

NORTHERN STATE UNIVERSITY
2018 ANNUAL FIRE SAFETY AND SECURITY REPORT

Table of Contents

Notice of Non-Discrimination	4
How to Report a Crime or Other Emergency	4
Emergency Procedures	4
Non-Emergency Procedures	4
Confidential Reporting of a Crime	5
Law Enforcement Services on Campus	6
Working Relationship with Local, State, and Federal Law Enforcement Agencies	7
Crimes Involving Student Organizations at Off-Campus Locations	7
Crime Prevention and Safety Awareness Programs	8
Security and Access to NSU Facilities	8
Missing Student Notification Policy and Procedures	13
Procedures Pursuant to South Dakota Board Regents Policy 3:21	13
Northern State University’s Prevention and Response to Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking.....	15
Policy and Procedures.....	15
Sexual Harassment	16
Reporting Options	17
What to Do if You or a Friend Experience Sexual Assault, Dating Violence, Domestic Violence, or Stalking.....	18
Preserving Evidence Following an Incident of Sexual Assault, Dating Violence, Domestic Violence, or Stalking.....	19
Accommodations and Interim & Protective Measures	19
Support Options.....	20
Campus Procedures for Addressing Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, Sexual Harassment, and Gender Discrimination	20
Confidentiality	22
Prevention and Educational Programs Regarding Sexual Assault, Dating and Domestic Violence and Stalking.....	25
Definitions of Covered Offenses.....	26
Campus Sex Crimes Prevention Act.....	27
NSU Student Drug and Alcohol Policy	27
NSU Employee Drug and Alcohol Policy – Drug Free Workplace	28
NSU Parental or Guardian Notification of Drug and Alcohol Violations.....	29
Aberdeen Fire Department	42
Fire Safety Training.....	43
Fire Safety Inspections.....	43
Smoke Free Environment.....	43
City and State Fire Codes.....	43
Candles, Incense and Warmers.....	46
Fire Equipment Misuse	46
Definitions.....	46

Preparation of the Annual Security Report and Disclosure of Crime Statistics

This report complies with the Jeanne Clery Disclosure of Campus Security and Policy and Crime Statistics Act. An electronic version of this report can be located on our website at <http://www.northern.edu/campus-life/campus-safety>.

This report is prepared in cooperation with the Office of Student Affairs, the Office of Student Rights and Responsibilities, the Aberdeen Police Department, local law enforcement agencies, and campus security authorities. At NSU, individuals with responsibility for campus security may include officials with significant knowledge and/or oversight of student events and activities, and campus life. These include but are not limited to officials in student services such as campus safety, residence life, student involvement, and student conduct. If serving in a pastoral or professional counselor capacity, the official shall not be considered a campus security authority.

Notice of Availability of the Annual Security Report

This report includes statistics for the previous three years concerning reported crimes that occurred on-campus; in certain off-campus buildings or property owned or controlled by NSU; and on public property within, or immediately adjacent to and accessible from, the campus. The report also includes NSU policies on matters such as sexual assault, drugs and alcohol, fire safety and crime prevention.

You can obtain a copy of this report by accessing the following website: <http://www.northern.edu/campus-life/campus-safety>.

Notice of Non-Discrimination

NSU complies with all applicable federal and state nondiscrimination laws. NSU admits students of any race, color, national and ethnic origin, sex, age, disability, or veteran status to all the rights, privileges, programs, and activities generally accorded or made available to students at the school. It does not discriminate on the basis of race, color, national and ethnic origin, sex, age, disability, or veteran status in administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs.

How to Report a Crime or Other Emergency

Whether you are the victim or a witness of criminal activity, you have the responsibility to promptly and accurately report the incident. If a crime occurs on or around the NSU Campus, report it immediately to the on-duty campus police officer or a local law enforcement agency. Please call 911 from a non-campus telephone and 9-911 from a campus telephone.

Emergency Procedures

Crimes in progress and crimes that have recently occurred should be reported by dialing 9-911 on a campus telephone or 911 when using a non-campus phone. When a victim or a witness calls to report a crime or suspicious activity, the following information should be provided for investigation:

- A brief description of what occurred
- The time and location of the incident
- Any injuries that occurred during the incident
- Whether any weapons were involved
- When and where the suspect was last seen
- A physical description of the suspect

Non-Emergency Procedures

For non-emergency assistance, please call the Aberdeen Police Department non-emergency dispatch at 605-626-7911. While individuals are encouraged to report crimes to the police, they may also seek support and assistance with reporting from the Office of Student Affairs, the Office of Student Rights and Responsibilities, Student Health

Services, and the Student Counseling Center, among other university departments prepared to provide guidance for reporting crimes on or off-campus.

Confidential Reporting of a Crime

The purpose of a confidential report is to comply with your desire to keep the matter confidential, while taking steps to ensure a safe campus environment. NSU will make all reasonable efforts to keep your identity confidential.

To receive the appropriate support, students or employees who are victims or witnesses to a crime are encouraged to talk to somebody about what happened. Certain employees are required to maintain near complete confidentiality; talking to them is considered “privileged communication.” Disclosures to these employees will not trigger a University investigation into an incident against the victim or witnesses wishes.

Employees, other than those with privileged communication, are required to report all details of a sexual violence incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator. A report to these employees constitutes a report to the University – and generally obligates the University to investigate the incident and take appropriate steps to address the situation. This policy is intended to make students and employees aware of the various reporting and confidential disclosure options available so they can make informed choices about where to turn should they become a victim of sexual violence.

On-campus professionals who are licensed counselors or serve in a pastoral capacity are not required to report any information about an incident to a University official without a victim’s permission include:

Heather Aldentaler, Director of Counseling Center

605-626-2371

Kelly Bindenagel, Counselor

605-626-2371

Cory Anderson, Counselor

605-626-2371

If there is immediate risk to life or property, call the Aberdeen Police Department by dialing 911 off-campus or 9-911 from an on-campus telephone.

NSU keeps accurate records of the number of incidents involving students and employees to determine if a pattern of crime exists with regard to a particular location, method or assailant, and has the ability to alert the campus community to potential danger. Reports filed in a confidential manner will be counted and disclosed in the annual crime statistics for NSU.

Law Enforcement Services on Campus

NSU currently contracts the Aberdeen Police Department to provide for the safety and security of NSU's campus. The memorandum of understanding between NSU and APD ensures that a certified law enforcement officer is available during the academic calendar to engage in general law enforcement activities.

The law enforcement officer provides services to the campus by investigating crimes on campus and crimes against employees and students, as well as providing a visual deterrent to crime through officer presence. Having an officer stationed at NSU increases accessibility for the students and employees while decreases response time to incidents on campus.

During the academic year, the law enforcement officer provides a wide variety of services to NSU. Activities commonly includes involvement with the Residence Life staff, putting on and assisting in classroom presentations, making students aware of safety issues on and off campus, foot patrols through campus, traffic enforcement on and around campus, patrols through closed buildings, and assuring doors are locked. NSU and APD work together and share information with the goal of identifying potential problems and addressing these issues through officer presence, community awareness, and education.

All law enforcement officers assigned are sworn officers with the Aberdeen Police Department and are certified to meet the minimum standards of training for a law enforcement officer as provided by statute in the South Dakota Commission of Law Enforcement Officers Standards and Training, and shall be subject to other training as deemed appropriate by the Aberdeen Chief of Police.

The APD cooperates with NSU to supply pertinent information regarding observations and reports by the officers assigned to the campus. At all times, the law enforcement

officer assigned to campus is subject to the authority and jurisdiction of the Aberdeen Police Department.

NSU community members should report crimes and other emergencies to the on campus law enforcement officer listed below. Emergency services are available from campus phones by dialing 9-911 or 911 off campus.

You can contact the Campus Officer at - Office 605-626-2474, or via email at nsucampusofficer@northern.edu.

When the Aberdeen Police Department officer is not present on campus, APD will attempt to monitor the NSU campus by providing random security checks and responding to calls on the cell phone issued to the officer normally assigned to campus. In addition to the on campus officer, APD will provide additional officers who randomly patrol the campus on a regular basis in the evening and early morning hours. During all other hours, please contact APD's non-emergency number at 605-626-7911 or for emergencies call 911 off-campus and 9-911 on-campus.

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

The Aberdeen Police Department works closely with state and federal police agencies and has direct radio communications with the Brown County Sheriff's Office, Game Fish & Parks, South Dakota Highway Patrol, fire, ambulance and other emergency agencies.

Any university owned or leased property in outlying areas is patrolled either by the Aberdeen Police Department, the Brown County Sheriff's Office, or the South Dakota Highway Patrol.

Crimes Involving Student Organizations at Off-Campus Locations

The Aberdeen Police Department monitors and records off-campus criminal activity involving NSU students. This information is provided to the Office of Student Affairs and the Office of Student Rights and Responsibilities for any action or follow-up that may be required. In instances where policy infractions may violate the NSU Student Code of Conduct, the incident will be referred to the NSU Office of Student Rights and Responsibilities for the appropriate student conduct response.

The Student Code of Conduct also applies to the off-campus conduct of students and student organizations in connection with any required educational activity or co-

curricular experience and any activity or event sponsored, conducted, or authorized by NSU. The Student Code of Conduct may also be utilized by addressing student conduct occurring off campus that affects the interests or environment of the campus community and/or individual members or specific groups within that community.

Violations of the Student Code of Conduct set forth in this policy may also constitute violations of criminal or civil law. The Student Conduct proceedings are independent of the criminal or civil process, and will not be delayed or withdrawn pending the outcome of the criminal or civil process or as a result of any findings made through that process. Disciplinary sanctions may be imposed regardless of any findings made through the criminal or civil process.

Crime Prevention and Safety Awareness Programs

New students are introduced to services offered by the Aberdeen Police Department during fall orientation. Educational events concerning personal safety and security are sponsored by the residence hall staff in each hall on an annual basis. The hall covers safety and security information in floor meetings during the first days of each semester and periodically throughout each semester. Programs throughout the year include Campus Safety Week and Safe Spring Break.

The Aberdeen Police Department also provides instruction on preparation and planning geared toward proactively handling the threat of an aggressive intruder or active shooter event. The presenting officer is certified in **ALICE Training** (Alert, Lockdown, Inform, Counter, and Evacuate) to enhance the traditional RUN, HIDE, FIGHT response.

The Aberdeen Police Department is also involved with NSU's annual Campus Safety Awareness week each fall. Campus Safety Awareness Week is an event to promote safety and provide emergency information on campus. This week provides the campus community an opportunity to learn more about emergency preparedness in an interactive setting. The Aberdeen Police Department hosts an event call "Pizza with the Police" which provides an opportunity for community building between the Police Department and NSU students.

Security and Access to NSU Facilities

During business hours, the NSU campus, excluding residence halls, will be open to students, parents, employees, contractors, guests and invitees. Non-business hour access

to all NSU facilities is by key, if issued, or by admittance via the on-duty campus police officer, an authorized university representative or NSU housing staff. In cases of periods of extended closing, the University will admit only those with prior approval.

The residence halls are secured by housing staff 24/7 during the academic calendar and between semester breaks. Over extended breaks, the doors of all residence halls will be secured 24/7 and any electronic card readers will be deactivated for unauthorized individuals. Some campus facilities may have individual hours that may vary at different times of the year. In such cases, the facilities will be secured according to schedules authorized by the University administration.

Wolves Memorial Suites, Great Plains East, and Great Plains West are the only residence halls on campus that has security cameras at all entrances and exits on the first floor level of the building.

Emergency Response and Evacuation Procedures

This policy statement summarizes the University's emergency response and evacuation procedures, including protocols for emergency notifications in those situations that represent a significant emergency or dangerous situation affecting the health and/or safety of the University community. This policy statement complies with the Emergency Notification requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Higher Education Opportunity Act of 2008 and applicable Department of Education regulations.

Emergency Response Plan

The University is responsible for the overall direction and planning for emergency situations on campus or those that occur in the local or regional area affecting the campus. The University has developed a comprehensive, all-hazards Emergency Response Plan that outlines steps the University will take to prevent and mitigate, prepare for, respond to, and recover from a full range of likely hazards the University may face. Included at this web page is detailed information regarding the University's emergency notification policy, including how to enroll in the mass notification system to ensure you receive emergency notices on personal phones.

Emergency Notification System

The University is committed to ensuring the campus community receives timely,

accurate, and useful information in the event of an emergency situation on campus or in the local area that poses a risk to the health and safety of campus community members. To support this commitment, the University has invested in a multi-modal form of communication that allows administrators to distribute notices in the event of a critical incident or dangerous situation.

The Campus Alert System for all students, faculty, and staff is known as Everbridge. During an emergency, critical emergency-related alerts are sent directly to users' cell, home, and/or office phone or email.

This system helps us notify students, staff, and faculty of any emergencies that occur on or near campus locations. Emergencies may include - but not be limited to - weather alerts, school closings, fire, or criminal activity.

All students are automatically a part of this system through their campus-assigned email address. An email is sent to the campus-assigned email account with information about how to register for the alert system. During registration, students may register their personal telephone numbers, personal e-mail addresses, or other personal electronic devices to receive these campus alerts.

All staff and faculty are also automatically included in this alert system with their campus-assigned email address. An email is sent to the campus-assigned email account with information about how to register for the alert system. Staff and faculty are required to register and add any campus-provided phone numbers (desk or cell). Inclusion of personal contact information such as home telephone or personal cell phone is encouraged, but not required.

Students and faculty can update their Campus Alert information by accessing <https://www.northern.edu/campus-life/campus-safety/campusalert>.

The campus emergency alert system is tested at least once per academic year.

Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System:

First responders may become aware of a critical incident or other emergency situation that potentially affects the health and/or safety of the campus community. Once first

responders confirm that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety to some or all members of the campus community, first responders will notify supervisors in the authorized University office to issue an emergency notification.

The University's authorized representatives and/or other members of the University's senior administration, will immediately initiate all or some portions of the University's emergency notification system. If, in the professional judgment of first responders, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, the University may elect to delay issuing an emergency notification. As soon as the condition that may compromise efforts is no longer present, the University will issue the emergency notification to the campus community or applicable segment of the community.

Determining the Appropriate Segment or Segments of the Campus Community to Receive an Emergency Notification:

Campus and local first responders on the scene of a critical incident or dangerous situation that poses an immediate threat to the health or safety of the campus community will assist those preparing the emergency notification with determining what segment or segments of the campus community should receive the notification. Generally, campus community members in the immediate area of the dangerous situation (i.e. the building, adjacent buildings, or surrounding area) will receive the emergency notification first. The University may issue subsequent notifications to a wider group of community members. In addition to the emergency notification that may be issued via the University mass notification system, the University will also post applicable messages about the dangerous condition on the University homepage to ensure the rest of the campus is aware of the situation and the steps they should take to maintain personal and campus safety. If the emergency affects a significant portion of or the entire campus, University officials will distribute the notification to the entire campus community.

Determining the Contents of the Emergency Notification:

The office responsible for issuing the emergency notification will, with the assistance of campus and local first responders, determine the content of the notification. Those issuing the notification will use the following guidelines when determining the contents

of the emergency message.

1. The first message is intended to **Alert** the community or appropriate segment of the campus community of the dangerous condition and the actions they should take to safeguard their and their neighbors safety. Messages distributed in this stage of a rapidly unfolding critical incident will generally be short, precise, and directive. Examples include: "The campus is experiencing a major power outage affecting the following buildings: Brown, Red, White, and Yellow Halls. All occupants of these buildings should immediately evacuate." "There is a chemical spill at Brown Hall. The chemical released is extremely hazardous if inhaled. Occupants of Brown Hall should immediately evacuate the building through the northeast exits. Follow the directions of fire personnel who are on scene."
2. The second message is intended to **Inform** the community or appropriate segment of the campus community about additional details of the situation. This message is generally distributed once first responders have additional information about the dangerous situation. Examples include: "The power outage affecting Brown, Red, White, and Yellow Halls was caused by a cut power line. PSE&G are responding along with Facilities personnel to repair the damage. We expect the outage will last until 2:00 p.m. Refer to the University homepage for additional information."
3. Finally, the third message is the **Reassure** notice that is generally distributed once the situation is nearly or completely resolved. The purpose of this message is to reassure the community that the University is working diligently to resolve the dangerous situation. It can also be used to provide additional information about the situation and where resources will be available.

In those cases where there are no pre-determined template messages in the system, the individual issuing the alert will send develop the most succinct message to convey the appropriate message to the community. The goal is to ensure individuals are aware of the situation and that they know the steps to take to safeguard their personal and community safety.

Procedures Used to Notify the Campus Community

In the event of a situation that poses an immediate threat to members of the campus community, the University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event for emergency notification to all or a segment of campus community. These methods of communication include the mass notification system Everbridge, the University's email system, or emergency messages on the NSU homepage. The University will post updates during a critical incident on the homepage.

Timely Warnings

In the event that an incident occurs, either on or off campus, that constitutes a threat to the campus community, a timely warning will be issued. The warning will be issued through the NSU Campus Alert System, which includes notifications through email, text message and telephone. Notice may also be sent through alternative or additional methods of communication as deemed necessary by NSU.

Missing Student Notification Policy and Procedures

Procedures Pursuant to South Dakota Board Regents Policy 3:21

1. Reporting a Student as Missing

A. Any person may report a university student as missing by filing a report with the university's chief student affairs officer or at the university police department. It is not necessary to wait until the student has been missing for 24 hours before making a report.

B. For purposes of this policy, a student is missing when the student's whereabouts are unknown and unexplained for a period of time that would be regarded as highly unusual or suspicious by persons familiar with the student's plans, habits or routines.

2. Institutional Response

A. Upon receipt of a missing student report, the campus police personnel will promptly attempt to locate the student on campus or at other sites controlled by the university.

- i. Initial efforts to contact students will involve telephone or other electronic communications.

- ii. If unable to contact the students by electronic means, university personnel will attempt to contact the students at their lodgings on the campus or in the municipal limits of the city where the university is located.
- iii. If students who reside in university controlled residences do not respond to electronic contacts or to knocking on their doors, student affairs personnel may enter the students' rooms in order to assess the condition of the room and to look for visible personal property (wallet, keys, cell phone or clothing) that might provide clues as to whether the student has taken an extended trip or other planned absence from the residence hall. If the initial investigation is being undertaken by the Campus Police Officer, they will either request that student affairs personnel enter student rooms or they will obtain search warrants.
- iv. University personnel may pursue such additional or other investigative activities as are reasonable under the circumstances.

B. If the university determines that the student has been missing for a period of 24 hours, or if it cannot locate the student and it determines that the student appears to be missing as per § 1(B), the university will immediately notify local law enforcement agencies that the student is missing.

C. When the university notifies local law enforcement agencies, it will also notify such persons as the student may have designated pursuant to § 4(A), below, that the student is missing.

- i. In the case of non-emancipated students under the age of 18, the university will notify the students' custodial parents or legal guardians.

D. The university will determine whether circumstances suggest that others living, working or participating in activities at the university may be in danger, and if it determines that such a danger may exist, it will warn the campus.

3. Publication of this Policy

A. Each university will publish this policy electronically through websites designed to convey emergency or law enforcement information; will incorporate its provisions into student handbooks, resident life or similar publications; and will otherwise assure that students know, or should know, of its provisions.

4. Students' option to Identify Persons to be Informed

A. At the time that a student is accepted as a resident in university controlled housing, the student will be given an opportunity to designate an individual to be notified pursuant to this policy in the event that the student becomes missing.

- i. Students will be provided confidential means to designate such individuals and to update their designations.
- ii. Such contact information will be held as a confidential student record.

B. In the event that a student becomes missing, the university will notify a custodial parent or legal guardian.

Northern State University's Prevention and Response to Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking

Policy and Procedures

NSU prohibits sexual assault, domestic violence, dating violence and stalking. If any of these occur, NSU will conduct a prompt, fair, and impartial investigation of all reports of sexual misconduct and provide the necessary support options and disciplinary information for the complainant, and the respondent, while protecting the privacy of those involved. NSU is committed to providing a safe environment for all students, faculty, and staff. Campus security, administration, and others are working to prevent crime and violence on NSU's campus. NSU also offers support and assistance to all individuals wishing to contact law enforcement officials.

Sex offenses include the subjection of another person to any sexual act against that person's will, without one's consent, whether forcible or non-forcible. It may be coerced through force or threats of force or with someone who is unconscious, or someone who is incapable of giving consent. NSU considers both sexual assault and rape as *extreme* forms of harassment. Student Conduct sanctions for these offenses can range from a minimum of probation to a maximum of expulsion. For more information regarding the NSU Student Conduct Code, see <https://northern.edu/sites/default/files/conductpolicy.pdf>.

If a student or employee is accused of sexual misconduct, other gender-based violence or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence or

domestic violence, he or she is subject to action in accordance with the sexual assault policy of the South Dakota Board of Regents www.sdbor.edu/policy/documents/1-17-1.pdf.

Sexual Harassment

Sexual harassment is a form of misconduct that undermines the integrity of the academic community. It is the policy of NSU that sexual harassment is prohibited. All students and employees of NSU have an obligation to promote an environment that is free of sexual harassment. Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in education programs or activities operated by recipients of federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX.

Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment prohibited by Title IX. Any complaints or inquiries regarding sexual harassment of a student by an officer, faculty member or staff member should be brought to the immediate attention of officials.

For any complaints related to sexual misconduct by a student, faculty, or staff member, please contact:

Dr. Checka Leinwall, Title IX Coordinator

605-626-2530

Office of Student Affairs (Student Center Room 222)

Checka.Leinwall@northern.edu

Susan Bostian, Deputy Title IX Coordinator

605-626-2520

Human Resources (Krikac Administration Building Room 213)

Susan.Bostian@northern.edu

NSU takes each report seriously and will promptly, fairly, and impartially investigate all complaints. If a student wishes to complain or inquire regarding sexual harassment, the student is encouraged to raise such issues the Title IX Coordinator and each inquiry or

complaint will be promptly investigated. If harassment is determined, NSU will discipline the offender. Disciplinary action for violations of this sexual harassment policy may range from verbal or written warning up to expulsion for serious or continuous violations by a student. Employees may receive a verbal or written warning up to termination of employment for serious or continuous violations.

In compliance with both Title IX and the Clery Act, NSU uses a preponderance of evidence standard in disciplinary proceedings regarding Title IX complaints.

Reporting Options

Any person with knowledge about sexual misconduct or gender based violence or the crime of rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence, and all additional criminal activity is encouraged to report it immediately.

A student or an employee wishing to report an incident may do so by using one of the following reporting options:

Aberdeen Police Department

The Aberdeen Police Department provides 24 hour services in the City of Aberdeen and on the NSU campus. To file a report or to seek victim resources, please visit the Aberdeen Police Department webpage at www.aberdeen.sd.us/598/Contact-Us or contact the non-emergency dispatch at 606-626-7900.

Northern State University Counseling Center

Office: 605-626-2371

Northern State University Campus Police Officer

Office: 605-626-2474; Cell: 605-380-8925

NSUCampusOfficer@northern.edu

Office of Student Affairs (Student Center Rm. 222)

Dr. Checka Leinwall, Title IX Coordinator

605-626-2530

Checka.Leinwall@northern.edu

Office of Student Rights and Responsibilities (Student Center Rm. 222)

Assia Baker, Director

605-626-2530

assia.baker@northern.edu

Human Resources (Krikac Administration Building Room 213)

Susan Bostian, Director

605-626-2520

Susan.Bostian@northern.edu

To report an incident online and anonymously, please use the NSU incident reporting form located at:

www.northern.edu/campus-life/campus-safety or

www.northern.edu/campus-life/student-rights-and-responsibilities.

What to Do if You or a Friend Experience Sexual Assault, Dating Violence, Domestic Violence, or Stalking

If you are the victim of sexual misconduct, gender-based violence or the crime of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence, some or all of these safety suggestions may guide you after an incident has occurred:

1. Locate a safe place to contact the NSU On-Campus Police Officer at 605-626-2474, Aberdeen Police Department at 605-626-7010, 9-911 on-campus or call 911 if off-campus.
2. Consider securing immediate professional support (e.g.: counseling, victim advocacy, medical services, etc.) to assist you following the incident.
3. If you are on campus during regular business hours, you may contact the NSU Counseling Center at 605-626-2371 for support and guidance. This is a confidential source. An after-hours emergency contact is Northeast Mental Health Center at 605-225-1010 or 605-229-1000.
4. For your safety and well-being, immediate medical attention is encouraged. Being examined as soon as possible is important in the case of rape or sexual assault. To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate or change clothes before receiving medical attention. If you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable.

Preserving Evidence Following an Incident of Sexual Assault, Dating Violence, Domestic Violence, or Stalking

If police are involved or will become involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing and any other pertinent articles that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean paper bag or clean sheet, to avoid contamination. If you have physical injuries, photograph or have them photographed, with a date stamp on the photo. Record the names of any witnesses, and their contact information.

This information may be helpful to the proof of a crime, to obtain an order of protection or to offer proof of a campus policy violation. Try to memorize details (physical description, names, license plate number, car description), or even better, write notes to remind you of details, if you have time and the ability to do so.

If you obtain external orders of protection (e.g. restraining orders, injunctions, protection from abuse), please notify the Northern State On-Campus Police Officer at **605-626-2474**.

Accommodations and Interim & Protective Measures

In the event that sexual misconduct, gender-based violence or the crimes of sexual assault, stalking, dating violence or domestic violence does occur, NSU takes the matter very serious. The University employs protection measures such as interim suspension and/or no contact orders in all cases where a faculty or student's behavior represents a risk of violence, threat, pattern or predation.

Interim measures are intended to protect the interests of both the Complainant and the Respondent prior to a hearing. Interim measures may be both remedial (designed to address a Complainant's safety and well-being and continued access to educational opportunities) or protective (involving action towards a Respondent). Interim Measures may include, but are not limited to, no-contact directives, residence modifications, academic modifications and support, Institutional work schedule modifications, interim residence suspension, or interim suspension. Written Notice of Interim Measures shall be provided to the party to whom the interim measures are directed.

Support Options

1. If you experience sexual harassment, including sexual assault, or dating violence, domestic violence, or stalking, we encourage you to consider seeking support from the NSU Counseling Center 605-626-2371 and/or an off-campus agency in the Aberdeen community providing support for these situations include:

Rape Crisis Center 605-226-1212

Safe Harbor 605-226-1212

Northeastern Mental Health Center 605-229-1010

Lutheran Social Services 605-262-6000

Catholic Family Services 605-226-1304

2. Contact a law enforcement agency if you need assistance with NSU concerns, such as no-contact orders or other protective measures. The law enforcement agency may also assist in any needed advocacy for students or faculty who wish to obtain protective or restraining orders.

Campus Procedures for Addressing Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, Sexual Harassment, and Gender Discrimination

For offenses including sexual misconduct or other gender based violence, which often include the crimes of domestic violence, dating violence, sexual harassment, sexual misconduct and stalking, sanctions range from warnings through expulsion. Serious and violent incidents and acts of non-consensual sexual intercourse usually result in suspension, expulsion or termination of employment pursuant to the South Dakota Board of Regents Policy 1:18, Human Rights Complaint Procedures at www.sdbor.edu/policy/documents/1-18.pdf.

When NSU receives any complaint related to sexual misconduct, gender-based violence, or other sex or gender discrimination, the campus Title IX Coordinator is notified. If the victim desires to seek outside support from a community agency or law enforcement, NSU will assist in providing information to contact the appropriate agency. The Title IX Coordinator will offer assistance to victims in the form of interim or long-term measures as reasonably necessary.

At the victim's discretion, he or she will be connected with a professional counselor on-campus. Victims are not required to seek on-campus counseling, but NSU offers this resource to provide ongoing support. Victims may seek counseling on a voluntary basis.

When appropriate upon receipt of notice, the Title IX Coordinator will cause a prompt, fair and impartial process to be initiated, commencing with an investigation which may lead to the imposition of sanctions upon a responding student, employee, or other accused individual. The procedures that outline the investigation and resolution process at NSU are set forth in the Board of Regents Policy Manual found online at www.sdbor.edu/policy/Pages/Section-3-Student-Affairs.aspx and the Human Rights Complaint Procedures found online at www.sdbor.edu/policy/documents/1-18.pdf.

The designated coordinator for student or employee conduct procedures is responsible to assure in all cases that the behavior is brought to an end, NSU initiates measures to prevent its recurrence, and the effects on the victim and the community are appropriately remedied. The Title IX Coordinator is also responsible to provide annual training for advocates, investigators, hearing officers, and appeals officers that encompasses a hearing process that protects the safety of victims and promotes accountability. Training is designed to educate investigators on issues related to sexual misconduct, domestic violence, dating violence, sexual assault, stalking, sexual harassment, relations, and any behavior that may pose as a form of sex or gender discrimination covered by Title IX and Clery Act. Training will help those decision-makers in the process to protect the safety of victims and to promote accountability for those who commit offenses.

The investigation and records of the resolution remain confidential unless disclosure is required by local, state or federal law or the interests of the public are substantially served and protected by the disclosure of information related to the respective investigation. Privacy of the records specific to the investigation are maintained in accordance with South Dakota law and the Family Educational Rights and Privacy Act (FERPA) statute. Any public release of information to comply with the open crime logs are timely warning provisions of the Clery Act will not release the names of victims or information that could easily lead to the victim's identification.

In any complaint of sexual misconduct, sexual assault, stalking, dating violence, domestic violence or other sex or gender-based discrimination covered under the federal law, Title IX, the person bringing the accusation and the responding party are entitled to the same

opportunities for a support person and/or an advisor of their choice throughout the process, including any meeting, conference hearing or other procedural action. Once complete, all parties will be informed, in writing, of the outcome, including the findings, any sanctions, and the rationale for the final decision. Notice of the final outcome to the parties will occur promptly and without undue delay. All parties will be informed of the NSU appeals process, and the right to exercise a request for appeal. Should any change in outcome occur prior to finalization, all parties will be timely informed in writing, and will be notified when the results of the resolution process become final.

Confidentiality

NSU recognizes the sensitive nature of sexual violence and is committed to protecting the privacy of any individual who reports an incident of sexual violence, dating violence, domestic violence or stalking. Different officials on campus are, however, able to offer varying levels of privacy protection to complainants. Reports made to law enforcement, including if criminal prosecution is pursued, may be made public and shared with the respondent, unless the report is subject to victim confidentiality.

Concerns about sexual misconduct or gender violence can be brought to certain NSU offices listed above as Confidential Reporting Options.

Reports made to certain NSU officials will be kept confidential, and identifying information about the victim shall not be made public. Reports made to medical professionals and licensed mental health counselors will not be shared with third parties except in cases of imminent danger to the victim or a third party.

Confidentiality in the Completion of Publicly Available Recordkeeping

NSU will not release the names of survivors in its Timely Warning notices, Campus Alerts or "Emergency Notifications."

Confidentiality of Accommodations and Protective Measures

NSU will maintain the confidentiality of any accommodation or protective measure unless it substantially interferes with the measure's implementation.

Disciplinary Proceedings

Statement of Sanctions:

- Any student found responsible for violating the policy on Non-Consensual or Forced Sexual Contact (where non intercourse has occurred) will likely receive a sanction ranging from suspension to expulsion, depending on the severity of the case, and taking into account any previous campus conduct code violations.
- Any student found responsible for violating the policy on Non-Consensual or Forced Sexual Intercourse will likely face a recommended sanction of suspension or expulsion.
- Any student found responsible for violating the policy on Sexual Exploitation or Sexual Harassment will likely receive a recommended sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous code of conduct violations.

NOTE: A student conduct board reserves the right to broaden or lessen any range of suggested sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Neither the initial hearing officers nor the appeals body will deviate from the range of suggested sanctions unless compelling justification warrants such action.

Campus Education, Awareness and Prevention Programs

Definition of Terms

Programs to Prevent

The term **programs to prevent** refers to comprehensive educational and training programs intended to prevent violence that incorporate diverse approaches that are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and consider risk and protective factors as they occur on the individual, relationship, community and societal levels.

Primary Prevention

The term **primary prevention** refers to programming, initiatives and strategies intended to stop domestic violence, dating violence, sexual assault, or stalking before it occurs to

prevent initial perpetration or victimization through the promotion of positive and healthy behaviors and beliefs. Efforts to change behavior and social norms, and promote healthy relationships, healthy sexuality and egalitarian gender roles, or efforts to understand risk factors and protective factors for bystander inaction and change social norms around bystander inaction are all examples of primary prevention.

Awareness Programs

The term **awareness programs** refers to programs, campaigns, or initiatives that increase audience knowledge of the issues of sexual assault, domestic violence, dating violence and stalking and share information and resources to prevent interpersonal violence, promote safety, and reduce perpetration. These efforts can include campus communitywide mobilizations as well as targeted audience-specific programming (including both students and employees). Awareness month campaigns, “Speak Outs,” rallies or marches, informational poster campaigns or resource websites, and educational programming that focus on sharing resources and information about these issues are examples of awareness programs.

Bystander Intervention

The term **bystander intervention** refers to safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene in situations of potential harm when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the individual. Effective bystander intervention training prepares participants to recognize situations of potential harm, overcome barriers to intervening, identify safe and effective intervention options, and take action.

NSU’s sexual assault prevention has adopted a dual approach of integrating social norms correction with bystander intervention. One of the main barriers to an individual intervening to prevent a sexual assault is the misperception that others are not concerned, would not support an intervention, and would not respect someone

who did so. These barriers are typically untrue, but incorrect perceptions may be preventing you or others from intervening in a threatening situation.

Prevention and Educational Programs Regarding Sexual Assault, Dating and Domestic Violence and Stalking

In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence, NSU utilizes a range of campaigns, strategies and initiatives to provide awareness, risk reduction and prevention programming.

It is the policy of NSU to offer programming to prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults) and stalking each year. Educational programs are offered to raise awareness for all incoming students and employees, and are often conducted during new student and new employee orientation and throughout the first semester. These programs and others offered throughout the year include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management and bystander intervention), and discuss institutional policies on sexual misconduct as well as the South Dakota definitions of domestic violence, dating violence, sexual assault, stalking and consent in reference to sexual activity. Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, identifying allies and/or creating distractions.

Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do so without victim-blaming approaches. Throughout the year, ongoing awareness and prevention campaigns are directed to students and employees, including faculty, often taking the form of emails, presentations and events such as an online training.

Campus Wide Online Title IX Training

Beginning in fall 2015, NSU began utilizing two distinct online Title IX/EEO educational training courses; one for employees and one for students. Known as LawRoom and Campus Clarity, all employees and all students receive an email invitation for the appropriate online training course.

On an annual basis, employees and students are required to repeat or complete Title IX online training. An online training is offered each year to employees and students regardless if it was completed the previous year. The content of each training may change from year-to-year to ensure that all participants receive updated information.

Definitions of Covered Offenses

As Defined by the Violence against Women Act (VAWA)

A **sexual assault** is 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, as well as incest or statutory rape.

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim.

Dating violence means violence committed by a person who is or has been in a romantic or intimate relationship with the victim.

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

Consent

Consent may be implied from the facts and circumstances surrounding the commission of an act. Consent will not be found where an act has been done through the use of force, coercion, or threats of immediate and great bodily harm. Submission does not equal consent, and to establish consent, a party must utterly negate any element of force, coercion, or threat. Consent, once given, may be retracted. Consent will not be found under any of the following circumstances:

- i. If the victim is less than thirteen (13) years of age; or
- ii. Through the use of force, coercion, or threats of immediate and great bodily harm against the victim or other persons within the victim's presence, accompanied by apparent power of execution; or
- iii. If the victim is incapable of giving consent because of any intoxicating, narcotic, or anesthetic agent or hypnosis; or
- iv. If the victim is thirteen (13) years of age, but less than sixteen (16) years of age, and the perpetrator is at least three (3) years older than the victim.

Campus Sex Crimes Prevention Act

In accordance to the Campus Sex Crimes Prevention Act of 2000, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, NSU is providing a link to the State of South Dakota Registry <https://sor.sd.gov>. All sex offenders are required to register in the State of South Dakota and to provide notice of each institution of higher education in South Dakota at which the person is employed, carries a vocation or is a student.

Registered sex offenders can be identified by contacting the local law enforcement officials in our municipality. If you would like information regarding registered sex offenders who are actively enrolled or employed at NSU, contact the Brown County Sheriff's Office at 605-626-7100 or Aberdeen Police Department at 605-626-7000.

NSU Student Drug and Alcohol Policy

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989, the South Dakota Board of Regents strictly prohibits the unlawful possession, use or distribution of alcohol, marijuana or controlled substances by its students or employees while on property controlled by the Board. Northern State University's campus is an "alcohol and drug free" zone and only under certain circumstances is the consumption of alcohol permitted.

The manufacture, sale, possession or distribution of any controlled substances is illegal under both state and federal laws. Such laws are strictly enforced by local law enforcement agencies. Violators are subject to disciplinary action within the university and/or criminal prosecution. It is unlawful to sell, furnish, or provide alcohol to a person under the age of 21 in the State of South Dakota. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of NSU policy for anyone to consume or possess alcohol in any public or private area of campus without prior university approval. Organizations or groups found in violation of alcohol and other substance policies or state or federal laws may be subject to university sanctions.

Additionally, possession of empty alcohol beverage containers and drug paraphernalia is also prohibited. No student organization, club, or residence hall may sponsor any

student-related activity at which alcoholic beverages are to be consumed, or at which consumption is stated, encouraged, or implied.

Violations of alcohol/other drug policies and regulations shall be responded to in accordance with the seriousness and frequency of the violation. A student's alcohol and other drug violations accumulate during his/her entire career at NSU other public higher education institutions governed by the South Dakota Board of Regents.

1. The first alcohol offense will result in the student's mandatory attendance and completion with the recommendations of the Insight Level I Class at the student's expense and a student conduct warning.
2. The second alcohol offense will result in the student's mandatory attendance and compliance with the recommendations of the Advanced Insight Program at the student's expense and student conduct probation.
3. The third offense will result in the student's suspension or, in compelling circumstances, one may be permitted to continue attendance subject to disciplinary probation while participating in an approved substance abuse treatment program at the student's expense.

NSU Employee Drug and Alcohol Policy – Drug Free Workplace

In compliance with the Drug-Free Workplace Act of 1988, the South Dakota Board of Regents strictly prohibits the unlawful manufacture, distribution, dispensing, possession or use of controlled substances by board employees and agents while on duty or while in any workplace controlled by the board. The workplace shall include premises and vehicles owned and controlled by the board and other premises and vehicles when used by the board for education, research, service or other official functions.

Any person violating this proscription shall be subject to disciplinary action, which may include termination of employment. The South Dakota Board of Regents policy related to the Drug-Free Workplace Act can be found at <https://www.sdbor.edu/policy/documents/4-27.pdf>.

NSU is committed to providing a drug-free workplace. Employees who unlawfully possess, use, distribute, dispense or manufacture alcohol or other drugs while on duty will be disciplined. Any employee who is convicted of a criminal drug statute violation

that occurred in the workplace must report that conviction within five days to the NSU Office of Human Resources and the employee's direct supervisor.

NSU Parental or Guardian Notification of Drug and Alcohol Violations

The Family Educational Rights and Privacy Act (FERPA) permits universities to inform parents of drug and alcohol policy violations committed by their students. Northern State's policy is to notify parents or guardians of their student's alcohol and/or drug policy violation if the student is under 21 years of age and not emancipated, and the violation occurred as follows:

1. When it is determined that the student has committed a second violation of the South Dakota Board of Regents Alcohol and Drug Policy and that the violation resulted in at a minimum an imposition of disciplinary probation and that the violation was (a) committed while on property owned or controlled by NSU or any other Board of Regents institution; or (b) committed during travel sponsored by a department, college, or recognized student organization of NSU or any other Board of Regents institution; or (c) committed while attending an event sponsored by a NSU department, college, or recognized student organization or that of any other Board of Regents institution;
2. Violation of the Board of Regents Alcohol and Drug Policy by the student while enrolled at another Board of Regents institution shall be considered a violation under this policy.
3. The vice president of student affairs or another designated university officer, will determine if parental notification is appropriate. Any parent or guardian notification will be in writing and mailed to the home address on record.
4. Records of parental notification under this policy will be kept on record in the Office of Student Rights and Responsibilities or as designated by the Office of Student Affairs.

ANNUAL DISCLOSURE OF CRIME STATISTICS 2016-2018

Northern State University- Main Campus

Criminal Offenses

CRIMES REPORTED FOR: Violation Type	NSU CAMPUS						NON-CAMPUS PROPERTY			PUBLIC PROPERTY			TOTAL		
	2016		2017		2018		2016	2017	2018	2016	2017	2018	2016	2017	2018
	Res Hall	All Campus	Res Hall	All Campus	Res Hall	All Campus									
<u>Murder/Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Manslaughter by Negligence</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Rape</u>	6	6	1	1	3	3	0	0	0	0	0	0	6	1	3
<u>Fondling</u>	2	2	0	0	0	0	0	0	0	0	0	0	2	0	0
<u>Incest</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Statutory rape</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Robbery</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Burglary</u>	5	7	1	1	0	1	0	0	0	0	0	0	7	1	1
<u>Motor vehicle theft</u>	0	0	0	4	0	0	0	0	0	0	0	0	0	4	0
<u>Arson</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Unfounded</u>	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0

Note: Motor vehicle theft does not include theft from a motor vehicle.

Res Hall is considered On-Campus Student Housing Facilities

All Campus includes ALL campus property including Residences Halls.

Northern State University- Main Campus

Hate Crimes

CRIMES REPORTED FOR: Violation Type	NSU CAMPUS						NON-CAMPUS PROPERTY			PUBLIC PROPERTY			TOTAL		
	2016		2017		2018		2016	2017	2018	2016	2017	2018	2016	2017	2018
	Res Hall	All Campus	Res Hall	All Campus	Res Hall	All Campus									
<u>Murder/Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Manslaughter by Negligence</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Rape</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Fondling</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Incest</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Statutory rape</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Robbery</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Burglary</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Motor vehicle theft</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Arson</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Simple assault</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Intimidation</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Destruction/damage/vandalism of property</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Note: A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of Clery, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

Northern State University- Main Campus

Number of Arrests & Disciplinary Referrals for Selected Offenses

CRIMES REPORTED FOR:	NSU CAMPUS						NON-CAMPUS PROPERTY			PUBLIC PROPERTY			TOTAL		
	2016		2017		2018		2016	2017	2018	2016	2017	2018	2016	2017	2018
Violation Type	Res Hall	All Campus	Res Hall	All Campus	Res Hall	All Campus									
Weapons: Carrying, Possessing, Etc.															
<u>Arrests</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Disciplinary Referrals</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violations															
<u>Arrests</u>	4	5	1	1	1	1	0	0	0	0	0	0	5	1	1
<u>Disciplinary Referrals</u>	0	0	3	3	5	5	0	0	0	0	0	0	0	3	5
Liquor Law Violations															
<u>Arrests</u>	4	4	1	1	1	5	0	0	0	0	0	0	4	1	5
<u>Disciplinary Referrals</u>	32	32	84	85	46	46	0	0	0	0	0	0	32	85	46

Note: **Referred for disciplinary action** is defined for *Clery Act* purposes as *the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.*

Arrest for *Clery Act* purposes is defined as *persons processed by arrest, citation, or summons.*

Northern State University- Main Campus

Violence Against Women's Act (VAWA)

CRIMES REPORTED FOR:	NSU CAMPUS						NON-CAMPUS PROPERTY			PUBLIC PROPERTY			TOTAL		
	2016		2017		2018		2016	2017	2018	2016	2017	2018	2016	2017	2018
Violation Type	Res Hall	All Campus	Res Hall	All Campus	Res Hall	All Campus									
<u>Domestic Violence</u>	1	1	0	0	0	0	0	0	0	0	0	0	1	0	0
<u>Dating Violence</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<u>Stalking</u>	4	5	1	1	0	3	0	0	0	0	0	0	5	1	3

Note: Motor vehicle theft does not include theft from a motor vehicle.

Res Hall is considered On-Campus Student Housing Facilities

All Campus includes ALL campus property including Residences Halls.

ANNUAL DISCLOSURE OF CRIME STATISTICS 2016-2018

Northern State University- Huron Campus*

Criminal Offenses

CRIMES REPORTED FOR:	HURON CAMPUS*			NON-CAMPUS PROPERTY			PUBLIC PROPERTY			TOTAL		
	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
<u>Murder/Non-negligent manslaughter</u>	No Crimes have been reported at the Huron Campus for 2016, 2017, and 2018											
<u>Manslaughter by Negligence</u>												
<u>Rape</u>												
<u>Fondling</u>												
<u>Incest</u>												
<u>Statutory rape</u>												
<u>Robbery</u>												
<u>Aggravated assault</u>												
<u>Burglary</u>												
<u>Motor vehicle theft</u>												
<u>Arson</u>												
<u>Unfounded</u>												

Northern State University- Huron Campus*

Hate Crimes

CRIMES REPORTED FOR:	HURON CAMPUS*			NON-CAMPUS PROPERTY			PUBLIC PROPERTY			TOTAL		
	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Violation Type												
<u>Murder/Non-negligent manslaughter</u>	No Crimes have been reported at the Huron Campus for 2016, 2017, and 2018											
<u>Manslaughter by Negligence</u>												
<u>Rape</u>												
<u>Fondling</u>												
<u>Incest</u>												
<u>Statutory rape</u>												
<u>Robbery</u>												
<u>Aggravated assault</u>												
<u>Burglary</u>												
<u>Motor vehicle theft</u>												
<u>Arson</u>												
<u>Simple assault</u>												
<u>Larceny-theft</u>												
<u>Intimidation</u>												
<u>Destruction/damage/vandalism of property</u>												

Northern State University- Huron Campus*

Number of Arrests & Disciplinary Referrals for Selected Offenses

CRIMES REPORTED FOR:	HURON CAMPUS*			NON-CAMPUS PROPERTY			PUBLIC PROPERTY			TOTAL		
Violation Type	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Weapons: Carrying, Possessing, Etc.												
<u>Arrests</u>	No Crimes have been reported at the Huron Campus for 2016, 2017, and 2018											
<u>Disciplinary Referrals</u>												
Drug Abuse Violations												
<u>Arrests</u>	No Crimes have been reported at the Huron Campus for 2016, 2017, and 2018											
<u>Disciplinary Referrals</u>												
Liquor Law Violations												
<u>Arrests</u>	No Crimes have been reported at the Huron Campus for 2016, 2017, and 2018											
<u>Disciplinary Referrals</u>												

Northern State University- Huron Campus*

Violence Against Women's Act (VAWA)												
CRIMES REPORTED FOR:	HURON CAMPUS*			NON-CAMPUS PROPERTY			PUBLIC PROPERTY			TOTAL		
Violation Type	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
<u>Domestic Violence</u>	No Crimes have been reported at the Huron Campus for 2016, 2017, and 2018											
<u>Dating Violence</u>												
<u>Stalking</u>												

Note: *The primary administrative contact for the Huron Community Campus is Doug Pietz, Executive Director, at 605-353-8518 or DPIETZ@HuronSD.Com.

**The Huron Community Campus does not provide on or off campus student housing.

Definitions of Reportable Crimes

There are three categories of crimes that NSU is required to maintain and publish: (1) criminal offenses, including VAWA crimes, (2) hate crimes, and (3) arrests and referrals.

The following crimes and definitions are in alphabetical order not hierarchical order.

Murder/Manslaughter – defined as the willful killing of one human being by another.

Negligent Manslaughter – is defined as the killing of another person through gross negligence.

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

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

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

Incest – Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Stalking – The engagement in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional stress.

Statutory Rape – Nonforcible sexual intercourse with a person who is under the statutory age of consent.

Robbery – is defined as taking or attempting to take anything of value from the car, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault – is defined as an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary – is the unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft – is the theft or attempted theft of a motor vehicle.

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

Hate Crimes – includes all of the crimes listed above that manifest evidence that the victim was chosen based on one of the categories of bias listed below, plus the following crimes:

- **Larceny/Theft**—includes, pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.
- **Simple Assault**—an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.
- **Intimidation**—to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/Damage/Vandalism or Property (except Arson)**—to willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Hate Crime Categories of Bias:

- **Race** – A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.
- **Gender** – A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

- **Gender Identity** – A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender nonconforming individuals.
- **Religion** – A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.
- **Sexual Orientation** – A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.
- **Ethnicity/national Origin** – A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions.
- **National Origin** – A preformed negative opinion about a group of persons based upon them being from a particular country or part of the world.
- **Disability** – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/ challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Unfounded Crimes: A reported crime that upon investigation by law enforcement authorities is found to be false or baseless. Only sworn or commissioned law enforcement personnel may unfound a crime. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner.

If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is “unfounded.” Only sworn or commissioned law enforcement personnel may unfound a crime.

The third category of crime statistics NSU must disclose is the number of arrests and the number of persons referred for disciplinary action for the following law violations: (1) Weapons: Carrying, Possessing, Etc.; (2) Drug Abuse Violations; and (3) Liquor Law Violations.

Weapons: Carrying, Possessing, Etc., is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or

use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Drug Abuse Violations are defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Liquor Law Violations are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

South Dakota Codified Law Chapter 22-19A is the local statute cover stalking.

22-19A-1. Stalking as a misdemeanor – Second offense a felony. No person may:

- (1) Willfully, maliciously, and repeatedly follow or harass another person;
- (2) Make a credible threat to another person with the intent to place that person in reasonable fear of death or great bodily injury; or
- (3) Willfully, maliciously, and repeatedly harass another person by means of any verbal, electronic, digital media, mechanical, telegraphic, or written communication.

South Dakota Codified Law chapter 25-10 is the local statute covering domestic violence.

25-10-1. Definitions. Terms used in this chapter mean:

- (1) "**Domestic abuse,**" physical harm, bodily injury, or attempts to cause physical harm or bodily injury, or the infliction of fear of imminent physical harm or bodily injury between family or household members. Any violation of § 25-10-13 or chapter 22-19A or any crime of violence as defined in subdivision 22-1-2(9) constitutes domestic abuse if the underlying criminal act is committed between family or household members;

(2) **"Family or household members,"** spouses, former spouses, or persons related by consanguinity, adoption, or law, persons living in the same household, persons who have lived together, or persons who have had a child together;

(3) **"Protection order,"** an order restraining any family or household member from committing any act of domestic abuse or an order excluding any family or household member from the dwelling or residence of another family or household member, whether or not the dwelling or residence is shared. A protection order has a duration of five years or less; and

(4) **"Temporary protection order,"** an order restraining any family or household member from committing any act of domestic abuse or an order excluding any family or household member from the dwelling or residence of another family or household member, whether or not the dwelling or residence is shared. A temporary protection order has a duration of thirty days except as provided in § 25-10-7.1.

Rape: Under South Dakota Codified Law chapter 22-22-1, rape is defined as an act of sexual penetration accomplished with any person under any of the following circumstances:

(1) If the victim is less than 13 years of age; or

(2) Through the use of force, coercion or threats of immediate and great bodily harm against the victim or other persons within the victim's presence, accompanied by apparent power of execution; or

(3) If the victim is incapable, because of physical or mental incapacity of giving consent to such act; or

(4) If the victim is incapable of giving consent because of any intoxicating, narcotic, or anesthetic agent or hypnosis; or

(5) If the victim is thirteen years of age, but less than sixteen years of age, and the perpetrator is at least three years older than the victim.

Fire Safety Report

Aberdeen Fire Department

The Aberdeen Fire Department provides services to the city of Aberdeen. The department maintains a standard of training which encompasses both prompt response to

emergencies and the safety of citizens in Aberdeen. Emergency services are available from campus phones by dialing 9-911 or off campus by dialing 911.

Fire Safety Training

Fire safety is a shared campus concern. Students are made aware of the location of fire safety equipment. Fire evacuation plans and instructions are posted in the residence halls. Residence hall staff are trained in the event of a fire emergency.

Fire drills are conducted each semester to ensure students understand emergency evacuation procedures in the residence hall. Students are required to evacuate the building whenever an alarm sounds. If it is necessary and safe to do so, staff may enter rooms to ensure residents have evacuated the building. Students who do not comply with evacuation procedures are subject to conduct proceedings.

Fire drills were also conducted in September 2017 in each administrative building. The fire drills were conducted in coordination with Aberdeen Fire & Rescue. All drills were monitored by the Aberdeen Fire & Rescue fire marshal and required remedial actions were implemented where required.

Fire Safety Inspections

The university may routinely inspect rooms to ensure that the fire standards are being followed. Residents are provided at least 24 hour notice will be given prior to inspections. Residence halls are regularly inspected during closing times (Thanksgiving, semester break and spring break) and as needed for building monitoring during breaks.

Aberdeen Fire and Rescue also conduct yearly fire safety inspections in each office space on campus. All deficiencies are documented and remedied as appropriate.

Smoke Free Environment

NSU is a smoke free environment. Smoking of any kind, including but not limited to the use of tobacco products and e-cigarettes, is not allowed in any building or on-campus property except for designated parking lot spaces.

City and State Fire Codes

National Fire Protection Association Fire Prevention Code: 3-1.1.14: Interference with Fire Protection Equipment. No person shall render any portable or fixed fire extinguishing

system or device or any fire warning system inoperative or inaccessible except as may be necessary during emergencies, maintenance, drills or prescribed testing.

Uniform Fire Code: Sec. 27.302

- a. For the purpose of this Section a fire alarm shall be deemed and construed as being any act as follows; The giving, signaling or transmission to any public fire station, or company or to any officer or employee thereof, whether by telephone, spoken word, or otherwise information to the effect that there is a fire at or near the place indicated by the person giving, signaling, or transmitting such information.
- b. It shall be unlawful for any person to give, signal, or transmit or for any person to cause or permit to be given, signaled or transmitted, in any matter any false alarm.
- c. It shall be unlawful for any person to tamper with or maliciously damage any fire alarm equipment maintained for the purpose of transmitting fire alarms to the Fire Department.
- d. Nothing in this Section shall prohibit the sounding of any such signal essential for the carrying on of any fire drill. The chief may require that he be notified in advance when such signal will be sounded.

Campus Fire Prevention and Safety Policies

NSU is truly committed to campus safety. With so many students living and learning in such close proximity throughout our campus, each and every student plays an important role in fire prevention. The following policies are designed to aid in fire prevention and protect the safety of the campus community.

Each student assumes the responsibility of complying with fire safety policies, procedures, and guidelines as put forth in this handbook. Violations of fire safety policies and procedures are treated with the highest priority and may result in student conduct sanctions including, but not limited to, fines, educational programming, and removal from residence halls, suspension, or expulsion.

The following minimum conduct sanctions may be imposed upon any student who violates a campus Fire Safety Policy.

1. Smoking in campus building or other non-designated areas of campus including but not limited to tobacco products, e-cigarettes, and vapor cigarettes

- i. First Violation - \$50.00 Fine, Subject to Formal Student Conduct Warning, and Educational Programming
 - ii. Second Violation - \$50.00 Fine and Subject to Formal Student Conduct Probation
 - iii. Third Violation - \$100.00 Fine and Subject to Conduct Probation, and possible removal from Residence Hall.
2. Item(s) hanging from fire alarm or fire sprinkler system
 - i. First Violation – Residence Hall Written Warning and Educational Programming
 - ii. Second Violation - \$25.00 Fine and Subject to Formal Student Conduct Sanction(s)
3. Burning candle or other open flame(s)
 - i. First Violation – \$25.00 Fine, Residence Hall Written Warning, and Educational Programming
 - ii. Second Violation - \$50.00 Fine and Subject to Formal Student Conduct Sanction(s)
 - iii. Third Violation - \$100.00 Fine and Subject Residence Hall Expulsion
4. Tampering with room fire/smoke detector or other room fire alarm device
 - i. First Violation - \$100.00 Fine, Subject to Formal Student Conduct Sanction(s), and Educational Programming
 - ii. Second Violation - \$200.00 Fine and Subject to Student Conduct Probation and Residence Hall Expulsion
5. Tampering with building fire alarm system – **NOT** resulting in the transmission of a fire evacuation
 - i. First Violation - \$75.00 Fine, Subject to Formal Conduct Warning, and Educational Programming
 - ii. Second Violation - \$200.00 Fine and Subject to Student Conduct Probation
6. Tampering with building fire alarm system – **RESULTING** in the transmission of a fire evacuation and a fire department response
 - i. First Violation - \$200.00 Fine and Subject to Student Conduct Probation, and Educational Programming
 - ii. Second Violation - \$300.00 Fine, Subject to Student Conduct Sanction(s), and possible Residence Hall Expulsion

7. Discharge of building fire extinguisher for non-emergency purpose
 - i. \$100.00 - Fine, plus additional cleaning charges and Subject to Student Conduct Probation

Candles, Incense and Warmers

Burning candles and incense or candles with burnt wicks is not permitted in student rooms due to the danger of fire caused by open flame. Students can utilize candle warmers in their rooms with the understanding that they are turned off when the students have left the room. Any candle being used with a candle warmer must have the wick removed.

Fire Equipment Misuse

Tampering with or misuse of fire equipment and alarms is dangerous and will not be tolerated. Residents responsible for tampering with this equipment or setting off false alarm will be subject to student conduct proceedings.

Definitions

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

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

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

Fire Related Death: Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue or escaping from dangers of fire, when death occurs within one year of injuries sustained as a result of the fire.

Annual Fire Statistics Disclosure (2016-2018)

Fire Safety Statistics 2016

Residence Hall	Unintentional Fire	Intentional Fire	Undetermined Fire	Fire Related Deaths	Fire Related Injuries	Value of Property Damage	Drills
Briscoe	0	0	0	0	0	\$ 0.00	2
Jerde	0	0	0	0	0	\$ 0.00	2
Kramer	0	0	0	0	0	\$ 0.00	2
Lindberg	0	0	0	0	0	\$ 0.00	2
McWelsch	0	0	0	0	0	\$ 0.00	2
Steele	0	0	0	0	0	\$ 0.00	2
Total	0	0	0	0	0	\$ 0.00	12

Fire Safety Statistics 2017

Residence Hall	Unintentional Fire	Intentional Fire	Undetermined Fire	Fire Related Deaths	Fire Related Injuries	Value of Property Damage	Drills
Briscoe	0	0	0	0	0	\$ 0.00	2
Jerde	0	0	0	0	0	\$ 0.00	2
Kramer	0	0	0	0	0	\$ 0.00	1
Lindberg	0	0	0	0	0	\$ 0.00	2
McWelsch	0	0	0	0	0	\$ 0.00	2
Steele	0	0	0	0	0	\$ 0.00	2
Wolves	0	0	0	0	0	\$ 0.00	1
Total	0	0	0	0	0	\$ 0.00	12

Fire Safety Statistics 2018

Residence Hall	Unintentional Fire	Intentional Fire	Undetermined Fire	Fire Related Deaths	Fire Related Injuries	Value of Property Damage	Drills
Briscoe	0	0	0	0	0	\$ 0.00	2
Jerde	0	0	0	0	0	\$ 0.00	1
Kramer	0	0	0	0	0	\$ 0.00	2
Wolves	0	0	0	0	0	\$ 0.00	2
McWelsch	0	0	0	0	0	\$ 0.00	2
Steele	0	0	0	0	0	\$ 0.00	2
Great Plains East	0	0	0	0	0	\$ 0.00	1
Great Plains West	0	0	0	0	0	\$ 0.00	1
Total	0	0	0	0	0	\$ 0.00	13

This information is published to comply with the Clery Act of 1990, and the Higher Education Amendments of 1998. Any questions should be directed to Assia Baker by email assia.baker@northern.edu or phone 605-626-3007.