

Clarkson College

2023 Annual Campus Security Report & Annual Fire Safety Report

Safety and Security information for Clarkson College, including Crime and Fire Statistics for the 2022-2023 calendar year. This information was submitted to the U.S. Department of Education according to Law.



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Introduction:

Clarkson College is a private, accredited, non-profit college in Omaha, Nebraska. Clarkson College is a community of about 1,125 on campus and online students, employing about 160 faculty and staff members. The campus is located in the city of Omaha, with a population of about 444,474. As part of the larger community, Clarkson College shares many of the same interests and problems, including concerns about crime. Crime is a problem that cuts across campus, city and state boundaries, and affects the entire nation.

Clarkson College has been fortunate that it has not experienced a significant number of crimes in the past; however, the campus community is not immune from such incidents.

The campus as a whole is responsible for taking measures to ensure that members of the community and their possessions have the best possible protection.

Law Enforcement on Campus Policy:

Policy Number: SW-33

Effective Date: August 2022

Policy

The UNMC Public Safety Department consists of 82 officers, both armed and unarmed. Officers undergo continuous on-the-job training to upgrade their skills. Officers conduct foot and vehicular patrols of the campus 24 hours a day to deter criminal acts. Unsafe conditions noted by UNMC Public Safety Officers during campus patrols are reported to Facilities Management and Planning.

On campus, the UNMC Public Safety department enforces all campus regulations. The UNMC Public Safety department also works very closely with the Omaha Police Department and county, state and federal authorities.

Students, faculty and staff members are encouraged to make accurate and prompt reports to the UNMC Public Safety Department and external law enforcement agencies. The department may assist students who choose to ask for help in notifying other appropriate authorities of offenses committed.

Responsible Department: Facilities

UNMC Public Safety Logs, Website and Online Reporting:

UNMC Public Safety maintains a website containing security alerts, personal safety videos, personal safety tips, and other security and personal safety related information.

Students and employees are encouraged to review the information on a routine basis and contact UNMC Public Safety with any questions or concerns.

- › **Need to report a crime? Use our [Campus Crime Watch Online Reporting Form](#).**
- › **UNMC Public Safety Homepage: <https://www.unmc.edu/aboutus/public-safety/index.html>**

Help UNMC Public Safety promote a safe and secure environment for our campus community by providing information on criminal activities occurring on campus. ***You are not required to provide your name or any form of identification***, however, it is more difficult to follow-up on anonymous reports. Thank you for your assistance.

NOTE: the web site *cannot* determine your identity or location.

How to contact UNMC Public Safety:

- › **24 hour Emergency Call:**
402-559-5555
- › **24 hour Security Dispatch:**
402-559-5111
- › **Business Office hours:**
8:00 a.m. to 4:30 p.m., M-F
- › **Business Office phone number:**
402-559-4439
- › **Business Office fax number:**
402-559-8625
- › **After hours assistance:**
402-559-5111

UNMC Public Safety Locations:

The UNMC Public Safety Business Office is located in the Academic and Research and Services Building – entrance on southwest corner of building. Public Safety substations are located in University Hospital, Room 2202 and Clarkson Hospital, Room 1830.

SECTION: Student Welfare
SUBJECT: Sexual Misconduct
NUMBER: SW-27
ADOPTED DATE: Mar 2015
EFF. DATE: Aug 2021
REVIEW DATE: Feb 2021

Policy:

Clarkson College (College) strives to provide a safe and non-discriminatory environment to all of its community members (including students, faculty, and staff, and other constituents).

Title IX of the Education Amendments of 1972 ("Title IX"), 20 U.S.C. §1681 et seq., is a Federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities. Under Title IX, discrimination on the basis of sex can include any type of sexual misconduct, including dating violence, domestic assault, domestic violence, rape, sexual assault, sexual violence, sexual harassment and stalking. Discrimination on the basis of sex also includes gender identity and gender stereotyping. Clarkson College (College) strives to provide an environment free from all forms of sexual misconduct to all of its community members, regardless of immigration status, including undocumented students and international students. The Sexual Misconduct Policy applies to all College community members, whether the alleged sexual misconduct is committed by a student, an employee or a third party, regardless of whether the alleged sexual misconduct was perpetrated by a member of the same or different sex.

The College goals for the Title IX policy, are:

- To promote professional and ethical behavior
- To provide an atmosphere of safety and well-being
- To ensure the integrity of the academic enterprise
- To develop a sense of responsibility to maintain the honor of the health care profession

Procedure:

The College has jurisdiction over complaints alleging sex discrimination, sexual harassment, and any other form of sexual misconduct when the conduct occurs on campus, during or at an official College-sponsored program or activity (regardless of location). College jurisdiction applies to complaints during education programs, activities, events, and circumstances over which the College exercises substantial control over both the Respondent and the context of which the alleged sexual misconduct occurs. The College will recognize all complaints made under this policy and will take action to prevent the recurrence of sexual misconduct and remedy its effects. Such misconduct undermines the atmosphere of trust, responsibility and professionalism underlying in the Code of Conduct policy (SW-18) and will not be tolerated by the College. All members of the College community are required to promptly report complaints about sexual harassment, sexual misconduct, and sexual assault to the Title IX Coordinator. It is also the right of an individual to file a criminal complaint, separate from the College report, if they choose to do so. The Title IX Coordinator may assist the individual in filing a criminal complaint upon request. All persons involved in a sexual misconduct case can receive College-related assistance regardless of whether a legal charge or College report is filed. For any College report filed, a fair and timely investigation will be undertaken, with notice of the outcome shared with all involved parties. Individuals found to be in violation of this policy will be subject to disciplinary action. At any time throughout this process, both parties are permitted to have an advisor present.

I. Definitions

Advisor any individual of the party's choice who may provide the Complainant or Respondent support, guidance, or advice, and may accompany a Complainant or the Respondent to any meeting or grievance proceeding, such as an interview or the hearing.

Adjudicator oversees the Formal Complaint hearing process to include assisting with training of the Hearing Board, Advisors, etc. as well as running the hearing process. This position will be contacted through external legal services.

Appeals Officer the Appeals Officer is responsible for receiving, reviewing, and responding to appeals of the Written Determination and will also review appeals of dismissals of Formal Complaints. The Appeals Officer will be the Vice President of Operations to designee.

Business Days means a weekday on which the campus offices are open. Please consult the academic calendar on the College website to determine the days on which campus offices are closed.

Clear and Convincing Evidence is the standard in which the College requires that the evidence show that it is highly probable or probably certain that the alleged action has occurred.

College means Clarkson College.

College Community Member includes any person who is a Student, Faculty Member, College Official, or any other person employed by the College, or is formally or informally associate or affiliated with the College. Human Resources and/or the Registrar's Office shall determine a person's status in a particular situation whichever is appropriate.

Complainant is an individual who is alleged to be the victim of conduct that could constitute Sexual Misconduct.

Confidentiality means that the College will not disclose information related to a report of Sexual Misconduct, including the names of the individuals involved, except on a need to know basis in order to assist in the assessment, investigation, and resolution of the report, or as permitted or required by law. Confidentiality is not the same as anonymity, where an individual is not named or personally identified.

Consent can be defined as a decision that is informed and freely and actively given. Consent is communicated through mutually understandable words or actions that indicate willingness by all of the involved parties to engage in the same sexual activity, at the same time, and in the same way. The person must act freely and voluntarily and have knowledge of the nature of the act involved. A person who is giving consent is not beyond the state of drunkenness or intoxication, unconscious, passed out, coming in and out of consciousness, or have a disability or disorder that would impair his/her understanding of the act. Silence or lack of active resistance does not imply consent. Past consent does not imply future consent. The presence or absence of consent is based on the totality of the circumstances.

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 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.

Domestic violence includes any 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 cohabiting with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to the 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.

Formal Complaint is a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Misconduct, including, but not limited to, Title IX Sexual Harassment, against a Respondent and requesting that the College investigate the allegation of Sexual Misconduct. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the Education Program or Activity of the College.

Gender Identity refers to one's sense of oneself as male, female, or neither or both.

Gender Stereotyping refers to over-generalizations about the characteristics of an entire group based on gender.

Investigator is the individual assigned to investigate a Formal Complaint of Sexual Misconduct. The Investigator may be a trained employee of the College or an external investigator trained on the requirements of this Sexual Misconduct Policy.

Policy is defined as the written regulations of the College as found in, but not limited to, the Student Handbook and the Faculty Handbook.

Respondent is an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Misconduct.

Sexual Assault An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

- **Sexual Offenses** refers to 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 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 the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** sexual intercourse with a person who is under the statutory age of consent (the age of consent in Nebraska is 16 years of age).

Sexual Misconduct means unwelcome conduct of a sexual nature, including: Dating Violence, Domestic Violence, Sexual Assault, Stalking, Title IX Sexual Harassment.

Sexual Violence refers to any sexual act or attempt to obtain a sexual act by violence or coercion, unwanted sexual comments or advances, acts to traffic a person or acts directed against a person's sexuality, regardless of the relationship to the victim. Examples include knowingly exposing another to sexually transmitted diseases, non-consensual audio recording or videotaping of sexual activity, prostituting another person, and using a date rape drug to coerce sexual activity.

Stalking means engaging in a course of conduct directed at a specific person(s) 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. Such conduct may include, but is not limited to, the following:

- Non-consensual communication, including face-to-face communication, telephone calls, voice messages, e-mails, text messages, written letters, unwanted gifts, etc.;
- Cyber stalking—Use of online, electronic, or digital technologies, including:
 - Posting of pictures or information in chat rooms or on websites;
 - Sending unwanted/unsolicited email or talk requests;
 - Posting private or public messages on Internet sites, social networking sites, and/or school bulletin boards;
 - Installing spyware on a victim's computer;
 - Using Global Positioning Systems (GPS) to monitor a victim;
- Pursuing, following, waiting, or showing up uninvited at or near a residence, workplace, classroom, or other places frequented by the victim;
- Surveillance or other types of observation, including staring or “peeping”;
- Trespassing; and/or Vandalism.

Supportive Measures are non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed.

The following Supportive Measures may be made available to Complainants and Respondents based on the facts and circumstances of the individual case:

1. Re-assignment of living space within the College's residence hall;
2. Assistance from the College in completing the relocation if re-assigned;
3. Cancelling a College housing contract and/or adjusting a student account balance for refund;
4. Coordinating course-related adjustments (e.g. excused absences, flexible attendance, revised deadlines, reschedules, substitutions, etc.);
5. Endorsing or authorizing a grade change (e.g. incomplete, pass/no pass);
6. Transferring between class sections;
7. Endorsing or authorizing a withdrawal after the deadline has passed with or without a refund or tuition and fees;
8. Arranging to complete a course or lectures via distance education methods with the assistance of technology;
9. Providing increased security at location or activities (e.g. accompaniment or escort, surveillance, monitoring);
10. Modifying work schedules, job responsibilities, supervision, or re-assignment to a different work site; and/or
11. Counseling with on campus counselor and/or through Arbor Family Counseling.

The College will maintain as confidential any Supportive Measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the Supportive

Measures. Any Supportive Measures offered to either party cannot punish, discipline, or unreasonably burden the other party.

Title IX Coordinator is the person designated by the College to coordinate the College's efforts to comply with the responsibilities under Title IX. Among other things, the Title IX Coordinator reviews information about Sexual Misconduct to identify and address any patterns or systemic problems that arise during the review of such complaints. The Title IX Coordinator is also responsible for coordinating the effective implementation of Supportive Measures.

Title IX Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:

- An employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct.
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's Education Program or Activity;
- Sexual Assault;
- Domestic Violence;
- Dating Violence; or
- Stalking.

To be considered sexual harassment for the purposes of Title IX, the conduct must meet the additional requirements of occurring in the College's Education Program or Activity and against a person in the United States.

II. Reporting

A report may be made by any person who believes that Sexual Misconduct may have occurred. The College encourages anyone who experiences or becomes aware of an incident of Misconduct involving a Student or Employee to immediately report the incident to the College through the reporting options set forth below. While the College does not limit the time frame for reporting Sexual Misconduct as soon as possible to maximize the College's ability to respond as effectively as possible. The College strongly encourages individuals to report possible Sexual Misconduct within six months of the last occurrence of the concerning conduct. A report made after six months may make it more difficult to gather relevant and reliable information.

Any Employee who receives a report of Sexual Misconduct or who witnesses or is otherwise aware of Sexual Misconduct, other than the College's licensed mental health professionals, is required to report the incident immediately to the Title IX Coordinator.

Any College Student, Employee, or other individual may make a report of possible Sexual Misconduct by contacting:

(1) The Title IX Coordinator

The Human Resources Administrator serves as the Title IX Coordinator and is located on the sixth floor of the Main Building (101 South 42nd Street, Omaha, NE 68131). The Title IX Coordinator can be contacted at 402-552-6298, or at titleixcoordinator@clarksoncollege.edu. If the Title IX Coordinator is unavailable, the Investigator is available and can be contacted at 402-552-2557, or at heimannanne@clarksoncollege.edu.

(2) The Public Safety Office

Public Safety Emergency Number: 402-559-5555

Public Safety Non-Emergency Number: 402-559-5111

(3) Local law enforcement (Omaha Police Department)

Emergency: 911

Non-Emergency: 402-444-5600

505 South 15th Street

Omaha, NE 68102

A. Reports Involving Minors

If a report of Sexual Misconduct involves a minor (an individual under the age of 19), Nebraska law requires the College report this to the Department of Health and Human Services within 24 hours.

B. Anonymous Reporting

Any individual may make an anonymous report concerning an act of Sexual Misconduct. The College has made available [The Sexual Misconduct Reporting Form](#). Although preferred that this report be made directly to the Title IX Coordinator, a student may ask a third party (e.g., counselor, fellow student) to do so. Depending on the level of information available about the incident or the individuals involved, anonymous reporting may impact the College's ability to respond, investigate, or take further action. College Employees cannot fulfill their mandatory reporting obligations by anonymously reporting.

C. Confidential Resources

The College also offers access to confidential resources for individuals who are unsure about whether to report Sexual Misconduct or are seeking counseling or other emotional support in addition to (or without) making a report to the College. The College's licensed counselor is considered a "confidential employee" and when information is shared with the licensed counselor, the licensed counselor cannot reveal the information to any third party except when: (i) the individual gives written consent for its disclosure; (ii) there is a concern that the individual will likely cause serious physical harm to self or others; or (iii) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 19.

D. Bystander Intervention

A bystander is one who is present at an event or situation and potentially has the opportunity to make a change in said event or situation. The College strongly encourages bystanders to intervene in situations where there is no threat of harm to them and to contact the Title IX Coordinator, and/or Public Safety to report any event of concern.

E. False Statements

The College takes allegations of sexual violence very seriously. Any Student or Employee who knowingly provides false information in connection with the filing of a report and/or Formal Complaint of Sexual Misconduct or at any point during the assessment, investigation, or resolution of a report or Formal Complaint may be subject to discipline.

F. Cleary Act Reporting

Pursuant to Federal law, the College has a legal responsibility for documenting and providing statistics about certain offenses to the United States Department of Education. No personal identifying information will be included in these reports. Federal law also requires the College to issue timely warnings to the College community about certain crimes that have been reported and may continue to pose a serious or continuing threat to Students and Employees. The

College withholds the names and other personally identifying information of Complainants when issuing timely warnings to the College community.

III. Initial Assessment and Supportive Measures

Upon receipt of a report of alleged Sexual Misconduct, in accordance with 34 CFR 106.44(a), the Title IX Coordinator will promptly contact the Complainant to discuss:

- The availability of Supportive Measures regardless of whether the Complainant elects to file a Formal Complaint;
- The Complainant's wishes with respect to Supportive Measures; and
- The process for filing a Formal Complaint.

Additionally, the Title IX Coordinator will provide the Complainant a written notice describing available Supportive Measures and resolution options including:

- Filing a Formal Complaint;
- Filing a report with local law enforcement; and/or
- Pursuing both actions as described above (the Complainant may go forth with one or more options at the same time),

The written notice will also offer the Complainant the opportunity to meet to discuss those Supportive Measures and options. When a decision is reached to initiate an investigation or to take any other action under the process set forth in Section VI that impacts a Respondent, the Title IX Coordinator will ensure that the Respondent is notified, receives a written explanation of available Supportive Measures and resolution options, and is offered the opportunity to meet to discuss those Supportive Measures and options.

After considering the Complainant's wishes, the Title IX Coordinator will coordinate the identification, offering, and implementation of any appropriate Supportive Measures for the Complainant.

The Respondent identified in any report alleging Sexual Misconduct will be presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process set forth in Section VI below.

No disciplinary sanction or other action that is not a Supportive Measure or an emergency removal, as set forth below, will be imposed against a Respondent until a determination regarding responsibility is made at the conclusion of the grievance process set forth set forth in Section VI below.

At any point, the Title IX Coordinator has the right to seek consultation with other relevant professionals within and outside of the College, if necessary. If it is determined a potential Title IX violation exists, the Title IX Coordinator will initiate separate consultations with the Complainant and the Respondent within a reasonable amount of time. The purpose of this meeting is to gain an understanding of the nature of the complaint. During the meetings, the Title IX Coordinator will also address the following for both the Complainant and Respondent:

- a) physical safety and emotional well-being,
- b) interim accommodations available, if necessary,
- c) contact information for on campus and community resources for counseling and health care,

- d) supportive measures,
- e) Complainant's and Respondent's rights,
- f) Complainant's preferred process for resolution (formal and informal processes),
- g) confidentiality and the College's limits to confidentiality,
- h) College's policy prohibiting retaliation,
- i) Complainant's right to pursue or to decline to pursue legal charges, and
- j) the Title IX investigation processes and procedures.

IV. Emergency Removal

The College may remove a Respondent entirely or partially from the College's education program or activity on an emergency basis, provided that the College

- undertakes an individualized safety and risk analysis,
- determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Misconduct justifies removal, and
- provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

The emergency removal process may be initiated by the Title IX Coordinator in conjunction with the College's the Behavioral Intervention Team. Emergency removal may be undertaken in addition to providing Supportive Measures. Emergency removal does not preclude a Respondent from receiving Supportive Measures as appropriate.

The College has discretion to determine the appropriate scope and conditions of removal of the Respondent from the College's education program or activity.

During an emergency removal, a Respondent may be denied access to any College premises, including classes, residence hall access, and/or all other College programs, activities or privileges for which the Respondent might otherwise be eligible, as the College may determine to be appropriate to address an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Misconduct.

The Title IX Coordinator or other designated College Official will provide the Respondent with a Notice of Emergency Removal. The Notice will be sent to the Respondent's e-mail address of record and will:

- state the factual basis for the Respondent's emergency removal and explain why the Respondent's conduct or presence on campus presents an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Misconduct that emergency removal is necessary;
- state that the Respondent may challenge the decision immediately, in writing, by submitting an appeal to the Title IX Coordinator who will then submit to the Appeals Officer.

V. GRIEVANCE PROCESS

The College's grievance process offers two forms of resolution for reports of Sexual Misconduct: (1) Formal Resolution, which involves an investigation, hearing, remedy, and sanction(s), if applicable (as described in Section E – Disciplinary Sanctions), and Informal Resolution (as described in Section G – Informal Resolution below), which includes informal options for resolving Formal Complaints.

At anytime throughout the grievance process, both parties are permitted to have an advisor of their choice accompany them to any meeting or proceeding.

A. Formal Complaint

The grievance process begins with the filing of a Formal Complaint. A Formal Complaint may be filed by either a Complainant or the Title IX Coordinator.

A Complainant must submit a signed, written statement to the Title IX Coordinator that addresses the following:

- the name of the Complainant,
- the Complainant's wanting to pursue resolution through the College's grievance process,
- a detailed description of the event and actions creating the alleged conduct, including, if known:
- the name of the Respondent,
- the date and location of the conduct,
- the names and contact information of any witnesses to the conduct, and
- any other relevant information.

The Formal Complaint must include the Complainant's physical or digital signature. If a Formal Complaint is filed but additional information is needed to determine whether the alleged conduct would constitute Sexual Misconduct, an initial intake interview may be performed by the Title IX Coordinator.

The College will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. However, the College also has the responsibility to provide a safe and nondiscriminatory environment for all in the community and therefore cannot guarantee confidentiality. If a Complainant requests that no formal action be taken, the College will weigh this request with its obligations to the community. In instances where the Complainant does not wish to file a Formal Complaint, the Title IX Coordinator may determine that, based upon a review of the totality of the circumstances, that resolution of the reported conduct through the College's grievance process is necessary to ensure the health and safety of the Complainant and/or other members of the College's community.

When weighing the Complainant's request for confidentiality and/or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including the following:

- The seriousness of the alleged complaint;
- Other complaints about the same alleged Respondent;
- Whether the alleged Respondent threatened further sexual violence or other violence against the Complainant or others;
- Whether the Complainant is a minor;
- Whether the College possesses other means to obtain relevant evidence related to the complaint (e.g., security cameras or personnel, physical evidence).

If the Title IX Coordinator determines that it is necessary to file a Formal Complaint, the Title IX Coordinator will inform the Complainant of this decision in writing, and the Complainant need not participate in the process further but will receive all notices issued pursuant to these procedures. The Title IX Coordinator is not considered the Complainant when the Title IX Coordinator files the Formal Complaint.

If either party to a Formal Complaint is an employee, the Title IX Coordinator will inform the Director of Human Resources.

B. Written Notice of the Allegations

Upon receipt of a Formal Complaint, the Title IX Coordinator will provide all parties (Complainant(s) and Respondent(s)) written notice of the allegation(s), including sufficient details about the allegation(s) known at the time, and information about both the Formal and Informal Resolution processes.

The Written Notice of Allegations will include the following:

- Notice of the allegations potentially constituting Sexual Misconduct and sufficient details including the identities of the parties involved, if known; the conduct allegedly constituting Sexual Misconduct; and the date and location of the alleged incident, if known;
- A copy of this Sexual Misconduct Policy or a hyperlink to this Sexual Misconduct Policy;
- A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source; and
- A statement informing the parties that the College prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

The Written Notice of Allegations will be sent to all parties as soon as practicable after receiving a Formal Complaint, absent extenuating circumstances. The College will provide sufficient time for the parties to review the Written Notice of Allegations and to prepare a response before any initial interview.

In some instances, additional allegations may arise during the course of the investigation that were not known at the time the Written Notice of Allegations was issued. In the event that occurs, the College may elect to add those allegations to the existing investigation. If so, the Title IX Coordinator will notify the parties of the additional allegations in writing and provide the parties with sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

C. Dismissal and Appeal of Dismissals

Upon receipt of a Formal Complaint that alleges Sexual Misconduct and at other points in the grievance process while a Formal Complaint is pending, the Title IX Coordinator will determine whether, the Formal Complaint must be dismissed (whether in whole or in part) or may be dismissed (whether in whole or in part) at the College's discretion, as set forth below.

1. Mandatory Dismissal

The College will dismiss a Formal Complaint, or any allegations therein, from the grievance process when the alleged conduct, even if proved:

- Would not constitute Sexual Misconduct as defined in this Policy;
- Did not occur in the College's education program or activity;
- Did not occur against a person in the United States; or
- The Complainant was not participating in or attempting to participate in a College education program or activity at the time the Formal Complaint was filed.

2. Discretionary Dismissal

The College may dismiss a Formal Complaint, or any allegations therein at any time during the Formal or Informal Resolution processes, if:

- The Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- The Respondent is no longer enrolled or employed by the College; or
- Specific circumstances prevent the College from gathering evidence sufficient to reach a determination regarding the Formal Complaint or the allegations therein.

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3. Notice of Dismissal

Upon reaching a decision that a Formal Complaint will be dismissed, in whole or in part, the Title IX coordinator will promptly send a written Notice of Dismissal to the parties notifying them of the dismissal, the reason(s) for the dismissal, and an explanation of the appeals process.

4. Effect of Dismissal

A dismissal under this section does not preclude the College from taking action with the respect to the dismissed allegations under other College policies and procedures.

5. Appeals of Dismissal Decision

The Complainant may appeal the Title IX Coordinator's decision to dismiss the Formal Complaint. The Complainant must submit the appeal in writing within fourteen (14) Business Days from the date the decision is delivered (based on the delivery dated email). The appeal may be sent to the Appeals Officer. If the student fails to meet the above deadline for appealing the decision, the Title IX Coordinator's decision to dismiss the Formal Complaint is final. The Appeals Officer will have fourteen (14) Business Days to review and determine the outcome of the appeal.

D. Formal Resolution

1. Advisors

The parties may each be accompanied during any meeting or proceeding by a single advisor of their choice, who may be, but is not required to be, an attorney.

Other than at the hearing, advisors may speak privately to their advisee during any such meeting or proceeding, but they may not speak on behalf of the parties, present evidence, or otherwise participate in, or in any manner disrupt, the meeting or proceeding. During a hearing, the advisor will be permitted to cross-examine witnesses and address the Adjudicator in connection with that cross-examination as described in Section e:2 – Cross Examination, but will not otherwise be permitted to address the Adjudicator. An advisor who is disruptive and fails to comply with the participation boundaries may be removed from any meeting or proceeding and may be barred from future meetings or proceedings in the matter.

The College will not unduly delay the scheduling of meetings or proceedings based on the advisor's availability.

Both the Complainant and the Respondent have the right to be accompanied at the hearing by an advisor of their choosing. If a party does not have an advisor present at the hearing, the College will provide, without fee or charge to the party, an advisor of the College's choice for the purpose of conducting cross-examination. This College-appointed advisor may be, but

is not required to be, an attorney. A party may not proceed at the hearing without an advisor.

The Title IX Coordinator, Investigator, Adjudicator and Appeals Officer will communicate directly with the party through their College-provided email address and copy the advisor on all communications.

2. Investigation

The Investigator will perform an investigation within a reasonable timeframe of the conduct alleged to constitute Sexual Misconduct as set forth in the Written Notice of Allegations. Such investigation will be prompt, thorough, fair, and impartial.

The College, and not the parties, has the burden of proof and the burden of gathering evidence, (i.e. the responsibility of showing a violation of the Sexual Misconduct Policy has occurred).

Each party will have equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence (i.e. evidence that tends to prove and disprove the allegations), as described below.

During the investigation, the Investigator will interview separately the Complainant(s), the Respondent(s), any witnesses either party has identified, and any other individuals who are thought possibly to have relevant information. Complainants and Respondents may be accompanied to an investigative interview or other meeting held as part of the investigation by one advisor of their choice.

In addition, the Investigator will review all documentary and physical evidence identified and provided by the parties, other documentary and physical evidence that the Investigator may identify and obtain through witnesses or otherwise, and all relevant College policies. The Investigator may also take other investigatory steps including, but not limited to, consult with other professionals within and outside of the College as determined appropriate in the Investigator's judgment.

The Investigation will exclude from consideration:

- Evidence regarding the sexual history of the Complainant unless offered to prove that someone other than the Respondent committed the alleged conduct, or if the evidence concerns specific incidents of the Complainant's prior sexual behavior with the Respondent and are offered to prove consent;
- Records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the College obtains that party's voluntary, written consent to do so; and
- Information protected under a legally recognized privilege such as the attorney-client privilege unless the person holding such privilege has waived the privilege.

The Investigator will also provide periodic status updates to the parties throughout the investigation process.

a. Review of Evidence

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation that is directly related to the allegations raised in the Formal Complaint. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation.

The Investigator will send to each party and the party's advisor, if any, the relevant evidence obtained from the investigation that is subject to inspection and review. Such evidence may be provided in an electronic format or as a

hard copy, and consists of the evidence obtained as part of the investigation that is directly related to the pending allegations, including:

- Evidence upon which the College does not intend to rely in reaching a determination regarding responsibility; and
- Both inculpatory or exculpatory evidence, whether obtained from a party or other source.
-

Each party will have ten (10) Business Days from the date that the evidence is delivered to the party to inspect and review the evidence and submit a written response to the evidence to the Investigator. It is optional for parties to provide a response. The Investigator will consider any written responses received from the parties before completing the Investigative Report.

b. Investigative Report

After receiving and giving due consideration to any timely written responses received from the parties, the Investigator shall complete an Investigative Report that fairly summarizes all relevant evidence. The Investigative Report will be redacted for information that is irrelevant or privileged. The Investigator does not include any recommendations regarding responsibility in the Investigative Report.

The Investigator will send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy for their review and written response. Each party will have ten (10) Business Days from the date that the Investigative Report is delivered to the party to submit a written response to the Investigative Report, if the party so chooses.

c. Participation in the Investigation

No party or witness is required to participate in investigation or any other part of the grievance process. If a Complainant or Respondent chooses not to participate in the investigation, the Investigator will still complete the investigation and prepare the Investigative Report based on the information available. No adverse inference will be made as a result of a Complainant or Respondent's decision not to participate in the investigation, and the Adjudicator and/or Appeals Officer will not base a finding of responsibility solely on a party's decision not to participate in whole or in part in the grievance process.

3. Formal Hearings in Cases of Alleged Sexual Misconduct

After an investigation, the College will conduct a hearing to determine whether the Respondent is responsible for violating the Sexual Misconduct Policy. The hearing is an opportunity for the parties to address the Adjudicator about issues relevant to the determination of responsibility to be made by the Adjudicator.

During the hearing, the Complainant and Respondent will each have an opportunity to:

- Discuss and explain their position through opening and closing statements;
- Respond to any questions of the Adjudicator; and
- Have their advisor cross-examine of the other party and any witnesses.
-

The Adjudicator will objectively evaluate all relevant evidence necessary to independently reach a determination regarding responsibility. If a determination of responsibility for Sexual Misconduct is made against the Respondent, the Adjudicator will determine appropriate sanction(s) for Respondent and, if applicable, whether remedies to the Complainant are appropriate.

A hearing must be held following an investigation unless the Formal Complaint has been resolved pursuant to the Informal Resolution Process or the Formal Complaint has been dismissed as set forth in Section C – Dismissal and Appeal of Dismissal. The College will strive to conduct a hearing within thirty (30) Business Days from the issuance of the Investigative Report.

a. Standard of Review

The Respondent is presumed to be not responsible by the Adjudicator; this presumption may be overcome only where the Adjudicator concludes that there is sufficient evidence, by Clear and Convincing Evidence, to support a finding that the Respondent violated the Sexual Misconduct Policy.

b. Hearing Scheduling and Notice

When the Investigator sends the Investigative Report to the Respondent and Complainant, the Title IX Coordinator or their designee will forward a copy of the Investigative Report to the Adjudicator. The Title IX Coordinator will also forward a copy of any responses to the Investigative Report received from the parties.

The Adjudicator will schedule a hearing date, time and location, and notify the parties of the same.

c. Pre-Hearing Conference

The Respondent and the Complainant shall have the right to attend a Pre-Hearing Conference. The purpose of the Pre-Hearing Conference is to plan for the hearing, discuss the issues and facts that will be presented at the hearing, exchange information about witnesses to be called, answer procedural questions, and settle those matters which may be agreeably concluded. Generally, the Adjudicator will preside over the Pre-Hearing Conference.

A Pre-Hearing Conference will be held at least two (2) Business Days prior to the scheduled hearing. The College will provide written notice of the date, time, location, participants, and purpose of both the prehearing conference and of the hearing at least five (5) Business Days prior to the prehearing conference.

Hearing Information Exchange Prior to the Pre-Hearing Conference

The Respondent, the Complainant, and the Adjudicator shall have an opportunity to inspect documents and a list of witnesses prior to the hearing. If there are any additional documents, that the Respondent, Complainant, or the Adjudicator would like to offer at the hearing, this information should be provided at least two (2) Business Days before the Pre-Hearing Conference. This information will be exchanged with all parties.

d. General Hearing Information

The parties cannot waive the right to a live hearing. A hearing may be conducted with all parties physically present at the same geographic location or, at the discretion of the Title IX Coordinator, any or all parties, witnesses, or other participants may appear at the hearing virtually, with technology enabling participants simultaneously to see and hear each other.

At the request of either party, the College will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the Adjudicator and parties to simultaneously see and hear the party or the witness answering questions. Such a request should be submitted to the Title IX Coordinator at least two (2) Business Days prior to the hearing.

The College will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review upon request.

The Adjudicator will oversee the hearing and related proceedings and will make a determination regarding responsibility.

The Respondent and the Complainant have the right to be present for the hearing. If, despite being notified of the date, time, and location of the hearing, either party is not in attendance, the hearing may proceed and applicable remedies and sanctions may be imposed. Neither party is required to participate in the hearing in order for the hearing to proceed.

The Respondent may not be found to be responsible for Sexual Misconduct solely because the Respondent is not present at the Hearing.

The parties, the parties' advisors, the Investigator or other witnesses (while they are being questioned) may participate in the hearing. The hearing is closed to the public.

With regard to Formal Complaints involving more than one Respondent, the Title IX Coordinator may permit hearings concerning each Respondent to be conducted separately.

The role of the Complainant's and Respondent's advisor is limited to providing support and advice to the party and conducting cross-examination of the parties and witnesses. Advisors must fulfill their role in a manner which does not disturb the hearing. If an advisor fails to act in accordance with these guidelines, the advisor may be removed from a hearing. If a party's advisor is removed from a hearing, the College will provide that party with a different advisor to conduct cross-examination on behalf of that party. Such disruption will not be the basis to delay or postpone the hearing.

e. The Hearing Procedures

At the beginning of the hearing, the Adjudicator should state for the record:

- the date, time, and place,
- their name and role as the Adjudicator

The Adjudicator should then identify the other persons present, read the alleged violation(s), and ask the Respondent if the Respondent accepts or contests responsibility for the alleged violation(s).

The Adjudicator has the discretion to determine specific hearing format. A typical hearing may include brief opening remarks by the Complainant and/or Respondent; direct and/or cross-examination of the parties, the Investigator, and any witnesses by the Adjudicator; cross-examination of the parties, the Investigator, and any witnesses by the parties' advisors; and brief concluding remarks by the Complainant and/or Respondent.

1) Direct Examination

The Adjudicator may ask questions and elicit information from parties, witnesses, and/or the Investigator to aid in the Adjudicator's findings of fact, conclusions regarding the application of the Sexual Misconduct Policy to the facts, and the determination of responsibility, sanctions, or remedies. The parties and their advisors may not engage in direct examination of any individual at the hearing.

2) Cross-Examination

The Adjudicator will permit each party's advisor to ask the other party and any witnesses called by another party all relevant questions and follow-up questions, including those challenging credibility ("cross-examination").

Such cross-examination will be conducted directly, orally, and in real time by the party's advisor and never by a party personally. If a party does not have an advisor present at the live hearing, the College will provide without fee or charge to that party, an advisor of the College's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.

Before a Complainant, Respondent, or witness answers any question, Adjudicator will first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Adjudicator should apply logic and common sense, rather than legal rules of evidence, when making a determination about a question's relevance. Questions which will be deemed irrelevant by the Adjudicator include, but are not limited to:

- questions that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege;
- evidence about a Complainant's prior sexual history unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent;
- any party's medical, psychological, and similar records unless the party has given voluntary, written consent; and
- statements by a party or witness who did not submit to cross-examination at a live hearing.

The Adjudicator cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing, or decision not to answer questions or otherwise not participate in the live hearing. However, if a party or witness does not submit to cross-examination at the live hearing, the Adjudicator will not rely on any statement of that party or witness in reaching a determination regarding responsibility.

Other than to conduct cross-examination as described above, the parties' respective advisors may not speak on behalf of the parties during the hearing and may not directly participate in any aspect of the hearing. The Complainant or Respondent, however, may consult with their respective advisors during the hearing. The Adjudicator may limit the length and frequency of consultations so that they do not unreasonably delay the hearing or unreasonably interfere with the presentation of evidence.

f. Determination of Responsibility

After the hearing, the Adjudicator will objectively evaluate all relevant evidence, both inculpatory and exculpatory, and reaction a determination regarding whether there is sufficient evidence, by Clear and Convincing Evidence, to support a

finding of responsibility on the part of Respondent for each allegation under investigation. In reaching a determination, the Adjudicator must evaluate all evidence independently. Where there is a finding of responsibility, the Adjudicator may impose one or more disciplinary sanctions on the Respondent, as set forth in Section E – Disciplinary Sanctions, and/or provide remedies to the Complainant.

g. Written Determination

Within seven (7) Business Days following the conclusion of a hearing (or such longer time as the Adjudicator may for good cause determine), the Adjudicator will simultaneously issue a written decision to the Respondent and the Complainant, with a copy to the Title IX Coordinator.

The Written Determination will include the following information.

- Identification of the allegations potentially constituting Sexual Misconduct and any other policy violations addressed at the hearing;
- A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, methods used to gather evidence, and hearings held;
- Finding of fact supporting the determination;
- Conclusions regarding the application of the Sexual Misconduct Policy and, if applicable, any other College policy, to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the College's education program or activity will be provided by the College to the Complainant; and
- The College's procedures and permissible bases for the Complainant and Respondent to appeal.

Disciplinary sanctions and any remedies that could not be offered as Supportive Measure shall not be enforced until the determination of responsibility becomes final. The determination regarding responsibility becomes final either:

- If no appeal is filed, on the date on which an appeal would no longer be considered timely; or
- If an appeal is filed, on the date that the parties are provided with the written determination of the appeal.

4. Appeals of Written Determination of Responsibility and Sanctions

The Complainant and the Respondent may both appeal the Adjudicator's Written Determination within seven (7) Business Days from the date the decision is delivered to the parties (based on the delivery dated email). This appeal process provides both the Complainant and Respondent a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome of the Hearing.

a. Reasons for Appeal

A Written Determination may be appealed only on the following three bases:

- A procedural irregularity that affected the outcome of the Formal Complaint;
- The discovery of new evidence that was not reasonably available at the time the Written Determination was made that could affect the outcome of the Formal Complaint;
- The severity of the sanctions imposed.

b. Appeal Process

The appeal must be in writing and delivered to the Title IX Coordinator, who will provide to the Appeals Officer within seven (7) Business Days of the delivery of the Written Determination. An appeal must be in writing and clearly specify the base(s) for the appeal and the evidence supporting the appeal.

If either party submits an appeal, the Title IX Coordinator will promptly notify the other party and the Appeals Officer in writing and provide the party with a copy of the appeal. The non-appealing party will be given seven (7) Business Days to submit a written response to the appeal; the non-appeal party is not required to submit a response to the appeal.

Upon the expiration of the deadline for the non-appealing party's written submission, the Title IX Coordinator will provide the Appeals Officer: (1) the appeal; (2) the non-appealing party's response, if provided; (3) the Investigative Report; (4) the Written Determination; (5) any information reviewed and considered by the Investigator or the Hearing Board; (6) all inculpatory and exculpatory evidence submitted to the Investigator or the hearing Board; and (7) a transcript of the hearing.

The Appeals Officer may confer with appropriate College employees in order to obtain information necessary to make a fully informed decision. The Appeals Officer may request clarifying information from the parties, the Investigator, and/or the Adjudicator as determined appropriate by the Appeals Officer.

c. Appeal Outcome and Appeal Determination Letter

The Appeals Officer will carefully review all of the information and determine whether to grant or deny the appeal. If the Appeals Officer determines that an appeal does not clearly raise one or more of the limited bases for appeal listed above, the Appeals Officer will dismiss the appeal without further consideration. If the Appeals Officer determines that the appeal does raise one or more of the limited bases for appeal listed above and the result is to grant the appeal, the Appeals Officer will determine the appropriate action.

- The Appeals Officer will issue a written determination within fourteen (14) Business Days after receipt of the record and any additional information, though this may vary based on the scope of the appeal or unforeseen circumstances.
- The written appeal determination will be provided simultaneously to the Complainant and the Respondent and will explain the result of the appeal and the rationale for the decision.

E. Disciplinary Sanctions

The College will not wait for the conclusion of any criminal investigation before initiating its own internal investigation. The College may pursue disciplinary action against a student at the same time the student is facing criminal charges for the same offense, even if the criminal prosecution is pending, has been dismissed or the charges have been reduced.

The following sanctions may be imposed upon any student found to have violated this Sexual Misconduct Policy:

- Warning – a notice in writing to the student that the student is violating or has violated institutional requirements.
- Probation – a written reprimand for violation of specified regulations. Probation lasts for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found in violation of any institutional regulations during the probationary period.
- Loss of Privileges – denial of specified privileges for a designated period of time.
- Restitution – compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- Residence Hall Suspension – separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- Residence Hall Dismissal – permanent separation of the student from the residence halls.
- College Suspension – separation of the student from the College for a specified period of time. Conditions for readmission may be specified.
- College Dismissal – permanent separation of the student from the College
- Other sanctions including, but not limited to, work assignments, service to the College, community service, workshop attendance, required counseling, written explanation, or other discretionary assignments.

More than one of the sanctions listed above may be imposed for any single violation.

Other than College Dismissal, disciplinary sanctions shall not be made part of the student's permanent academic record but shall become part of the student's confidential record. Upon graduation, the student's confidential record may be expunged of disciplinary actions other than Residence Hall Dismissal, College Suspension or College Dismissal. Cases involving the imposition of sanctions other than Residence Hall Dismissal or College suspension/dismissal may be expunged from the student's confidential record five years after the final disposition of the case.

F. Remedies

Remedies are individualized measures provided to a Complainant designed to restore or preserve the Complainant's equal access to the College Education Program or Activity after a Respondent is found responsible for Sexual Misconduct. Such remedies may include, but are not limited to, the Supportive Measures described in this policy and may also include counseling, mental health services referral, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, escort services, mutual or one-way restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring, and other measures determined by school officials to be necessary to restore or preserve the Complainant's equal access to the Education Program and Activities, regardless of whether such measures impose a burden on the Respondent or are punitive or disciplinary in nature.

G. Informal Resolution

At any time prior to reaching a determination regarding responsibility, the College may facilitate an Informal Resolution process, such as mediation, that does not involve a full investigation and adjudication. The College will not require the parties to participate in an Informal Resolution process and may not offer an Informal Resolution process unless a Formal Complaint is filed.

Parties may submit written requests to engage in Informal Resolution in place of an investigation and Formal Resolution. The College, however, has the discretion to determine whether Informal Resolution is appropriate in light of the nature of the conduct alleged in the specific Formal Complaint, the type of Informal Resolution that may be appropriate in a specific Formal Complaint, and to refer a Formal Complaint for Formal Resolution at any time. Prior to the initiation of

Informal Resolution, the Title IX Coordinator will obtain written consent from both parties to proceed with Informal Resolution.

The College will not offer or facilitate an Informal Resolution process to resolve allegations that an employee engaged in sexual misconduct against or sexually harassed a student.

The Informal Resolution process is facilitated by the Title IX Coordinator or their designee. The parties to any Informal Resolution process will not be required to deal directly with one another without the College's involvement.

An Informal Resolution may include the range of Supportive Measures described above, as well as targeted and/or broad-based training and educational programming for relevant individuals and groups and/or any other remedy. For example, both parties may agree that the permanent application of Supportive Measures (i.e. no contact agreement) may be sufficient to resolve the Formal Complaint. An Informal Resolution process may also include a remedies-based process, which allows both parties to come to a mutual agreement regarding the resolution of the Formal Complaint.

Once an Informal Resolution process is complete, both parties will be notified simultaneously of the resolution. The Informal Resolution process does not conclude with a College finding; the Respondent is not found to be "responsible" or "not responsible" of a Policy violation. However, the parties may negotiate the extent to which a Respondent may agree or concede responsibility for alleged misconduct.

Any party may request that the Informal Resolution process be terminated at any time, in which case the Formal Resolution process would proceed. The College may, at its discretion, also terminate the Informal Resolution Process at any time. In addition, while the results of the Informal Resolution process cannot be appealed, any party can withdraw from the Informal Resolution process and resume the Formal Resolution process with respect to the Formal Complaint.

1. General Provisions Related to Informal Resolution

At the beginning of the Informal Resolution process, the College will notify each party of the following:

- Provide to the parties a written notice disclosing:
 - the allegations in the Formal Complaint;
 - the requirements of the Informal Resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the Informal Resolution process and resume the grievance process with respect to the Formal Complaint;
 - any consequences resulting from participating in the Informal Resolution process, including the records that will be maintained or could be shared;
 - Obtain the parties' voluntary, written consent to the Informal Resolution process; and
 - The College will provide the parties timely access to any information that will be used during the Informal Resolution process.
- Any statements, admissions, or other statements made by the Complainant or Respondent during the Informal Resolution process may not be used as evidence if the matter proceeds to a Formal Hearing.
- If the College and parties do not reach an agreement to resolve the Formal Complaint through the Informal Resolution process, the grievance process will be resumed with respect to the Formal Complaint, including investigation and adjudication and any Formal Hearing.

VI. Retaliation Prohibited

No one may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by the Sexual Misconduct Policy or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Sexual Misconduct Policy.

Intimidation, threats, coercion, or discrimination, including charges against an individual for Student Code of Conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by the Sexual Misconduct Policy, constitutes retaliation.

VII. Education, Awareness, Prevention, and Training

The College understands that ongoing education about the issues contained within this Sexual Misconduct Policy is critical to fostering a healthy campus environment. The College is committed to providing annual educational and bystander training to all students and employees to promote their awareness and understanding of their rights and conduct prohibited under this policy. This education will also include sexual violence prevention measures and procedures for responding to and reporting incidents. The importance of preserving evidence will be addressed as evidence may be necessary for proving sexual misconduct occurred or for obtaining a protection order. In addition, safe and positive options for bystander intervention will be introduced. Sexual harassment/sexual assault prevention workshops are available; please contact the Title IX Coordinator to schedule.

Title IX Coordinators, Investigators, Adjudicators, and any person who facilitates an informal resolution will receive annual training on the issues related to Sexual Misconduct including dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

In addition to the training described above, Title IX Coordinators, Investigators, Adjudicators, and any person who facilitates an informal resolution process will receive the following training:

- The definition of sexual harassment,
- The scope of the College's education program or activity,
- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and
- How to serve impartially, including by avoiding prejudice of the facts at issue, conflicts of interest, and bias.
-

Adjudicators will also receive training on

- Any technology to be used at a live hearing, and
- Issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.
-

Investigators will receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train Title IX Coordinators, Investigators, Adjudicators, and any person who facilitates an informal resolution process, must not rely on sex stereotypes, and must promote impartial investigations and adjudications of Formal Complaints of Sexual Misconduct.

The College will make these training materials publicly available on its website.

VIII. Records

The College will retain all records of relating to all complaints, documentation, and reports of Sexual Misconduct for a period of eight years after the date the report was received.

IX. Other Clarkson College Disciplinary Processes

The outcomes and actions taken under this Sexual Misconduct Policy do not necessarily preclude other disciplinary actions from being taken using other Clarkson College disciplinary procedures.

X. Questions

Any questions regarding this Sexual Misconduct Policy should be directed to the College's Title IX Coordinator:

The Human Resources Administrator/Title IX Coordinator

Office Address: 104 South 41st Street; Omaha, NE 68131

Email Address: titleixcoordinator@clarksoncollege.edu

Phone Number: 402-552-6298

Any questions about the College's application of Title IX and its implementing regulations may be referred to the Title IX Coordinator and/or to the U.S. Department of Education. Office of Civil Rights. The Office of Civil Rights can be contacted at the U.S. Department of Education, Office of Civil Rights, Lyndon Baines Johnson Department of Education Bldg, 400 Maryland Avenue, SW, Washington, D.C., 20202-1100; their phone number is 1-800-421-3481, and email address is OCR@ed.gov. The regional Office of Civil Rights is located at One Petticoat Lane, 1010 Walnut St., Suite 320, Kansas City, MO, 64106; their email address is OCR.KansasCity@ed.gov and their phone number is 816-268-0550

XI. Amendments or Termination of this Policy

Clarkson College reserves the right to modify, amend, or terminate this Sexual Misconduct Policy at any time.

Responsible Department:

Human Resources Administrator/Title IX Coordinator

Sex Offenders Registry Information:

A link to the Nebraska State Patrol Community Notification Sex Offense Registry is maintained on the UNMC security website: <https://sor.nebraska.gov/>

Procedures and Facilities to report Criminal Actions, Sex Offenses or other Emergencies occurring on Campus;

Institutional response to such reports:

Potential criminal actions, sex offenses and other emergencies on campus can be reported directly by any student, faculty member or employee to the UNMC Public Safety department by dialing 402-559-5111. Upon receipt of the call, UNMC Public Safety officers are dispatched to the site of the complaint and, if deemed necessary, will contact the Omaha police.

UNMC Public Safety officers prepare and submit incident reports for use by UNMC and Nebraska Medicine authorities, other law enforcement agencies and city, county or federal prosecutors. In the case of sex offenses and other crimes of violence, victims may wish to make reports to Clarkson College Title IX Coordinator (in the case of students) or Human Resources (in case of employee).

Regardless of how a report is made, it is important to report incidents promptly so that an investigation can be conducted promptly and evidence preserved. After a sexual assault occurs, the victim should not bathe, douche, change clothes, or apply medication. The victim should report the incident as soon as possible. Most experts agree that reports should be made within 48 hours of a sexual assault.

The victim may seek medical attention with the help of Clarkson College or see her own physician. Health care providers can assist in the preservation of evidence while providing treatment to the victim.

All offenses which are committed by students, staff or faculty members may be referred for criminal prosecution and/or dealt with by Clarkson College in sanctions up to and including expulsion of students and/or termination of employment.

Both the accuser and accused are entitled to: the same opportunity to have others present during disciplinary proceedings and to know the general outcome of student disciplinary proceedings involving any crime of violence

Sex Offense Victim Counseling and Other Services

Counseling services for victims of sexual assault are available on the Clarkson College campus and in the Omaha Community. Students enrolled at Clarkson College may be eligible for assistance in changing their academic and/or living arrangements after an alleged sexual assault or other crime of violence if changes are requested by the victim and such changes are reasonably available.

CLARKSON COLLEGE SECTION: Student Welfare

SUBJECT: Drug and Alcohol

SUPERSEDES: SW-15; Aug 2019, Aug 2018, Aug 2017, Aug 2016, Aug 2015, Aug 2014, Aug 2013, Aug 2012, Aug 2011, Aug 2010

NUMBER: SW-15

APPROVED DATE: Nov 2008

EFF. DATE: Aug 2020

REVIEW DATE: Sep 2019

Policy:

Problems related to the use of alcoholic beverages and controlled substances lead to a loss of individual effectiveness and may interfere with the educational process. Clarkson College reaffirms its position of serious concern about and in opposition to the abuse of alcoholic beverages and use of controlled substances. Clarkson College complies with the Drug-Free School and Communities Act Amendments of 1989 through the publication of the Drug and Alcohol Policy and other written material distributed annually to students and employees. Clarkson College encourages members of the

College community to participate in drug and alcohol abuse education, prevention, and treatment programs when appropriate. These regulations shall assure that Clarkson College is in compliance with all applicable federal, state, and local statutes, regulations, and ordinances. Clarkson College does not accept responsibility for the conduct of individuals while they are off campus and not participating in a College activity, however, students may be held accountable for the actions of their conduct. The College realizes it cannot regulate the sale of alcoholic beverages by off-campus businesses to members of the Clarkson College community.

Within the Clarkson College Community, the following regulations dealing with drug and alcohol apply:

1. Any currently enrolled student may be required to complete a drug/alcohol test.
2. Illegal possession/use, sale, and/or sharing of drugs or drug related paraphernalia on campus property or at College sanctioned events is considered an infraction of Clarkson College policy. Clarkson College will cooperate fully with state and federal law officials in the enforcement of all state and federal laws pertaining to the possession, use, sale, and distribution of illicit substances.
3. Possession by minors is an infraction of Neb. Re. Statute 53-180.02 and is punishable by three (3) months' imprisonment, \$500.00 fine, or both. All offenses regarding possession of drugs and/or alcohol will also be subject to the disciplinary procedures set forth by Clarkson College.
4. The procurement of alcoholic beverages for minors is a violation of Clarkson College policy. The procurement of alcohol for minors, Neb. Rev. Statute 53-180, is punishable by a maximum of one-year imprisonment, \$1,000.00 fine, or both. All offenses regarding procurement of alcohol for minors will also be subject to the disciplinary procedures set forth by Clarkson College.
5. No alcohol shall be served at any event sponsored by Clarkson College or a recognized Clarkson College organization, unless the alcohol is sold off-campus by a licensed, independent vendor via a "cash bar" and only to persons of legal age. No College organization will be permitted to use organizational funds for the purchasing of alcohol.
6. Guests are bound by the same rules regarding alcohol and drugs as the students. Members of the College community and their guests will be held responsible for their behavior and any destruction that occurs while under the influence of alcohol and/or other drugs. Violators will be asked to leave campus and/or be referred to local authorities.
7. There will be absolutely no posted advertisement for alcoholic beverages in any College publication, private, or public area.
8. The Vice President of Operations and Student Affairs, the Director of Facilities, Residence Hall Coordinator, or any Student Services counselor may notify parents or law enforcement of violations. Notification may occur if it is believed that the student is potentially a danger to themselves or to others or is in danger of jeopardizing their academic career.

Violation of the Student Welfare Drug and Alcohol Policy

The consequences of violating the Student Welfare Drug and Alcohol Policy vary according to the circumstances surrounding the violation. Thus, each of the following categories of student violations is separated out below.

Students requiring drug/alcohol testing for their academic program requirements will be given instructions on how to complete this testing. All testing expenses are the responsibility of the student. If the results are negative, the student will proceed academically.

Penalties for Student Welfare Drug and Alcohol Policy Violations

First Offense- If the student tests positive for drugs/alcohol, the student:

- Will be immediately administratively withdrawn from all laboratory/clinical/practicum courses but may be allowed to remain in theory classes (without co-requisite clinical courses) while undergoing required drug/alcohol treatment according to program requirements.
- Must meet with a College-approved counselor and successfully complete the prescribed treatment plan.
- Will be allowed to continue in current and enroll in future laboratory/clinical/practicum courses, if the student is complying with their treatment plan, and deemed as safe to return to clinical practice by a college approved counselor.
- Will be subject to random interval or scheduled interval drug/alcohol testing with or without cause for suspicion, for as long as they are an enrolled student at the College.
- May be ineligible to continue in the program of study if clinical agency placement is not possible due to the student's positive drug testing history.
- May be administratively withdrawn from the College, if the student does not comply with the treatment plan set forth by the College provided counselor or refuses subsequent drug and/or alcohol testing or has a second positive drug test.
- The Vice President of Operations and Student Affairs, the Director of Facilities, Residence Hall Coordinator, or any Student Services counselor may notify parents of violations. Notification may occur if it is believed that the student is potentially a danger to themselves or to others or is in danger of jeopardizing their academic career.

Second Offense- Dismissal from the College and forfeiture of any Clarkson College scholarships

If positive result is due to a legally prescribed medication:

- The student must have the form signed by the prescribing health care provider stating he/she is prescribed that medication.
- A list of all the medications the student has been prescribed should be included on the form and returned within seven (7) business days after the student is notified of a positive test. The form will be sent to the Office of the VPAA, who coordinates drug and alcohol results.
- The medication list will be approved/disapproved by the counselor and/or College designee within three (3) business days.
- If the medication list is not approved by College designee, it will be viewed as a positive drug screen.
- The student will not be allowed to participate in clinical setting until the proof of treatment process is completed.

MEDICAL AMNESTY

A Clarkson College student seeking emergency medical attention for self or for another person due to alcohol or drug consumption will not be charged with violation(s) of the Clarkson College Drug and Alcohol policy as long as the student fully cooperates with authorities involved, and complies with any required formal drug and alcohol

evaluation and treatment recommendations. Said evaluation will be conducted at the student's expense. Failure to fully cooperate will invalidate the medical amnesty, and standard disciplinary action will be taken. Further, medical amnesty does not protect students from disciplinary action who are found to be in violation of other Clarkson College policies, such as destruction of property, assault, and/or theft. Medical amnesty will not be abused. Should a student who invokes medical amnesty have a subsequent drug or alcohol experience requiring emergency medical attention, he/she may be excluded from medical amnesty and be subject to disciplinary action.

- Nebraska LB 439 outlines provisions for the reporting of persons who may be affected by acute alcohol poisoning due to severe intoxication. In such circumstances, these provisions allow for the person to report him/herself or another person to the authorities and be granted immunity from prosecution. The reporter must remain on the scene and fully cooperate with medical assistance and law enforcement personnel. LB 439 does not provide legal amnesty for drug-related offenses.

On-Campus Testing:

If student is on campus (Nebraska Medicine/UNMC/Clarkson College):

- a.) The faculty/staff will notify UNMC Public Safety at (402) 559-5111 immediately and Program Director or designee with location information.
- b.) UNMC Public Safety will remove the student from class/area and take to a private setting and wait for further assessment.
- c.) UNMC Public Safety will contact ARCpoint Labs at (402)-505-9191 to notify them of the site and contact person.
- d.) ARCpoint Labs will come directly to the site to complete the testing. Upon arrival, ARCpoint Labs will call the contact phone number for the student's location.
- e.) The faculty/staff will complete the checklist (Appendix C) for making a reasonable cause determination.
- f.) After testing, UNMC Public Safety will direct the student to contact a family member/friend for transportation to be removed from the site. If needed, UNMC Public Safety will arrange a taxi service for the student (Appendix D). Taxi expenses will be the responsibility of the student.
- g.) The faculty/staff will discuss the checklist with the Program Director or designee within one business day.
- h.) The faculty/staff will also schedule a debriefing with the VPAS/Vice President of Academic Affairs (VPAA)/Program Director/BIT member the next business day.
- i.) Students who refuse testing or fail to comply with any step in the processes above will be considered to have tested positive.
- j.) The student will be billed and responsible for testing costs, including transportation.
- k.) The student will not be allowed to return to the clinical agency until the test results are confirmed.
- l.) If the student appears to be a threat to self or others:
 - Contact law enforcement immediately by calling 911

Off-Campus Testing:

If student is at an off-campus/non-Nebraska Medicine/UNMC/Clarkson College Campus/clinical site or other College approved activity:

- a.) Person/s who suspect the student is under the influence will remove the student from any activity and arrange for student oversight based on the clinical/facility policy. The student is to remain in that location until testing is completed unless the clinical agency policy/procedure is to follow another process. Please consult in advance with the clinical agency to determine how to address the situation.
- b.) Person/s who suspect the student is under the influence will contact the Program Director or designee to report suspected student impairment and provide the following information: name and contact phone number of the person reporting the incident, clinical agency location (include full address for the clinical agency and department), student name and program.
- c.) The Program Director or designee will contact ARCpoint Labs at (402)-505-9191 and notify them of the site and contact person.
- d.) Upon arrival, ARCpoint Labs will call the contact phone number provided by the Program Director or designee for the student's location and follow onsite testing procedures.
Note- if a site is located outside a 50-mile radius of Omaha, Nebraska, metro area, ARCpoint Labs will exhaust all options to locate one of their 130+ national locations and/or a third-party testing site to administer an on-site test. However, if a site and/or tester is not available, the following steps must occur:
 - The Program Director or designee will contact law enforcement immediately by calling 911.
 - The Program Director or designee will contact the VPAS.
 - The student will pay for all costs associated with the testing, including transportation costs, if applicable.
- e.) The Program Director or designee will complete the Checklist (Appendix D) for Reasonable Cause Determination and submit this to the VPAA and VPAS by the next business day.
- f.) After testing, the person/s who suspect the student is under the influence will direct the student to contact a family member/friend for transportation to be removed from the site. If needed, a transportation service for the student will be arranged. Transportation expenses will be the responsibility of the student. Note- if transportation is unavailable to the student, the Program Director or designee will contact law enforcement immediately by calling 911.
- g.) Students who refuse testing or fail to comply with any step in the processes above will be considered to have tested positive.
- h.) The student will not be allowed to return to the clinical agency until the test results are confirmed. ARCpoint Labs will send a secure email of the testing results to the Clinical Compliance Office. Clinical Compliance will notify the Program Director of the testing results for the next steps.
- i.) If the student appears to be a threat to self or others:
 - Contact law enforcement immediately by calling 911.

Drug testing on minors may need parental or guardian consent. If consent is not timely obtained, the minor student will be treated as though they were tested positive.

Student Confidentiality of all information will be maintained.

Responsible Department: Clinical Compliance Office & VPAA

Criminal Activity off-campus Policy:**Policy Number: SW-29****Effective Date: August 2021****Policy:**

Criminal activity off campus may be monitored and recorded by the Omaha Police Department or other law enforcement agency

Responsible Department: Facilities**Reporting Criminal Actions, Sex Offenses and other Emergencies Policy:****Policy Number: SW-36****Effective Date: August 2020****Policy:**

Potential criminal actions, sex offenses and other emergencies on the Clarkson College campus or other official campus can be reported directly by any student, faculty member or employee to UNMC Public Safety Department.

Procedure:

UNMC Public Safety Department

- › 4215 Emile Street Omaha, NE 68190
- › 402-559-5111 (non-emergencies)
- › 402-559-5555 (emergency line)

Responsible Department: Facilities**Encouraging of Accurate and Prompt Crime Reporting Policy:****Policy Number: SW-31****Effective Date: August 2020****Policy:**

Clarkson College faculty, staff, students and visitors are encouraged to report all crimes and public safety related incidents to UNMC Public Safety in a timely manner.

Procedure:

To report a crime or an emergency on the Clarkson College campus, call UNMC Public Safety at 402-559-5111. UNMC Public Safety Dispatch is available 24 hours a day to answer your call.

In response to a call, UNMC Public Safety will take the required action, and if necessary, UNMC Public Safety will contact the Omaha Police Department.

Crimes should be reported to UNMC Public Safety to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

Responsible Department: Facilities

- **Emergency Notification, Response and Evacuation Policy:**

Policy Number: SW-30

Effective Date: August 2022

Policy:

Individuals should report all emergencies by calling 9-5111 from any campus phone, 402-559-5111 via cellular phone, or by using the blue light emergency phones which are available at various locations on campus.

Clarkson College will, without delay, and taking into account the safety of the community, determine the content of an emergency notification and initiate a campus emergency notification, unless such notification will, in the professional judgment of campus authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate an emergency.

The only reason Clarkson College would not immediately issue a notification for a confirmed emergency or dangerous situation is if doing so will compromise efforts to:

- › Assist a victim
- › Contain the emergency
- › Respond to the emergency, or
- › Otherwise mitigate the emergency (example: agreeing to a request of local law enforcement or fire department officials)

Campus authorities who are responsible for carrying out or authorizing the use of Emergency Notification are:

- › Director of UNMC Public Safety
- › President
- › VP Communications & Development
- › Director of Facilities

Information will be released upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.

Examples of “immediate threat” are:

- › Tornado or extreme weather
- › Armed Intruder
- › Bomb Threat
- › Gas Leak

Warnings will likely include the nature of the threat, source of the information and suggested precautions to be taken.

The entire campus community will be notified when there is at least the potential that a very large segment of the community will be affected by a situation, or when a situation threatens the operation of the campus as a whole.

There will be a continuing assessment of the situation, and additional segments of the campus community may be notified if a situation warrants such action.

Campus authorities will determine how much information is appropriate to disseminate at different points in time based on the event.

Clarkson College has multiple methods of warning our College campus for any significant emergency.

- › College & Student All email.
- › Announcements over the PA system.
- › Alert notification system that will call, text, and email all registered users.
- › Notices on our public Website, Facebook and other media outlets.

The procedures will be based on the situation.

- › For a fire, we would initiate the “Fire Evacuation Plan” where each floor is to evacuate the building through a specific stairwell.
- › For a tornado, we would initiate the “Tornado Evacuation Plan” where each floor is the move to the designated shelter area.
- › For an Armed Intruder, we would initiate the “Armed Intruder” plan that explains how to proceed based on your specific situation and location.

Responsible Department: Facilities

Issuing Timely Warnings Policy:

Policy Number: SW-32

Effective Date: August 2022

Policy:

In the event a situation arises, either on or off campus that, in the judgment of the Clarkson College campus authority, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued.

Procedure:

Campus authorities who are responsible for carrying out or authorizing the issuing of a “Timely Warning” are:

- › Director of UNMC Public Safety
- › President
- › VP Communications & Development
- › Director of Facilities

Factors for issuing a timely warning are:

- › The nature of the crime
- › The continuing danger to the campus community
- › The possible risk of compromising law enforcement efforts

Warnings generally include:

- › The nature of the threat
- › Source of the information and
- › Suggested precautions to be taken

The method of warnings:

- › Campus email system
- › PA System
- › Alert Notification system alert
- › Social Media

Responsible Department: Facilities

Tornado Watch or Warning & Thunderstorm Warning Evacuation Plan:

› Notification:

We will communicate in the following ways:

- An announcement over the PA system
- The alert notification system will be sent out
- Designated floor leaders will direct everyone to their designated shelter and verify everyone is off of the floor

› Exit Plan:

Do not use the elevators – use the stairwell marked “**Tornado Exit**”:

○ Main Building:

- Floors 1, 3, & 5: exit through the **North** stairwell adjacent to the men’s restroom
 - **Exception:** on the 1st floor the restroom on the **North** is the women’s restroom
- Floors 2,4, & 6: exit through the **South** stairwell adjacent to the women’s restroom

○ Student Center:

- Use the stairs and go immediately to the Tornado Shelter on the 1st floor of the Residence Hall
- The hallway on the 1st floor
- An alternate shelter is in the Bookstore shelter

○ Residence Hall:

- Use the stairs and go immediately to the Tornado Shelter in the 1st floor of the Residence Hall
- The hallway on the 1st floor
- An alternate shelter is in the Bookstore shelter

○ Clarkson Commons and Education Center:

- Use the South Stairwell and take stairs to Lower Stairwell

Additional Responsibilities:

- › Do not delay in going to the shelter
- › Have a tornado buddy. Make sure your buddy evacuates with you
- › Avoid glassed in areas
- › Remain in the shelter until notified by a designated person of the College
- › Limit all use of cell phones so that emergency notifications can be made promptly.

Fire Evacuation Plan:

When the fire alarm goes off, you must evacuate the building. Close—do not lock—your door.

- › If you see smoke or flames, pull the fire alarm as you exit. If smoke is present, keep low to the floor.
- › During evacuation, exit the building using the nearest safe exit. Do not use the elevator.
- › Once outside, move away from the building into Student Parking lot 11 (directly south of Residence Hall).
- › Follow the directions of the floor leaders.

Exit Plan:

Do not use the elevators – use the stairwell marked “**Fire Exit**”:

- **Main Building:**
 - Use the stairs and go immediately outside to Student Parking Lot 11
 - **Lower Level:** exit through the south stairwell to the 1st floor
 - **Floor 1:** exit through main doors
 - **Floors 2, 4, & 6:** exit through the **North** stairwell adjacent to the men’s restroom
 - **2nd floor South Building:** exit through the Fire Escape on east side towards Courtyard
 - **Floors 3, & 5:** exit through the **South** stairwell adjacent to the women’s restroom
 - **Student Center & Residence Hall:**
 - Use the stairs and go immediately outside to Student Parking Lot 11
- **Clarkson Commons and Education Center:**
 - 1st Floor:** Exit through either Douglas Street exit or Lot 9 Parking Lot exit to Lot 9 Parking Lot
 - 2nd Floor:** Exit through the 42nd Street exit to 42nd Street and down to Lot 9 Parking Lot

What to do:

- › If you smell something burning, but see no smoke:
 - › Call UNMC Public Safety Dispatch at 9-5111 immediately
 - › Activate the building fire alarm system if necessary
- › Smoke or fire sighted:
 - › **R – Rescue:** Rescue those in immediate danger
 - › **A – Alarm:** Activate the fire pull station and call 9-5555 and give exact location of the fire
 - › **C – Contain:** Contain the fire by closing all doors and windows
 - › **E – Extinguish or Evacuate:** Extinguish only if you can do so safely and quickly
- › Do not re-enter the building until permission has been given by designated person of the College or the Fire Department

Self-Protective Measures:

- › If your clothes catch on fire: stop – drop – and roll
- › If you are caught in smoke, drop to your hands and knees and crawl below the smoke level.
- › If you are trapped in a room, place a cloth (wet if possible) under the door to prevent smoke from entering.
- › Retreat and close as many doors as possible between you and the fire.
- › Signal for help.

Preventative Measures:

- › Learn at least two escape routes and emergency exits from your area.
- › Never use an elevator as part of your escape route.
- › Learn to activate the fire alarm and the extinguishers in your area.
- › Learn to recognize fire alarms and signals.

Campus Armed Intruder (Shooter on Campus) Procedure

Be Prepared to Take Appropriate Actions:

NOTE: An individual must use his/her own discretion during an active shooter event as to whether he/she chooses to run to safety or remain in place. However, best practices for an active shooter event are listed below.

The potential for a school/hospital shooting exists on every campus throughout the United States. Although the possession of firearms on or around the campus is prohibited, previous local and national shootings dictate the importance and need for a response plan. In the event you observe an individual with any type of weapon on the campus, immediately contact UNMC Public Safety Dispatch at **402-559-5555**.

Armed Intruder (Shooter on Campus)

› Profile on an Armed Intruder:

- An armed intruder is an individual actively engaged in killing or attempting to kill people in a confined and populated area, typically through the use of firearms.

› Characteristics:

- Victims are selected at random
- The event is unpredictable and evolves quickly
- Law enforcement is generally required to end the event

› If “Armed Intruder” is announced or is in your vicinity:

- **RUN**
 - Have an escape route and plan in mind
 - Leave your belongings behind (except for your cell phone)
 - Keep your hands visible
- **HIDE**
 - Try to hide out of the shooter’s view
 - Block entry to your hiding place, turn off lights and lock the doors
 - Silence your cell phones and/or pagers
- **FIGHT**
 - As a last resort and only when your life is in imminent danger!
 - Make a plan with others in the room about what you will do if the shooter enters
 - Attempt to incapacitate the armed intruder and do whatever is necessary to survive the situation

If outside when a shooting occurs:

- Drop to the ground immediately, face down as flat as possible. If within 15 to 20 feet of a safe place or cover, duck and run to it
- Move or crawl away from gunfire, trying to utilize any obstructions between you and the gunfire. Remember that many objects of cover may conceal you from sight, but may not be bulletproof
- When you reach a place of relative safety, stay down and do not move. Do not peek or raise your head in an effort to see what may be happening
- Wait and listen for directions from law enforcement personnel

› **When Law Enforcement arrives:**

- The priority of the first responders will be to identify the shooter. Law enforcement will need to ensure that you are not the shooter
- Do not scream, yell, point, or wave your arms
- Do not hold anything in your hands that could be mistaken for a weapon (including cell phones)
- Be quiet, cooperate and follow directions
- Show the officers your empty hands and follow their instructions
- When it is safe to do so, you will be given instructions as to how to safely exit your location

› **To watch the Armed Intruder Training Video, go to:**

- <https://www.youtube.com/watch?v=5VcSwejU2D0>

› **Other videos on the subject can be found on the UNMC Intranet Public Safety training video page at:**

- <http://info.unmc.edu/safety/campus-security/tips-training/training-videos.html>

Blue Light Emergency Phones:

Blue Light emergency phones are available in 4 locations in our immediate area.

- In the courtyard by Clarkson College Visitor Parking Lot 10
- South of the Residence Hall in Student Parking Lot 51S
- East of the Residence Hall in Student Parking Lot 43S
- South of Parking Lot 9

The phones can be seen on 9 foot poles with the word “EMERGENCY” printed on them in large lettering. The phones have a direct line to UNMC Public Safety Dispatch. Employees and students are encouraged to use the Emergency Phones for any emergency.

There are 27 Blue Light emergency phones on the entire Nebraska Medicine Campus.

2022 Emergency Notification System Test

SEVERE WEATHER AND TORNADO DRILL:

On March 29th, 2023 at 10:00 am a test of our severe weather Tornado warning system was conducted. Clarkson College coordinates this drill with UNMC and Nebraska Medicine.

Communication Methods:

- › An Alert Notification was sent to all students and employees.
- › An announcement was made over the PA system.
- › Floor Leaders did a sweep of their floor to verify everyone had evacuated.

This drill was coordinated with UNMC, Facilities, Floor Leaders and with the cooperation of the Operations Council.

Follow-Up: Each Floor Leader completed a Drill Checklist that was evaluated by Facilities.

Evaluation: All areas received the Alert Notification and heard the PA announcement. Everyone evacuated to their designated Tornado shelter areas.

Alert Notification System details:

- › Email: Sent
- › Text: Sent
- › Voice: Sent

FIRE DRILL:

On August 8th, 2023 at 9:00 am we conducted a test of our Fire Evacuation procedures.

Communication Methods:

- › A fire pull station was pulled in the Main Building and the South Building causing the alarms to go off.

This drill was coordinated with Facilities, Floor Leaders and with the cooperation of the Leadership Council.

Follow-Up: Each Floor Leader completed a Drill Checklist that was evaluated by Facilities.

Evaluation: All areas heard the alarms when all stations were pulled. Everyone evacuated the building in a timely manner and did not reenter until advised to do so.

Access to Campus Facilities Policy:

Policy Number: SW-28

Effective Date: August 2020

Policy:

Students, faculty and employees of Clarkson College have access to most facilities on campus. However, certain classrooms and departments are open only to those who require access to them. Clarkson College allows after-hour access to campus facilities for individuals who have been assigned a key card. Clarkson College has a Residence Hall that has access only for residential students and faculty who office in the residence Hall.

Procedure:

Assigning of Key Cards:

- › Key Cards are assigned to faculty and staff by UNMC Card Access Services.
- › Key Cards are assigned to students by the Facilities Department.
- › All key cards are activated by the Facilities Department.

Card Key Access:

- › The Main Building and Student Center are secured at all times, and only accessible by students, faculty and staff who have access.
- › Our Residence Hall is secured at all times and only accessible by residential students and faculty who office in the Residence Hall.
- › Specific floors, departments, and classrooms have card key access. Each access point may have individual hours, which may vary at different times of the year. In these cases, the areas will be secured according to schedules developed by the department responsible for that area.

Key Access:

- › Employees are assigned keys for their specific office, department and classroom as needed.
- › Residential students are assigned keys to their suite and bedroom.

Security Considerations used in the maintenance of the campus:

- › All key cards and keys are generally inventoried on an annual basis.
- › The key card system is monitored during business hours.
- › A safety and security walkthrough is conducted 2 times a year by students and staff to determine if there are any areas of concern. Any problem areas are evaluated and responded to promptly.

Responsible Department: Facilities

Missing Student Policy:**Policy Number: SW-34****Effective Date: August 2020****Policy:**

The missing student policy establishes procedures for the response of Clarkson College to reports of missing students, as required by the Higher Education Opportunity Act. This policy applies to students who reside in campus housing. However, if a non-resident Clarkson College student may be a missing, UNMC Public Safety should be contacted.

For purposes of this policy, a student will be considered missing. A student is considered missing if a roommate, classmate, faculty member, family member or other campus individual has not seen the student for a reasonable amount of time. A reasonable amount of time may vary with the time of day and information available regarding the missing student's daily schedule, habits, punctuality and reliability. Individuals will be considered missing immediately, if their absence has occurred under circumstances that are suspicious or cause concerns for their safety. If the initial report that a student is missing is made to a department other than Campus Security, the employee receiving the report will ensure that UNMC Public Safety is contacted immediately.

Procedures for designation of emergency contact information:

Students who reside in an on-campus housing facility will be given the opportunity during their housing registration process to designate an individual or individuals to be contact by Clarkson College "in case of emergency". In the event a student is reported missing, Clarkson College personnel will attempt to contact his/her emergency designee(s) no more than 24 hours after the time that student is determined to be missing, in accordance with the procedures set forth below. An emergency contact designee(s) will remain in effect until changed by the student.

Official notification procedures for missing persons:

- Any individual on campus who has information that a student residing in campus housing may be a missing person must notify the UNMC Department of Public Safety as soon as possible.
- UNMC Public Safety will gather information about the student in question from the reporting person and from the student's acquaintances (description, clothes last worn, where student might be, who student might be with, vehicle description, information about the physical and mental well-being of the student, an up-to-date photograph, class schedule, etc). Appropriate campus staff will be notified to aid in the search for the student.
- If the above actions are unsuccessful in locating the student within 24 hours of the report or it is apparent immediately that the student is a missing person (e.g., witnessed abduction), the UNMC Department of Public Safety will contact the Omaha Police Department to report the student as a missing person and the local law enforcement agency will take over the investigation.
- No later than 24 hours after determining that a residential student is missing, UNMC Public Safety will notify the emergency contact that the student is believed to be missing.
- If the missing student is under 18 years of age and is not emancipated, the student's custodial parent or guardian or other designated contact person will be notified within 24 hours of determining the student is missing.

Campus communications about missing students:

In all cases of a missing student, where the student is declared missing by the UNMC Department of Public Safety after an initial investigation, the law enforcement agency conducting the subsequent investigation will provide information to the media that is designated to obtain public assistance in the search for any missing student. Clarkson College Marketing Office is available to provide consultation on communication with the investigating law enforcement agency. Any media requests to Clarkson College will be directed to the Marketing Department.

Responsible Department: Facilities

Educational Programs and Campaigns

Clarkson College provides students and staff with safety related awareness activities. Communication, programs, and printed material are available to enhance awareness of personal safety, security, substance abuse and sexual misconduct/assault education.

Fall 2022 to Fall 2023:

- We had multiple **Advising and Registration Days** for all new incoming students prior to the start of the semester. During these sessions, information is shared with the students about Security on campus, how to contact UNMC Public Safety, and information is given to them to fill out the form for our Alert Notification System.
- During orientation, UNMC Public Safety information is shared with all new students and all UNMC Public Safety information is explained in detail regarding the services they offer and personal safety tips.
- UNMC Public Safety meets with Residential students at the beginning of each semester to discuss personal safety and explain residence hall safety.
- The first week of each Semester, Facilities distributes a detailed **Emergency Preparedness Guide** to our students. This is also sent out to all students during Campus Safety Week each Fall.
- November 7th-November 11th, 2022 was our Campus Safety Week. Activities included information and video sent on campus safety procedures sent to all faculty, students and staff; a Public Safety Quiz with prizes, and a Campus Safety Walk with UNMC Department of Public Safety.
- Every October, information is sent to the entire college community regarding personal safety as well as links to safety videos. This information is sent in conjunction with the Annual Safety and Security Report and Annual Fire Safety Report.
- Our Behavioral Intervention Team offers prevention programming to our students and employees, online education modules to new employees, and bystander intervention/engagement training for employees.
- Our **Student Support Team (SST)** committee provides online information, printed materials and posters as well as alcohol education programs throughout the year.
 - “A Shot of Reality” Alcohol Education Program- September 2022
 - “Food and Feelings”- September 2022
 - “Coping without Substances”- October 2022
 - “Imposter Syndrome”- October 2022
 - “Coping with Grief and Loss”- November 2022
 - Relaxation Stations- December 2022
 - “Victimization and Human Trafficking”- January 2023
 - “Setting Boundaries”- February 2023
 - “Weed out the Facts” Drug Education Program- March 2023
 - Relaxation Stations- April 2023

Educational Programs and Campaigns (cont.)

▪ Title IX training and events:

- Student Success Guide Title IX module- all new students are enrolled and expected to complete (2022-2023)
- RA Training on Title IX- their role, policies, procedures (2022-2023)
- Campus Community Meeting- all faculty and staff are updated and informed about policy and procedures (2022-2023)
- New Student Orientation- new students who attended were told about Title IX, policy, procedures, resources (Fall, Spring and Summer of each year- 2022-2023)
- Trained Supplemental Instruction Leaders on Title IX- their role, policies, procedures (2022-2023)
- Title IX Training for all employees is done through the Know Be 4 Annual compliance training September-October 2022 and 2023

A common theme of all security communications is to encourage students and employees to be aware of their responsibilities for their own safety and the safety of others.

When appropriate, information is given to the college campus through our Alert Notification System alerts.

UNMC Public Safety provides the following tips on personal safety and security:

Improving Your Personal Safety While Walking on City Streets:

- › Try to have others with you while walking. There is safety in numbers and attacks are less likely to occur if you are with other people.
- › iPods or other devices that use headphones should not be used when walking. Criminals look for easy targets and not only are headphones a good sign you are not paying attention to your surroundings, but the devices they are attached to can also be a tempting target of thieves.
- › If you are confronted by someone looking to cause you harm, yell, scream and attract as much attention to yourself as possible. The Unwanted attention may be enough to scare away your attacker.

Using Public Transportation

- › Check your route schedule in advance.
- › Keep a copy of the transit schedule for reference should you need to leave earlier or later than usual.
- › Be aware of your surroundings walking to and from the bus stop.
- › Remember that cell phones can be distracting and limit your ability to hear what is going on around you and could prevent you from being alert to potential signs of danger.
- › Walk with purpose and a confident stride.

Working Alone/Working at Night

- › Keep doors between you and the public locked when working alone
- › Review with your supervisor and follow established working alone check-in procedures.
- › When leaving your office for the night, proceed cautiously and look and listen for suspicious persons or situations before leaving the security of your office.
- › Remain cautious as you are leaving.
- › If you have any concerns stay in or immediately return to your office with the door locked and call UNMC Public Safety Dispatch at (402) 559-5111.

Vehicle/Parking Lot Safety

- › Close the windows and sunroof; lock the doors and activate any security devices when leaving your car unattended.
- › Never leave cash, credit cards, cell phones, sunglasses, vehicle documents or other valuables in the car.
- › *Never leave your keys in the car, even for a second - treat them as you would your cash and credit cards.*
- › Park with care, particularly at night; if possible, park in a busy, well-lit area, park near classmates/colleagues.
- › Be aware of your surroundings as you approach your vehicle, even looking underneath as you approach it.
- › Have your keys in your hand as you approach your vehicle.
- › Check the backseat and floor before entering your vehicle.

- › If you notice something unusual in or around your vehicle, keep walking to a safe place and call UNMC Public Safety Dispatch at (402) 559-5111 if you are on campus; if you are off campus call the police at 911.
- › Arrange for a campus security escort to your vehicle.

Protecting your Bike

Bicycles are also attractive targets for thieves and vandals. The following tips can make your bike a less attractive target for crime:

- › Lock it up. **Use a heavy-duty bike lock (a U-bar lock is recommended).**
- › Lock your bike to a bike rack.

For your own personal use, record the identifying characteristics and the serial number of your bike, and remember to keep the information in a safe place. Always lock your bike, even if you are leaving it for just a minute. If your bike is stolen or vandalized (while on campus), report the incident promptly to campus public safety (ext. 9-5111) and the Omaha Police Department (OPD). Bikes stolen or vandalized off campus should be reported to OPD.

Encountering Strangers in the Workplace

If you encounter a person who appears to have no purpose or legitimate reason for being on campus:

- › Project calmness and confidence. Be friendly but professional. Challenge persons only when you can do so safely and never alone.
- › Never jeopardize your safety by acting alone when challenging or even approaching a person, regardless of how unthreatening the person may appear.
- › Never provide personal information to someone you don't know.

How to challenge a stranger:

Be alert to people entering your work or learning area. **Approach a stranger only when safe to do so, without risking your safety, or the safety of others.** Greet people with a friendly and professional tone of voice:

- › "Good morning. May I help you?"
- › "Are you looking for someone, perhaps I can help?"
- › "Are you looking for a particular room?" Perhaps I can direct you."

Things to look for:

If people have no legitimate reason for being on campus, they may react in a variety of ways:

- › Mumble and quickly leave.
- › Provide an explanation for their presence that causes you to feel doubtful or suspicious.
- › Reply defensively e.g. "Why are you bothering me?" "This is a public place."
- › Stare at you in an attempt to intimidate.
- › React negatively and show no apparent intention to leave.

If you believe he/she has no legitimate purpose on campus, call UNMC Public Safety Dispatch at (402) 559-5111 to alert them to the individual and give a location, description of the person, and details of the incident. ***Never try to physically remove someone yourself.***

Trust your intuition. It's important to remember if a situation feels wrong, it probably is. If you feel uncomfortable or threatened in any way, remove yourself from the situation as soon as possible and call UNMC Public Safety Dispatch at (402) 559-5111. Do not feel embarrassed to ask for help or to report an incident, no matter how insignificant it may seem. Any situation that causes you fear or concern is a legitimate reason for contacting UNMC Public Safety.

If you encounter a stranger in your path and you are unable to avoid them:

- › Do not confront them or block their exit route.
- › Act unconcerned and confidently continue on your way.
- › Be assertive. Do not worry about being rude. Assertiveness is not rudeness.
- › Lead the stranger to believe that there are others in the area.
- › As soon as you can do so safely, call and alert campus security (402) 559-5111.

Elevator Safety:

- › Look inside an elevator before entering.
- › If there is someone in the elevator that makes you uncomfortable do not get in, wait for the next one.
- › When you are in the elevator, stand beside the control panel. Most elevators have emergency call button on the control panel.
- › If a suspicious person enters the elevator, get out before the doors close.

The Social Scene:

- › Plan ahead. Let someone know where you are going, who you are going/meeting with and when you plan to return. Plan in advance how you are going to get home. Stick to your plan.
- › Use a buddy system, go out with friends you trust and keep an eye out for each other.
- › Know your limits. Alcohol can affect your judgment and cause you to make poor decisions.
- › If you drink, never let your drink out of your sight; don't sample drinks from other people – even if you know them.
- › Do not drink and drive.

If you are threatened:

If you are threatened anywhere or at any time, you should notify the police (911) immediately. If the threat occurs on campus or pertains to your work or study on campus, or could impact your safety, and/or the safety of others, on campus, report the situation immediately to UNMC Public Safety Dispatch at (402) 559-5111 and your Administrator.

Personal Safety Escorts:

A campus escort service is available for persons late at night and can be accessed by calling (402) 559-5111.

Disclosure of UNMC Public Safety Policy and Campus Crime Statistics, and Campus Authorities Policy:

Policy Number SW-35

Effective Date: August 2022

Policy:

In accordance with the Student Right to Know and Campus Security Act of 1990, 20 U.S.C., Section 1092, Clarkson College provides information relating to campus crime statistics and security policies to current and potential students and employees.

Clarkson College also provides this information to the U.S. Department of Education. Crime statistics, which reflect offenses reported to **campus authorities** during the past three preceding calendar years are listed in the following tables.

Campus authorities are officials who have significant responsibility for student and campus activities.

Clarkson College **campus authorities** include:

- President
- Vice President of Communications and Development
- Vice President of Academic Affairs
- Director of Facilities
- Title IX Coordinator
- Director of Library and Academic Support Services

Each year, an email notification is made to all students and employees that provides the website to access this report. Copies of the report can be obtained by contacting the Facilities Department.

Responsible Department: Facilities

CRIME STATISTICS FOR CLARKSON COLLEGE

Caveat for all crime statistics:

For 2021-2022: From the Chief of Police, Omaha Police Department

** These statistics represent incidents reported to police on or immediately adjacent to this location and have not been subjected to the Uniform Crime Reporting rules such as multiple victim/offense, hierarchy, etc.

***Our data does not distinguish negligent manslaughter or dating violence.

**** In Nebraska, the existence of “hate crime” circumstances are determined at sentencing and are not a data element as such.

CRIMINAL OFFENSES	On Campus Property				Student Housing				Public Property			
	2019	2020	2021	2022	2019	2020	2021	2022	2019	2020	2021	2022
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0**	0**	0**	0**
Negligent Manslaughter	0	0	0	0	0	0	0	0	0**	0**	0**	0**
Rape	0	0	0	0	0	0	0	0	0**	0**	0**	0**
Fondling	0	0	0	0	0	0	0	0	0**	0**	0**	0**
Incest	0	0	0	0	0	0	0	0	0**	0**	0**	0**
Statutory Rape	0	0	0	0	0	0	0	0	0**	0**	0**	0**
Robbery	0	0	0	0	0	0	0	0	0**	0**	0**	0**
Aggravated Assault	0	0	0	0	0	0	0	1	0**	0**	0**	0**
Simple Assault	0	0	0	0	0	0	0	0	0**	0**	0**	0**
Burglary	0	0	0	1	0	0	0	1	0**	0**	0**	0**
Motor Vehicle Theft	0	0	1	0	0	0	0	0	6**	1**	0**	0**
Arson	0	0	0	0	0	0	0	0	0**	0**	0**	0**
Larceny Theft	1	0	0	0	0	0	0	0	21**	0**	0**	0**

Caveat for all crime statistics:

For 2021-2022: From the Chief of Police, Omaha Police Department

****These statistics represent incidents reported to police on or immediately adjacent to this location and have not been subjected to the Uniform Crime Reporting rules such as multiple victim/offense, hierarchy, etc.**

*****Our data does not distinguish negligent manslaughter or dating violence.**

******In Nebraska, the existence of “hate crime” circumstances are determined at sentencing and are not a data element as such.**

HATE CRIMES	On Campus Property				Student Housing				Public Property			
	2019	2020	2021	2022	2019	2020	2021	2022	2019	2020	2021	2022
Murder / Non-negligent manslaughter	0	0	0	0	0	0	0	0	*	*	*	****
Negligent Manslaughter	0	0	0	0	0	0	0	0	*	*	*	****
Rape	0	0	0	0	0	0	0	0	*	*	*	****
Fondling	0	0	0	0	0	0	0	0	*	*	*	****
(Incest	0	0	0	0	0	0	0	0	*	*	*	****
Statutory Rape	0	0	0	0	0	0	0	0	*	*	*	****
Robbery	0	0	0	0	0	0	0	0	*	*	*	****
Aggravated Assault	0	0	0	0	0	0	1	0	*	*	*	****
Simple Assault	0	0	0	0	0	0	0	0	*	*	*	****
Burglary	0	0	0	0	0	0	0	0	*	*	*	****
Motor Vehicle Theft	0	0	1	0	0	0	0	0	*	*	*	****
Arson	0	0	0	0	0	0	0	0	*	*	*	****
Larceny-Theft	0	0	0	0	0	0	0	0	*	*	*	****
Intimidation	0	0	0	0	0	0	0	0	*	*	*	****
Gender Identity	N/A	0	0	0	N/A	0	0	0	N/A	*	*	****
Ethnicity	N/A	0	0	0	N/A	0	0	0	N/A	*	*	****
National Origin	N/A	0	0	0	N/A	0	0	0	N/A	*	*	****
Destruction/ Damage /Vandalism of Property	0	0	0	0	0	0	0	0	*	*	*	****

Caveat for all crime statistics:

For 2021-2022: From the Chief of Police, Omaha Police Department

****These statistics represent incidents reported to police on or immediately adjacent to this location and have not been subjected to the Uniform Crime Reporting rules such as multiple victim/offense, hierarchy, etc.**

*****Our data does not distinguish negligent manslaughter or dating violence.**

******In Nebraska, the existence of "hate crime" circumstances are determined at sentencing and are not a data element as such.**

CAMPUS SEXUAL VIOLENCE ELIMINATION ACT OF 2013	On Campus Property				Student Housing				Public Property			
	2019	2020	2021	2022	2019	2020	2021	2022	2019	2020	2021	2022
Dating Violence	N/A	0	0	0	N/A	0	0	0	N/A	0	0	***
Domestic Violence	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0**
Stalking	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0**

Campus Arrests and Disciplinary Statistics

ARRESTS	On Campus Property				Student Housing				Public Property			
	2019	2020	2021	2022	2019	2020	2021	2022	2019	2020	2021	2022
Liquor Law	0	0	0	0	0	0	0	0	*	*	*	0
Drug Abuse	0	0	0	1	0	0	0	0	*	*	*	2
Weapons Law	0	0	0	0	0	0	0	0	*	*	*	0

DISCIPLINARY ACTIONS	On Campus Property				Student Housing				Public Property			
	2019	2020	2021	2022	2019	2020	2021	2022	2019	2020	2021	2022
Liquor Law	0	0	0	0	0	0	0	0	*	0**	0**	0**
Drug Abuse (violations)	0	0	0	0	0	0	0	0	*	0**	0**	0**
Weapons Law	0	0	0	0	0	0	0	0	*	0**	0**	0**

Criminal Offense Definitions:

The Clery Act requires institutions to use the definitions of crimes in the FBI's Uniform Crime Report (UCR) Program when compiling crime statistics for Clery Act purposes.

Murder / Non-Negligent Manslaughter:

The willful (Non-negligent) killing of one human being by another. Note: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded. (UCR)

Negligent Manslaughter:

The killing of another person through gross negligence. (UCR)

Robbery:

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

Aggravated Assault:

An unlawful attack by one person upon another for the purposes of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury results from aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed. (UCR)

Burglary:

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit any of the aforementioned. (UCR)

Motor Vehicle Theft:

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned) (UCR)

Arson:

The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind. (UCR)

Weapons Law Violation:

The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; carrying deadly weapons; all attempts to commit any of the aforementioned. (UCR)

Drug Law Violation:

Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substance includes: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone's); and dangerous non-narcotic drugs (barbiturates, Benzedrine). (UCR)

Liquor Law Violation:

The violation of laws or ordinances prohibiting: manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate persons; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in the definition. (UCR)

Larceny:

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (UCR)

Vandalism:

To willfully or maliciously destroy, injure, disfigure any public or private property, real or personal, without the consent of the owner or person having custody or control, by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law. (UCR)

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. (UCR)

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.

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. (VAWA Definition)

Domestic Violence:

Any felony or misdemeanor crime 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 receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. (VAWA Definition)

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: and (i) the length of the relationship (ii) The type of relationship (iii) the frequency of interaction between the persons involved in the relationship (VAWA Definition)

Sex Offenses – Forcible

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

A. Forcible Rape:

The carnal knowledge of a person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth)

B. Forcible Sodomy

Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against that person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

C. Sexual Assault with an Object

The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

D. Forcible Fondling

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

Sex Offenses – Non-Forcible

Unlawful, non-forcible sexual intercourse.

A. Incest

Non-forcible sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.

B. Statutory Rape

Non-forcible sexual intercourse with a person who is under statutory age of consent.

Sex Offense Definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program.

Boundary Definitions:

On Campus Property

- › Any building or property owned or controlled by an institution with the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls, (and)
- › Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as food or other retail vendor).

Non-campus property

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

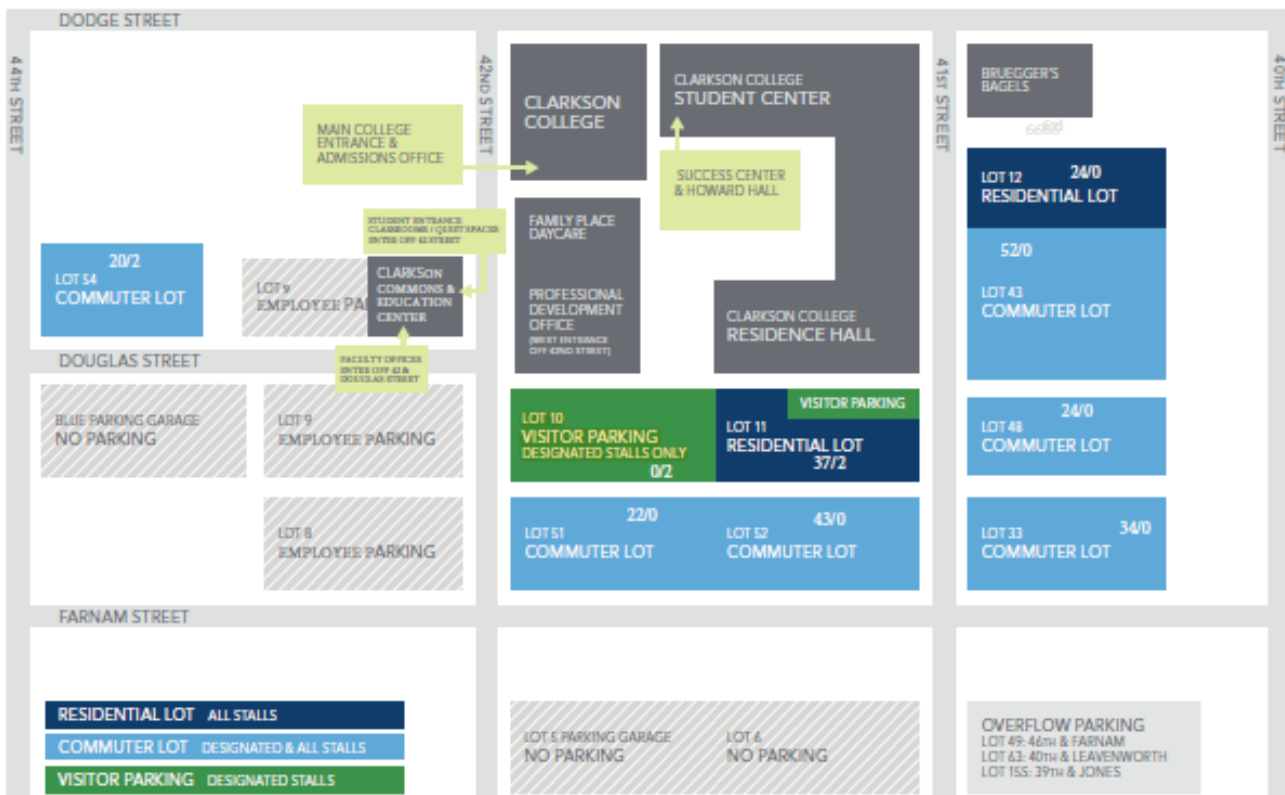
Public property

- › All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus,
- › or immediately adjacent to and accessible from the campus.

Hate Crimes

- › Offenses or other crimes involving bodily injury which manifested evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, or disability.

Clarkson College Boundary Map:



Description of Residence Hall Fire Safety System

Number of fires and the cause of each fire:	Zero
Number of injuries related to a fire that result in treatment at a medical facility:	Zero
Number of deaths related to a fire:	Zero
Value of property damage caused by a fire:	Zero
Number of fire drills in 2022:	One

There are four floors in the Clarkson College Residence Hall—35 four bedroom apartments and one two bedroom apartment—one elevator and six building entry points.

- › **Fire Extinguishers:** 16 total in the Residence Hall, 4 on each floor. Two pull stations are on each floor.
- › **Sprinkler Heads:** 12 in each student apartment; seven in each stairwell (14 total for two stairwells); 19 in each hallway on second, third and fourth floors; 28 in the hallway and common areas on first floor.
- › **Smoke Detectors:** Six in each student apartment with one strobe in each apartment. One strobe in each stairwell (two total), and six strobes in each hallway on second, third and fourth floors. Ten strobes on first floor.
- › **Exit Signs:** Four exit signs on second, third and fourth floors; six exit signs on first floor.

RESIDENCE HALL SAFETY POLICIES

FIRE SAFETY

Clarkson College would like to ensure the well-being of all students and visitors. There are more and more campus fires occurring each year taking the lives and livelihood of residents. The most effective way to avoid harm in a fire is to be prepared before it happens. At the beginning of the year a Residence Hall staff member will explain emergency procedures for the facility including fire, tornado, flood, bomb threat, etc. The explanation will include where all exits and stairwells, fire extinguishers, and alarm pull stations are located. It is important that all residents treat all alarms as the real thing and follow the appropriate guidelines established by Clarkson College. Elevators are not in operation for some emergencies and stairs must be used. Failure to follow any emergency procedure can result in a fine and possible disciplinary action. If you are physically challenged or become physically challenged (some examples are: sprained ankle, broken leg or injury that requires crutches) at any time during your stay, notify a Residence Life Staff member immediately. You will be put on the Mobility Impaired List that is kept in the Residence Life Office.

If you see or smell fire in the facility: On your way out of the building, pull the fire alarm pull (only if it is on your way out) and evacuate the building immediately! Never attempt to put out a fire on your own.

If you hear a fire alarm sound: Immediately leave your bedroom and apartment and follow the fire emergency route outlined by the Residence Life Office by using the stairs and exiting the building. Once evacuated from the building, stand away from the exits and building so the appropriate personnel can enter and residents exit.

If you are trapped in your apartment or bedroom: Move to the closest window and wave brightly colored clothing or a light out an opened window to alert rescue team members to your location. If possible, write your room number on a piece of paper and place it in the window. If possible, place wet towels along the bottom of the door.

SMOKE DETECTORS

Smoke detectors are provided in every apartment to help prevent personal injury. When the smoke detector sounds:

- › If there is a fire, exit the room and close the door so the fire cannot escape, pull the alarm, exit the building and notify Security and the Residence Advisor on Duty (RAOD).
- › If there is not a fire, extinguish heat or smoke sources, open windows and doors and tell other residents that there is no fire. Call a Residence Life staff member immediately to notify them of the false alarm. If the alarm does not stop, call a Residence Life staff member for maintenance help. If you hear a smoke detector from another apartment, knock on the door. If there is no response and the detector has not stopped sounding, call a Residence Life staff member to investigate the situation.

It is against Clarkson College policy to tamper with or render one's smoke detector ineffective. Sprinkler heads are also not to be tampered with at any time including hanging personal items from its fixture. If a resident tampers with a sprinkler head or smoke detector at any time, a fine can be assessed and disciplinary action can be taken.

POWER FAILURES

If a power failure occurs, emergency lights will activate. Remain calm and do not use candles or other flames. Keep all hallways and exits clear from obstruction. Call the RAOD.

HALOGEN LAMPS

The only halogen lamp allowed in apartments must include a protective grill covering. Halogen lamps get extremely hot because of their high temperatures. Never leave a halogen lamp unattended. Never drape anything over the top. Never put a halogen lamp close to drapes/curtains. All halogen lamps must be: (a) UL approved; (b) adhere to UL Standard 153, revised as of Feb. 5, 1997; and (c) have a factory-installed shield or cover above the bowl of the lamp.

SMOKING

The entire Clarkson College campus is smoke free as of March 2011. Smoking in the apartment is considered a safety concern. Smoking is strictly prohibited inside any building on campus (includes common areas, hallways, stairwells, apartments, bedrooms, etc.) and outside anywhere on campus. Any student who violates this policy will have disciplinary actions taken against them.

OPEN FLAMES

Open flames are not permitted inside the Residence Hall (includes common areas, hallways, stairwells, apartments, bedrooms, etc.). This includes open flames such as candles, incense, potpourri cigarette lighters, pipes or flammable materials, etc.

HOLIDAY SAFETY

Only Underwriter's Laboratory-approved electrical cords and lights may be used to add additional electricity to your apartment. The same electrical cords can be used on fake Christmas trees, wreaths or any other décor. Live Christmas trees, wreaths or other types of greenery are prohibited in the apartment/bedroom. Only non-flammable Christmas decor is allowed in the apartments. Any seasonal or other décor that is affixed to the outside of the apartment door or wall must be removed prior to the break between the fall and spring semesters.

FIRE EVACUATION IN THE RESIDENCE HALL

- › Exit your apartment and the building immediately.

- › Exit using the stairs, not the elevators.

- › Exit through the main lobby doors out into the parking lots south of the building or exit the building through the upper level of the student center and cross the street toward Bruegger’s Bagels. Do not exit into the courtyard—it’s a fire hazard.

- › Remain outside the building and away from the entrances until the fire department has cleared the alarm and allows you back into the building.

- › When the alarm sounds, the doors to the Residence Hall do not unlock. Security is on the scene to assist the fire department and to provide access to the building. In the event that the firefighters do not connect with security, they are trained to enter locked facilities if necessary, including your apartments.

COLLEGE STAFF RESPONSIBLE FOR FIRE & LIFE SAFETY

Primary responsibility for student housing:

- › Vice President of Operations and Student Affairs

Secondary responsibility for student housing:

- › Director of Library and Academic Support Services
- › Residence Hall Coordinator
- › Director of Facilities

Outside Companies Responsible for testing:

- › Fire Alarm Monitoring: Security Equipment Inspection
- › Fire Alarm Testing: ECCO (Electronic Contracting Co)
- › Fire Extinguisher Inspection: UNMC
- › Fire Extinguisher Annual Inspection & Maintenance: General Fire & Safety

Clarkson College Fire Safety System

Building	Fire Alarm Monitoring	Partial Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans	Number of fire drills each year
104 S 41 st Street	X	X	X	X	X	1

- › Partial Sprinkler System is defined as having sprinklers in the common areas only.

Housing Annual Fire Alarm Report, 2022

Clarkson College Residence Hall contracts Security Equipment Inspection (S.E.I.) for fire alarm monitoring, ECCO for fire alarm testing, General Fire and Safety for fire extinguisher inspections, and Ahern Fire for sprinkler inspection.

Fire Log

Location	Date of Alarm	Time of Alarm	Reason	Corrective Action
104 S 41 st Street	N/A	N/A	N/A	N/A

Inspection Report

Building	Date	Fire Extinguisher Inspection	Sprinkler Inspection	Fire Alarm Inspection	Smoke Detector Inspection	When/How Corrected
104 S 41 st Street	January	X	X			No Violations
	February	X		X	X	No Violations
	March	X				No Violations
	April	X	X			No Violations
	May	X		X	X	No Violations
	June	X				No Violations
	July	X	X			No Violations
	August	X		X	X	No Violations
	September	X				No Violations
	October	X	X			No Violations
	November	X		X	X	No Violations
	December	X				No Violations

Annual Residence Hall Fire System Testing:

- › Fire Extinguisher: January
- › Sprinkler System: April
- › Fire Alarm System: April
- › Smoke Detectors: May