without the prior approval of the dean of each school or, in cases of a conflict of interest, the provost or provost's designee.

b. Application of AAUP Principles and Comments Relating to Academic Freedom

If the Respondent is a faculty member alleged to have engaged in sexual harassment of the Complainant, the Factfinder(s) will consider, in consultation with the dean of the respective school or college (or, if the dean has a conflict of interest, with the provost or the provost's designee), whether there is a perceived or potential conflict between (a) the limitations on conduct and communications implied by the definition of sexual harassment under the policy and (b) the principles of academic freedom. UST will use as a working definition of academic freedom the "1940 Statement of Principles and Interpretive Comments" and the "1970 Interpretive Comments" on academic freedom by the American Association of University Professors (AAUP) (together, the *AAUP Principles and Comments*).

If a perceived or potential conflict is deemed to exist, the Factfinder(s) will work with the dean, provost or the provost's designee (as applicable) to ensure the appropriate application of the AAUP Principles and Comments in conjunction with the response and resolution process.

c. Status Updates

The Factfinder(s) will provide status updates to the Complainant and Respondent at least monthly during the investigation and as necessary to alert them of any delays or changes in time estimates for completing the investigation and to provide notice of any new material allegations or defenses, and the parties will be provided an opportunity to respond to such new allegations and defenses.

8. Determination of Responsibility

Upon completion of the formal investigation, the Factfinder(s) will weigh the evidence and determine whether it is more likely than not (using a "preponderance of the evidence" standard) that the Respondent is responsible for the misconduct alleged. If the Factfinder(s) determine it is more likely than not that the Respondent engaged in sexual misconduct in violation of the policy, then the Factfinder(s) will make a determination that the policy has been violated.

9. Factfinding Report

The Factfinder(s) will timely document the findings of fact and determination in an investigation report

If the Respondent is a(n) . . .	Sanctions will be determined by the . . .	Potential Sanctions
Undergraduate student	Dean of Students, in consultation with the dean of the applicable college or school as appropriate under the circumstances, such as cases involving students in licensure programs	Sanctions may range from a verbal warning to expulsion. The Dean of Students will consider as part of the decision whether the accused student poses a continuing risk to the Complainant and/or UST community.
Graduate or professional student	Dean of Students and dean of the applicable college or school	Sanctions may range from a verbal warning to expulsion. The Dean of Students and the dean of the applicable college or school will consider as part of the decision whether the accused student poses a continuing risk to the Complainant and/or UST community.
Faculty member	Dean of the applicable college or school, in consultation with the designated Human Resources partner and the provost	The application of sanctions will be consistent with the applicable disciplinary policies contained in the Faculty Handbook and, to the extent applicable and not superseded by the Faculty Handbook, the Employee Handbook. The dean will consider, as one factor in the decision, whether the faculty member poses a continuing risk to the Complainant and/or UST community.
Staff member	Appropriate supervisor(s), including the member(s) of the President's Cabinet responsible for a Respondent's school, college or unit, in consultation with the designated Human Resources partner	The application of sanctions will be in accordance with the applicable disciplinary policies contained in the Employee Handbook and, if the employee is a member of a collective bargaining unit, the applicable labor agreement. The supervisor will consider, as one factor in the decision, whether the staff member poses a continuing risk to the Complainant and/or UST community.
Both a student and an employee	Dean of Students and supervisor, in consultation with the supervisor's Human Resources partner	Any of the above, depending on the primary status of the Respondent
Not a student or employee	Response Manager(s) and Title IX Coordinator	May include restrictions on the Respondent's presence, enrollment or employment at UST

and submit it to the Response Manager(s) and Title IX Coordinator.

The Title IX Coordinator will review the factfinding report to ensure that the report and determination are consistent with UST policies, procedures and practices. If the Title IX Coordinator determines that the report and determination are not consistent with policies, procedures and practices, the Title IX Coordinator has discretion to direct or take appropriate action.

10. Responsive Action by UST

The Response Manager(s) will review the factfinding report and will work with the appropriate UST administrators, as set forth below, to determine what, if any, sanctions will be imposed or other action will be taken by UST. Not all forms of sexual misconduct will be deemed equally serious offenses, and UST may impose different sanctions depending on the facts and circumstances, including but not limited to the severity of the offense and taking into account any previous conduct violations or disciplinary action. The Response Manager(s) and administrators are authorized to apply any sanction or other response that they together determine to be fair and proportionate to the misconduct.

11. Notice of Outcome to Complainant and Respondent

The Factfinder(s)'s determination or other appropriate notice of the outcome will be explained in a written notification, by letter or email, to the Complainant and Respondent that also includes information about the appeal process and when the outcome will be final. The written notifications must be sent within ten (10) working days of the Response Manager's receipt of the findings from the Factfinder and will be sent to the Complainant and the Respondent at the same time.

UST may be limited in the information it may share in providing this notice of outcome. In some situations, the outcome letter sent to the Complainant will contain only the following information: whether the Respondent was found to have violated the policy, and any sanctions imposed that directly relate to the Complainant. In sexual misconduct incidents involving allegations of sexual assault, domestic violence, dating violence or stalking, the notice of outcome will contain a rationale for the determination and may contain additional information about sanctions against a Respondent who violated the policy.

The Response Manager also will ensure that appropriate UST administrators, faculty and/or staff members who have a need to know information about the outcome have been or are provided with such information. This may include the member(s) of the President's Cabinet responsible for a Respondent's school, college or unit, and in the case of Respondents who are employees, the Respondent's supervisor.

If there is any change to the outcome following delivery of the original notice of outcome, including a change as a result of a typing error, the Complainant and Respondent will be provided notice of the change at the same time.

C. APPEAL PROCESS

1. Grounds for Appeal

Either the Complainant or the Respondent may appeal the results of the formal process on one or more of the following bases:

- a. that a procedural error occurred that substantially affected the outcome of the process;
- b. that the decision was arbitrary and capricious or violated academic freedom;
- c. that there has been discovery of significant new factual material not available to the Factfinder that could have affected the original outcome; however, intentional omission of factual information by the appealing party is not a ground for an appeal; or
- d. that the sanction or other response by UST under the formal process was excessively severe or grossly inadequate.

2. Submitting an Appeal

A signed, written request for an appeal must be submitted to the appropriate **Appeal Officer** within ten (10) working days following the date that notification of the outcome of the investigation was sent to the Complainant and the Respondent.

- The **Appeal Officer** is determined based on the identity of the Respondent, as set forth in the table below, and has the duties described in the subsequent paragraphs.

If the Respondent is a . . .	The Appeal Officer is the . . .
Student (who is not also a regular faculty or staff member)	Vice President for Student Affairs
Faculty or staff member (who is not a student worker)	Executive Vice President and Provost

In cases involving a potential conflict of interest or other issue preventing the designated individual from serving as an Appeal Officer, the Title IX Coordinator may appoint an alternate Appeal Officer who has received training on this policy and applicable law to fulfill the Appeal Officer's duties.

3. Appointment of Appeal Board

In cases in which the Respondent is a staff or faculty member, the Appeal Officer will appoint an appeal board comprising five UST employees who do not have a conflict of interest. If the Respondent is a faculty member, the members of the appeal board will be full-time tenured faculty members selected in accordance with the Faculty Handbook process for appointing grievance hearing committees.

All appeal board members must receive or have in the past year received training on the policy, procedures and applicable law.

In cases in which the Respondent is a student and in cases in which the Respondent is another individual who is not a student or employee, the Appeals Officer may consider the appeal directly or the Appeal Officer may, using personal discretion, appoint an appeal board consistent with the procedures.

4. Consideration of Appeal

The appeal board (or Appeal Officer, if no appeal board has been appointed):

- Will **not** rehear the case, but will consider whether it is more likely than not that the above-listed grounds for appeal have been satisfied.
- Will review the appeal, the factfinding report, and consider any previously undiscovered evidence (if discovery of new evidence is a ground for appeal).
- May choose to meet with the parties and consider other additional information, in its (or the Appeal Officer's) sole discretion.

If an appeal board is used, the appeal board will provide the appropriate Appeal Officer with a written report of its findings of whether the above-listed grounds for appeal have been satisfied and, if so, a recommendation as to whether UST should remand the matter or take any different or additional action than was originally determined. Such report shall be provided to the Appeal Officer no later than fifteen (15) calendar days following submission of the appeal, provided that the Appeal Officer may shorten this timeframe depending on the overall timing of the response and resolution process. The Appeal Officer will discuss any such timing considerations with the Title IX Coordinator.

The Appeal Officer will give careful consideration to the recommendation of the appeal board, but shall not be bound by it. Within ten (10) working days following receipt of the appeal board's findings and recommendations, the designated Appeal Officer will notify the Complainant and Respondent in writing of the appeal board's findings and recommendation and the final disposition of the appeal. In cases involving sexual assault, dating violence, domestic violence or stalking, the notice will include a description of any change(s) to the outcome, a rationale for the determination, whether the result is final and, if applicable, when the determination will become final.

If no appeal board is used, the Appeal Officer will issue a written decision stating the Appeal Officer's findings and the final disposition of the appeal within ten (10) working days following receipt of the appeal.

The Appeal Officer also will notify appropriate UST administrators, faculty and staff members of the outcome on a need-to-know basis.

5. No Further Appeal

Appeals arising out of alleged violations of the policy must be made under this appeal process and are not eligible for consideration under faculty, staff or student grievance policies or processes. The President, however, has discretion to modify a decision in exceptional circumstances.

SECTION VII. RECORDKEEPING

The Title IX Coordinator is responsible for maintaining the official UST records of sexual misconduct Assertions and Complaints. When an Assertion or Complaint is pending, each official having a role in the response and resolution process is responsible for handling records appropriate to the official's role. When the process is complete, the official records relating to the Complaint or Assertion will be provided to the Title IX Coordinator, who will maintain such records in accordance with UST record retention requirements and applicable law. The official records include:

1. In cases where the informal process is requested by the Complainant, (a) a summary of the Assertion of sexual misconduct and request for resolution via an informal process, (b) a summary of the Title IX Coordinator's and Response Manager's analysis of whether a formal or informal process should be followed; and (c) a summary of the process used and responsive action taken by UST;
2. In cases where the formal process is used, a copy of the Complaint;
3. A description of any interim action taken and copies of correspondence from UST to the Complainant and Respondent relating to the interim action.
4. A copy of any Clery Act report submitted by the Response Manager to Public Safety (Public Safety shall maintain the original or a copy);
5. Record indicating that the Process Advisor met with the Complainant and/or Respondent and the issues covered;
6. Copies of any notices or summaries given to the Complainant and/or Respondent;
7. The factfinding report and accompanying documentation relied upon by the Factfinder(s) in reaching conclusions;
8. Copies of statements provided by the parties or witnesses;
9. Documentation indicating the decision reached and sanctions imposed;
10. Copies of the notice of outcome provided to the parties;
11. Appeal statement, if any;
12. Documentation demonstrating appointment of appeal board, if applicable;
13. Report of appeal board, if applicable;
14. Decision of Appeal Officer and copies of notices sent to parties regarding appeal, if applicable; and
15. A timeline of communication with the parties..

Each official having a role in the response and resolution process may elect to send additional records to the Title

IX Coordinator depending on the particular facts and circumstances. Personal notes of officials involved in the response and resolution process generally will be maintained in the sole possession of the official who took the notes according to the official's normal recordkeeping practices, any applicable UST record retention requirements and applicable law.

Records related to sexual misconduct Assertions and Complaints will be treated as confidential and shared only on a need-to-know basis or as required by law.

**OFF-CAMPUS PLACES
TO REPORT SEXUAL
MISCONDUCT**

Police

St. Paul or Minneapolis:
911
Rome: 112

**Sexual Assault Nurse
Examiners (SANE)
available at area
hospitals**

**Regions Hospital (651)
254-3584**

640 Jackson Street
St Paul, Minnesota 55101
(651) 254-3584

**United Hospital
Emergency Room**

333 North Smith Avenue
St. Paul, Minnesota 55102
(651) 241-8755 (direct
connection to the
Emergency Room)

**Hennepin County
Medical Center (HCMC)**

701 Park Avenue
Minneapolis, Minnesota
55415
Sexual Assault Resource
Service: (612) 873-5832

**OFF-CAMPUS
CONFIDENTIAL
RESOURCES**

Rome and Study Abroad:

SASHAA: Sexual Assault
Support and Help for
Americans Abroad
24-hour toll-free hotline:
In US dial 1-866-879-6636
In Rome dial 800-172-444
then 866-879-6636
See SASHAA website for
other country specific
direct access codes or to
use live chat option

*Sexual Assault & Sexual
Harassment*

**RAINN (Rape, Abuse, and
Incest National Network)**

[www.rainn.org/bin/
counseling-centers](http://www.rainn.org/bin/counseling-centers)
Available anywhere in the
United States
1 (800) 656-6673 24-
hour hotline, free and
confidential

Online chat available on
RAINN's website

**SOS: Sexual Offense
Services of Ramsey
County**

[www.ramseycounty.us/
residents/health-medical/
clinics-services/sos-sexual-
violence-services](http://www.ramseycounty.us/residents/health-medical/clinics-services/sos-sexual-violence-services)
St. Paul, Minnesota
(651) 266-1000
24-hour hotline; free and
confidential

**Sexual Violence Center
(SVC)**

[www.sexualviolencecenter.
org](http://www.sexualviolencecenter.org)
Minneapolis, Minnesota
(612) 871-5111
24-hour hotline; free and
confidential

*Dating Violence, Domestic
Violence & Stalking*

**Domestic Abuse
Intervention Project**

[www.stpaulintervention.
org/](http://www.stpaulintervention.org/)
St. Paul, Minnesota
(651) 645-2824
24-hour crisis line; free
and confidential

Day One Services

[dayoneservices.org/get-
help](http://dayoneservices.org/get-help)
1 (866) 223-1111
Crisis support,
information on shelters,
safety planning, and
orders for protection

*Cultural & Community
Specific Support Services*

OutFront Minnesota

www.outfront.org/home
24-Hour Anti-violence
crisis support line for
LGBTQ victims
1-800-800-0350, option 3

Casa de Esperanza

[https://casadeesperanza.
org](https://casadeesperanza.org)
St. Paul, Minnesota
(651) 772-1611 24-Hour
Bilingual (English and
Spanish) helpline

EMERGENCY CONTACTS

24-Hour Emergency On Campus—St. Paul and Minneapolis: (651) 962-5555

24-Hour Emergency Off Campus—St. Paul and Minneapolis: 911

24-Hour Emergency—Rome: 113

ON-CAMPUS PLACES TO REPORT SEXUAL MISCONDUCT

Title IX Coordinator

Nora Fitzpatrick
Room 110D, Aquinas Hall
(651) 962-6884
nbfitzpatric@stthomas.edu

Dean of Students

Room 241, Anderson Student Center
www.stthomas.edu/deanofstudents
(651) 962-6050

Human Resources Partners

Room 217, Aquinas Hall
www.stthomas.edu/hr
(651) 962-6510

Department of Public Safety

St. Paul: Morrison Hall, 1st Floor
Minneapolis: School of Law, 1st Floor
www.stthomas.edu/psps
(651) 962-5100

Online Reports

www.stthomas.edu/title-ix

ON-CAMPUS CONFIDENTIAL RESOURCES

Counseling and Psychological Services

www.stthomas.edu/counseling
(651) 962-6780

UST Health Services

www.stthomas.edu/studenthealth
(651) 962-6750

ON-CAMPUS SUPPORT SERVICES AND OTHER RESOURCES

Sexual Assault Response Information

www.stthomas.edu/deanofstudents/students/sexualassaultresponse/whensomeone

UST Counseling and Psychological Services

www.stthomas.edu/counseling
(651) 962-6780

UST Health Services

www.stthomas.edu/studenthealth
(651) 962-6750

St. Thomas Center for Campus Ministry

www.stthomas.edu/campusministry/about

University of St. Thomas Employee Assistance Program

www.stthomas.edu/hr/benefits/eap