

PUBLIC SAFETY AND SECURITY

CREDITABILITY = PROVEN COMPETENCE, INTEGRITY AND RELATIONSHIPS



2017

Clery Act Continuity and Annual Security Report data

Revised on 26 March 2018

*Includes provisions under the Violence Against Women Act and the Higher Education Act. On March 7, 2013, the Violence Against Women Reauthorization Act of 2013 (VAWA) (Public Law 113-14) was signed into law. VAWA includes amendments to the Clery Act. These changes require institutions to disclose statistics, policies and programs related to dating violence, domestic violence, sexual assault and stalking, among other changes.*

Coon Rapids Campus MN

Cambridge Campus MN

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## Welcome

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

The Campus Safety and Security Report is available in the Educational Services Rm C205 in Coon Rapids, Human Resources C141 in Coon Rapids, Rm D205 in Cambridge, at:

<http://www.anokaramsey.edu/about-us/safety-security/>

<http://www.anokaramsey.edu/about-us/employment/>

[www.arccpublicsafety.wordpress.com](http://www.arccpublicsafety.wordpress.com) or by calling Public Safety at 763-433-1184 or 763-433-1685.

## Summary of ARCC campuses:

### Anoka-Ramsey Community College Cambridge Campus

The Cambridge campus is 40 miles north of Minneapolis, Minnesota on the western edge of the City of Cambridge, a rural environment within Isanti County. The 128.8 acre campus is located on a bluff on the banks of the Rum River. The Cambridge campus offers more than 50 different career programs and several degree options. The largest programs on this campus include Business, Nursing and Science.

### Anoka-Ramsey Community College Coon Rapids Campus

The Coon Rapids campus is nestled on the scenic banks of the Mississippi River on the western edge of Coon Rapids, twenty miles north of the Twin Cities, and just one mile from the City of Anoka. The 101.5 acre campus is a suburban campus and primarily serves the northern metropolitan Twin Cities area. The Coon Rapids campus offers more than 50 different career programs and several degree options are available. The largest programs are Business, Nursing, Science, Art, and Music.

## Purpose of the Annual Security Report:

In 1990, Congress enacted the *Crime Awareness and Campus Security Act of 1990* (Title II of Public Law 101-542), which amended the *Higher Education Act of 1965 (HEA)*. This act required all postsecondary institutions participating in HEA's Title IV student financial assistance programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998, 2000 and 2008. The 1998 amendments renamed the law the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* in memory of a student who was slain in her dorm room in 1986. It is generally referred to as the *Clery Act* and is in section 485(f) of the HEA.

On March 7, 2013, the *Violence Against Women Reauthorization Act of 2013 (VAWA)* (Public Law 113-14) was signed into law. VAWA includes amendments to the *Clery Act*. These changes require institutions to disclose statistics, policies and programs related to dating violence, domestic violence, sexual assault and stalking, among other changes.

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

To be in compliance with Clery Act regulations, an institution has several obligations. These fall into three main categories:

- 1) policy and procedures disclosure;
- 2) records collection and retention; and
- 3) information dissemination.

Clery Act continuity and Annual Security Report will be developed and administered by Public Safety and approved by the Vice President, Finance and Administration. Report will be presented to the President and the President's cabinet annually. In addition, Clery Act training and certification will be made available to specific Public Safety staff to aide in the collection and publishing of the annual report.

Once approved, the report will be published and distributed as follows:

Public Safety	Systems Office, Safety and Security
President's Office	Dean of Academics (ATC)
Vice Presidents	Colleges and Universities as requested
President's Cabinet	Public Safety office at Cambridge/Coon Rapids
Dean of Student Affairs	Students/Faculty/Staff electronically
Students hard copy when requested	
Marketing/Information	Public Safety blog site
Admissions	Public Safety sharepoint site
Student Activities and Clubs	Systems Office for Minnesota State
Employees via email	Students via email (Student Affairs)
Link update on Public Safety blog site	Link update on Public Safety sharepoint site

#### **CAMPUS SECURITY CULTURE:**

ARCC College encourages all students and college community members to be fully aware of safety issues on campus and to take action to prevent and to report illegal and inappropriate activities. Personal awareness and applying personal safety practices are the foundation of a safe community. ARCC through Minnesota State systems office has a variety of policies, guidelines, procedures and plans relating to campus safety and security. These provide the framework for providing a safe campus and are frequently updated. As such, changes may appear in successive issues of this report. Questions on campus safety and security concerns may be submitted to the Director of Public Safety by emailing: [Clifford Anderson@anokaramsey.edu](mailto:Clifford.Anderson@anokaramsey.edu) A copy of this report can be found on our public website at: [arccpublicsafety@wordpress.com](http://arccpublicsafety.wordpress.com)

Anoka Ramsey Community College is a member of the Minnesota State system. We are an affirmative action, equal opportunity employer and educator. This document can be made available in alternate formats by calling the Director of Public Safety at 763-433-1184 or emailing [Clifford.Anderson@anokaramsey.edu](mailto:Clifford.Anderson@anokaramsey.edu).

#### **Annual Security Report Distribution:**

Pursuant to the Student Right to Know, Higher Education Act, Violence Against Women Act and the Campus Security Act, Public Safety monitors criminal activity, publishes this report, and maintains a three-year statistical history of crime reports. ARCC posts this report on ARCC website (blog and sharepoint sites) and sends the annual report to students and employees via email by October (Fall semester) and February (Spring semester) of each year.

Public Safety also posts crime data through the Dept of Education National Campus Safety and Security Survey before 1 Oct of the calendar year for crime data required by Clery Act and Violence Against Women Acts. This survey also includes entries as it relates to liquor and drug violations reported by local law

enforcement, based on jurisdictional authority for Coon Rapids Campus and Cambridge Campuses. Upon posting Public Safety will retain the completion certificate from the survey, a print out of the survey results, and summary pages regarding crime data for that calendar year.

When ARCC distributes its report by posting to an internet or intranet site, by October 1 of each year, all students and employees will be provided a statement of the report's availability, its exact electronic address, <https://arccwebstorage.blob.core.windows.net/media/3624/arcc-campus-safety-security-report.pdf> or [arccpublicsafety@wordpress.com](mailto:arccpublicsafety@wordpress.com).

Dean of Student Affairs in conjunction with Public Safety will contact Students and provide a summary of the contents of the Annual Security report, key contact information, links associated for electronic copies, Memorandums of Agreement/Memorandums of Understanding for Sexual Assault reporting with local law enforcement and that Public Safety upon request will provide a paper copy upon request, at no additional cost. An example of the electronic posting:

ARCC Faculty, Staff and Students, (example or electronic email)

This is the **NEW** ARCC 2017 Annual Security Report;

Please review the attached ARCC Annual Security Report (ASR) posted for **2017 (Clery reportable crime data derived from calendar year 2016)**.

Public Safety is focused on providing a safe and secure campus wide learning environment for all students, faculty, visitors and staff. This is accomplished by adherence to the Clery and Violence Against Women Acts. In addition the ASR is designed as a comprehensive document consisting of disclosures of key safety and security procedures, crime report procedures/practices/programs, Clery Act reportable crime statistics for 3 calendar years, key victim referral agencies and timely warning notifications. Students, and employees can access the annual security report for both Coon Rapids and Cambridge campuses in one document. The ASR only records crimes that have taken place on Clery Geography, of which ARCC has property rights. A paper copy of the ASR can be requested/provided through the office of Public Safety, 763-433-1184/1330/1275. 2017 ARCC/ASR e-copy can be accessed at: <https://arccpublicsafety.files.wordpress.com/2017/09/arcc-2017-asr1.pdf>

- In addition, you can review the Public Safety daily crime log by clicking :

<https://arccpublicsafety.wordpress.com/>

- For review of our current Campus Sexual Assault responses with local law enforcement and MOUs, please access: <https://arccpublicsafety.wordpress.com/2017/09/11/memo-of-understanding-mou/>

In accordance with 34 C.F.R. §668.41(e)(I). ARCC must provide a notice containing this information to all prospective students and employees. All interested parties have the right to request a paper copy of the ASR and to have it furnished upon request. 34 C.F.R. §668.41(e)(4).

- Posting language from human resources includes link to show where the current Annual Security Report is posted for all new prospective employees/applicants applying for the position; this is open to the public
- Student's Orientation training/slides showing daily crime logs and ASR reports to potential and new students; including our blog site for access at: [arccpublicsafety@wordpress.com](mailto:arccpublicsafety@wordpress.com)
- Electronic briefings/powerpoints associated with orientation on D2L or web based training

- Student Senate meetings, Safety and Security committee meetings and during all-staff training venues, the Annual Security Report location is made available for participants.
- Web sites will be provided on numerous safety and security briefings for awareness and visitors by accessing [arccpublicsafety.wordpress.com](http://arccpublicsafety.wordpress.com)
- Marketing posters/flyers for safety and security that emphasize our blog and sharepoint sites for information to include access to our daily crime reports and annual security report
- Monthly summaries that provide source links for reference regarding daily and annual crime information
- Security “Tidbits” quarterly periodical highlighting safety and security procedures and practices

An institution's ASR must include statistics for incidents of crimes reported during the three most recent calendar years. The covered categories include:

***Criminal homicide (murder and non- negligent manslaughter), sex offenses (rape, fondling, incest, and statutory rape), robbery, aggravated assaults, burglary, motor vehicle theft, and arson. Statistics for certain hates crimes, as well as arrest and disciplinary referral statistics for violations of certain laws pertaining to illegal drugs; illegal usage of controlled substances, liquor, and weapons*** must also be disclosed in the ASR. These crime statistics must be published for the following geographical categories:

- 1) On campus;
- 2) Certain non-campus buildings and property; and,
- 3) Certain adjacent and accessible public property. 34 C.F.R. §668.46(c)(l). When applicable, an institution must also compile, and publish separate crime statistic disclosures for each of its campuses. 34 C.F.R. §668.46(e)(4).

***\*\*ARCC does not have student housing on campus***

In addition, Minn. Stat. § 135A.15, subd. 6 requires postsecondary institutions to annually report statistics on sexual assault to the Office of Higher Education. The Office of Higher Education is responsible for calculating state totals and republishing institutional reports in a manner consistent with state and federal laws on student and data privacy.

Minn. Stat. § 13.322 (privacy of sexual assault data) and 626.891 (law enforcement cooperation) were also amended by the 2015 legislation on Campus Sexual Assault.

## Geography

Pursuant to the Act, the Department of Public Safety monitors criminal activity and publishes this report containing a three-year statistical history of select crimes or incidents that occur. The statistics are gathered from four specific geographic areas; 1) campus, 2) residence halls (subset of campus if applicable), 3) non-campus property or institution sanctioned buildings or property and 4) public property that is adjacent to campus, and are submitted on an annual basis to the U.S. Department of Education.

The following definitions are taken from the Higher Education Act of 1965, 485(f) (20 U.S.C. 1092(f)), the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act”, and are used to classify the locations listed in the ARCC ASR Crime Statistics.

## Campus

The term “campus” means: 1) any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and 2) property within the same reasonably contiguous geographic area of the institution that is owned by the

institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

Campus property includes: **See maps posted in ASR under Clery geography**

### **Non-Campus Building or Property**

The term “non-campus building or property” means 1) any building or property owned or controlled by an institution; and 2) any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution’s educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

Non-campus property includes:

**Public Property:** The term “public property” means all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution’s educational purposes.

ARCC public property includes adjacent streets, parking lots, sidewalks, stairwells.

### **CRIME REPORTING POLICIES:**

#### **General Reporting Policies:**

The Public Safety Office, located in C107 in Coon Rapids and D216 in Cambridge is the focal point to which criminal/incident reports should be made. Everyone on campus (including students, faculty, staff and visitors) are encouraged to report **immediately** any and all potentially criminal activity to the Public Safety Office and/or the Coon Rapids Police Department (Coon Rapids Campus) or Cambridge Police Department (Cambridge Campus) by **calling 911**. Individuals reporting incidents to the ARCC Public Safety Office who also wish to file a complaint with the police will be provided with assistance, and are encouraged to do so.

#### **If you see or hear something suspicious, say something and report it!**

Public Safety will also assist students by referring to the office of the Dean, Student Affairs when requested by the student. Campus Security Authority appointed staff members may also refer security related incidents to the Director, Public Safety. With issues regarding student conduct, a copy of the incident report with student identifying data will be sent to the appropriate Dean of Student Affairs for review.

Law enforcement response and authority. Contracted security officers provide routine security support to Public Safety and provide Security at both Coon Rapids and Cambridge Campuses. Contracted security enforce campus rules and procedures, state and federal laws and ensure adherence to the Student Code of Conduct. They are licensed and insured through contract, and exercise citizen’s arrest authority. They supplement security with extra posts when requested by the President and the Director Public Safety. They assist responding law enforcement officers when called for assistance. Local law enforcement in Coon Rapids MN and Cambridge PD MN have jurisdiction on Coon Rapids Campus and Cambridge Campus respectively.

- Coon Rapids Police Department. (763) 767-6481, Provides primary law enforcement response to the Coon Rapids Campus to include investigations involving Sexual Assault. Public Safety and Student Affairs have copies of memorandums of understanding involving Title IX support and adherence to Minnesota Statute 135A.15, 2015 and MN Ch 69, Art 4, Sec 2 addressing campus sexual assault support. Sexual Assault MOUs/MOAs are found on [arccpublicsafety.wordpress.com](http://arccpublicsafety.wordpress.com)



- Cambridge Police Department. (763) 689-9567, Provides primary response to Cambridge Campus to include investigations involving Sexual Assault. Public Safety and Student Affairs have copies of memorandums of understanding involving Title IX support and adherence to Minnesota Statute 135A.15, 2015 and MN Ch 69, Art 4, Sec 2 addressing campus sexual assault support. Sexual assault MOUs/MOAs can be found on [arccpublicsafety@wordpress.com](mailto:arccpublicsafety@wordpress.com)
- Anoka County Deputy Sheriff's office at (763) 324-5000, also can offer law enforcement support to the Coon Rapids Campus
- Isanti County Deputy Sheriff's office (763) 689-2141, also can offer law enforcement support to the Cambridge Campus

ARCC Public Safety normally requests/requires a written incident form to begin the investigation process. ARCC also may require the assistance of the complainant in the school disciplinary process. ARCC will make exceptions when necessary, including cases presenting **clear danger to the victim and/or ARCC community**.

Timely Warnings will be issued through Star Alert, blackboard and communication mediums associated with the Emergency Notification System (ENS). Marketing/communications and Dean Student Affairs will assist with notifications to students, faculty, staff and visitors to alert campus populations of an imminent threat/dangers, accidents/incidents or law enforcement or medical responses. Examples requiring Public Safety to issue Campus wide warnings include:

- Criminal Homicide
  - o Murder and nonnegligent manslaughter
  - o Negligent manslaughter
- Sex Offenses
  - o Rape
  - o Fondling
  - o Incest
  - o Statutory rape
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Arrests and referrals for disciplinary actions including: arrests for liquor law violations, drug law violations, and illegal weapons possession; persons not included who were referred to campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.
- Hate Crimes
  - o Number of each type of crime
  - o Number of the following crimes that are determined to be hate crimes:
    - Larceny-theft
    - Simple assault
    - Intimidation
    - Destruction/damage/vandalism of property
    - Dating violence, domestic violence, and stalking
- Crimes reported to campus security authorities as defined under appropriate guidelines and procedures
- Crimes that are considered by the school to represent a threat to students and employees
- Crimes reported to pastoral or a professional counselor are not required to provide a timely warning
- Immediate threat to the health or safety of students or employees occurring on campus, as described. Campus will use its emergency notification system procedures. If ENS is used, the campus is not

required to issue a timely warning based on the same circumstances, however the campus must provide adequate follow-up information to the community as needed.

Along with campus wide notification, Public Safety must post contact information in the message to include law enforcement agencies that are the primary lead investigator for any information or witnesses that can help solve the crime.

Immediate action/responses to incidents. Public Safety will distribute gold colored matrixes to students and faculty outlining basic response procedures in the event of a natural disaster, manmade accident/incident, criminal activity, active shooter/armed intruder/lockdown events or medical emergencies/fires/evacuations. These guides act as a quick reaction checklist to contingencies and will act as a baseline of response capability and preparedness.

ARCC will issue an annual crime report (ASR) of criminal reports made to Public Safety and other law enforcement agencies for crimes occurring on campus property, on public property adjacent to the campus, and non-campus locations controlled by ARCC. Law Enforcement agencies will be contacted by Public Safety with a checklist of Clery Act reportable crimes and in coordination with the Uniform Code for classifications/definitions of crimes. Law Enforcement will return the information back to Public Safety in hard copy or electronic means, and the data will be reported in the final report by the number of incidents recorded according to the categories provided.

The Director of Public Safety maintains the reports, crime logs and prepares the annual report. Daily Crime logs are available at the Coon Rapids Public Safety Office, Cambridge Public Safety Office or by calling/emailing the Public Safety Director at Clifford.Anderson@anokaramsey.edu. Hard copy ASR reports are available upon request through Public Safety.

### **Daily Crime Logs**

Daily Crime Logs are available for a period of 60 days. Crime Logs are updated within two working days upon receipt to Public Safety. Daily Crime Logs are located on our public blog site at:  
[arccpublicsafety@wordpress.com](http://arccpublicsafety.wordpress.com)

Daily crime logs will contain:

- Nature/date/time/general location of the incident/crime
- Disposition of the complaint, if known
- Whether it is Clery reportable or not

**Campus Public Safety may withhold information if there is clear and convincing evidence that the release of the information would:**

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

***\*campus public safety must disclose any information withheld as stated above, once the adverse effect described is no longer likely to occur or is still in effect.***

Public Safety must make the crime log for the most recent 60 day period open to public inspection during normal business hours. Campus Public Safety must make any portion of the log older than 60 days available within two business days of a request for public inspection.

ARCC student organizations do not own or control any non-campus buildings or property but must report any violation of laws or college policies to Dean, Student Affairs or Public Safety.

The Director of Public Safety serves as the primary liaison for ARCC with all law enforcement and emergency response agencies. Public Safety will report to the Vice President Finance and Administration on items that would effect campus safety and security. In some incidents, the campus emergency response team may be assembled to handle incidents and follow incident command protocols as stated in the emergency operations plan.

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

### **Reporting Procedures:**

All criminal activity occurring on campus should be reported **immediately to 911**. When possible, follow up the call by notifying Public Safety (763-433-1240/1330/1184/1353/1275 in Coon Rapids Campus and 763-433-1330/1840 in Cambridge Campus (CC). **All 911** calls that are originated from a campus landline extension will also be sent to Public Safety automatically through the cisco phone system. Public Safety will assist the 911 call center and also the complainant in completing criminal reports if requested. These reports will also be forwarded to the appropriate law enforcement agency with jurisdiction. In appropriate cases, reports will also be shared with the Dean of Student Affairs for disciplinary actions to include student code of conduct violations. Public Safety will assist local law enforcement agencies with investigations, as requested.

Public Safety and facility personnel will also assist emergency medical first responders to campus when dispatched. All medical emergencies will be captured in the events log under emergency management.

Public Safety may be contacted through portable radio from within the campus. Many employees on campus carry a mobile radio, and are in key positions to report suspicious activity or incidents to Public Safety for response.

Every effort should be made to ensure that physical evidence is maintained and protected. Immediate reporting of crimes will assist in preserving evidence.

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

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

### **Campus Security Authorities (CSAs): In a broad definition CSAs under MN State board policy 1B.3 may include:**

- ARCC Public Safety & security department;
- Any individual who has campus security responsibilities in addition to ARCC security department;
- Any individual or organization identified in ARCC security policy as an individual or organization to which students and employees should report criminal offenses;

- An official of ARCC who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings; advisors to recognized student organizations; and athletic coaches. Professional counselors, whose official responsibilities include providing mental health counseling, and who are functioning within the scope of their license or certification, are not included in this definition.

### **ARCC Campus Security Authority:**

The following people with significant responsibility for student and campus activities must report criminal activity of which they are aware to Public Safety: Director of the office of Diversity and inclusion, Athletic Coordinator, Academic Counselors, Human Resources Director, Deans of Student Affairs, Student Activities Directors, and Director of Student Development/Title IX coordinator and others. These personnel are considered Campus Security Authorities (C.S.A.s) and will be annually trained on proper reporting procedures by Public Safety. These individuals should not attempt to investigate, but should instead report and allow Public Safety to investigate and/or refer to local law enforcement agencies for investigation. C.S.A's will have a special name tag identifier in their work area to clearly identifies the individual as a C.S.A to visitors, employees and students.

In addition, all employees, faculty or staff members who become aware of an allegation of violation of college policy, student code of conduct, civil or criminal law should report the allegation to their supervisor and Public Safety.

### **Bystanders:**

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

Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are OK.

Confront people who seclude, overtly hit on, and try to make sexual contact with, or have sex with people who are incapacitated. Those acts need to be stopped and reported immediately. **Use 911** when a crime is being committed.

- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources list in the Annual Security Report or other resources for support in health, counseling, or with legal assistance.
- Report signs of physical abuse to include unwanted physical contact with a fist, weapon, device, or blunt instrument meant to cause injury to a victim; protect yourself if you find that you are a victim of a predator meaning to do you harm either physically (assault) or in a sexual manner.
- Report all crime immediately, protect yourself, let authorities know what is happening and you need assistance using the **911 system**.

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

### **College's Response to Reports:**

All allegations will be investigated. These investigations may be made in conjunction with the appropriate law enforcement agencies who have jurisdiction, Dean of Student Affairs and Director Human resources for ARCCs.

Reports will be classified by the Director of Public Safety in conjunction with the appropriate (jurisdictional authority) law enforcement agency according to the FBI Uniform Crime Reporting Definitions. For crimes occurring on Clery geography, the lead investigation authority will be law enforcement officials who have primary jurisdiction. Public Safety will assist those officials during the investigation.

When alleged perpetrators are identified as students, the case will be forwarded to the Dean of Student Affairs for further investigation and appropriate action. This includes Title IX investigations when warranted, by a certified and trained Title IX investigator.

State Employee allegations will be referred to Human Resources for further investigation and appropriate action. Supervisors will be contacted through Human Resources as they gather facts on the investigation.

Criminal investigation, arrest and prosecution can occur independently, before, during or after the student or employee disciplinary process.

Students reporting incidents including complaints or incident reports can refer to the table on page xx for referral and contact information in regards to subject area of the complaint.

#### **Investigation and Informal Process: procedure 1B.1/1B.1.1**

<http://www.minnstate.edu/board/procedure/1b01p1.html>

Any member of the college community may file a written complaint alleging a student or organization has violated the Student Conduct Code. Persons filing complaints shall be informed of their rights in accordance with applicable privacy laws and policies including, but not limited to the Minnesota Government Data Practices Act, the federal Family Educational Rights and Privacy Act and the college's Data Privacy Policy. Following the filing of a complaint against a student, the administrator shall conduct an investigation of the allegations. The institution's process shall include the following:

1. If the complaint seems unwarranted, the administrator may discontinue proceedings.
2. If there is sufficient evidence to support the complaint, the administrator shall offer the respondent an opportunity to resolve the alleged violation at an informal meeting. Prior to this meeting, the student shall be given written notice of the specific complaint against him/her and the nature of the evidence available to support the complaint and provided with a copy of the Student Conduct Code. During the meeting the administrator shall review the complaint and the evidence with the student and allow the student to present a defense against the complaint. Within a reasonable time period following the meeting, the administrator shall inform the respondent in writing of his/her decision whether a violation of the code was established by a preponderance of evidence and any applicable sanction as well as options available for an appeal and/or a formal hearing.
3. A student who is subject to a sanction of expulsion or suspension, except summary suspension, for more than nine days may agree to accept the sanction, or may request a formal hearing prior to implementation of the sanction. Other sanctions shall be accepted or may be appealed in accordance with the institution's appeal procedures.
4. If the respondent fails to appear for the informal hearing, the administrator may proceed to review and act upon the complaint in his/her absence and shall notify the student in writing of an action taken.

#### **Formal Hearing and Due Process Rights:**

1. The administrator is responsible for convening a student conduct panel. The panel shall include five members: two students (appointed by the student association), one faculty member (appointed by the faculty union), one staff member, and one administrator (designated by the Vice President of Academic and Student Affairs). The Administrator will serve as a chairperson.

2. Students referred for a formal hearing shall be given adequate advance notice in writing of the time, place, and date of the hearing. A student's failure to appear at the hearing shall not prevent the hearing from proceeding as scheduled.
3. Within a reasonable time prior to the hearing, the student must be informed in writing of: a) the complaint, b) the evidence to be presented against him/her, c) a list of witnesses, and d) the nature of their testimony.

The student shall be given the opportunity to speak in his/her own defense, to present witnesses and to question any witnesses and to have an advocate present. The advocate may provide advice to the student, but may not participate in any questioning. When there is likelihood that a student involved in conduct proceedings will face criminal prosecution for a serious offense, it may be advisable that the student have an attorney as the advocate.

The formal hearing will be conducted as follows:

- The Conduct Administrator presents an opening statement of the charges and a summary of the supporting evidence.
- The respondent presents an opening statement of testimony or evidence to refute the charges.
- The Conduct Administrator calls witnesses for the college. At the conclusion of each witness statement, the respondent and/or members of the panel will have the opportunity to ask questions of the witness.
- The respondent will call witnesses to speak on his/her behalf. At the conclusion of each witness statement, the Conduct Administrator and/or the panel will have the opportunity to ask questions of the witness.
- The Conduct Administrator presents a closing statement.
  1. The respondent presents a closing statement.
  2. In a closed session, the conduct panel shall review the evidence and witness testimony. Using the preponderance of evidence standard, the Student Conduct Panel shall determine by majority vote whether it is more likely than not a violation of the student conduct code occurred. If the panel determines that a violation did occur, it may make a recommendation on the sanction imposed to the Conduct Administrator.
- A written notice of findings and conclusions shall be provided to the student within a reasonable time after the hearing. The notice shall inform the student of any sanction to be imposed. The notice shall also contain information regarding any applicable appeal process.

**Summary Suspension:** In certain circumstances, the administrator may impose a summary suspension prior to the informal or formal A summary suspension may be imposed only when, in the judgment of the administrator, the respondent's presence on the college campus would constitute a threat to the safety and well-being of members of the college community. To the greatest extent possible before implementing the summary suspension, the respondent shall be given oral or written notice of the intention to impose the summary suspension and shall be given an opportunity to present oral or written arguments against the imposition of the suspension. Notice of the intention to impose the summary suspension shall be provided in writing to the student. After the student has been summarily suspended, the student shall be provided an opportunity for an informal or formal hearing within the shortest reasonable time period, not to exceed nine (9) school or business days. During the summary suspension, the student may not enter the campus without obtaining prior permission from the administrator, regardless of the severity of the offense, and will be accompanied by a security officer.

#### **Sanctions:**

One or more sanctions, including the following, may be imposed upon any student found to have violated the Student Conduct Code:

1. *Warning*—Oral or written notice that continuation or repetition of prohibited conduct may be cause for additional disciplinary action.

2. Reprimand—Written reprimand for violation of specified regulations. Notice of action may appear on the student's academic transcript.
3. Probation—Continued enrollment at the college, but under specific written conditions for a specified period of time. Notice of action may appear on the student's academic transcript.
4. Restriction of College Privilege—Limitation of student's access to facilities, programs, services, activities or members of the college community.
5. Course Withdrawal—Immediate institutional withdrawal from one or more courses. Students are not entitled to refunds when institutionally withdrawn from a course.
6. Restitution—Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
7. Service—Work or service assignments to the college or the community.
8. Referral—Use of special support services, including but not limited to services provided by the college, social service agencies or law enforcement agencies.
9. Suspension—Separation from the college for a specified period of time. During this time, the student may not register for, or attend classes or other college functions or be on the college premises. Conditions for return may be specified. Notice of action may appear on the student's academic transcript.
10. *Expulsion*—Permanent denial of the privilege of enrollment at the college. Notice of action may appear on the student's academic transcript.
11. *Deactivation*—Loss of all college privileges for student groups or organizations, including college recognition, for a specified period of time.

**Appeals Process:** The respondent student may appeal a decision reached through the informal process or by the Student Conduct Panel to the Vice President of Academic and Student Affairs or designee within five (5) school or business days of the decision. Appeals shall be in writing and be delivered to the Dean of Student Life or designee. An appeal shall include a record of the original investigation or hearing and supporting comments for one or more of the following purposes:

- To determine whether the original investigation or hearing was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures giving the respondent a reasonable opportunity to prepare and to present a rebuttal of the charges and evidence.
- To determine whether the decision reached regarding the respondent was based on a preponderance of evidence that a violation of the Student Conduct Code occurred
- To determine whether the sanction(s) imposed were fair and proportionate for the violation of the Student Conduct Code for which the student was charged
- The Vice President of Academic and Student Affairs shall review the documentation and the appeal to render a decision. The Vice President may uphold the decision and sanction reached through the informal process or the student conduct Panel, or may determine that the decision was reached in error or inappropriately and require the Investigator or Panel to hear the case again, or may determine that the sanction was inappropriate and issue a lesser sanction or exonerate the student.
- The Vice President's decision shall be final within the college and Minnesota State, and all parties shall be notified of the decision in writing as allowed by applicable privacy laws.
- If the sanction involves suspension for ten (10) or more school or business days, the student shall be informed of the right to a contested-case hearing to an administrative law judge, MN Statute Chapter 14 Hearing, Office of Administrative Hearings.
- Questions regarding the Student Conduct Code shall be referred to the administrator.

**SEXUAL ASSAULT TIMELY WARNING:**

ARCC will issue a timely warning to members of the campus community in cases where it is determined that an ongoing threat to students, visitors and employees continues to exist. In such cases, warnings will be made by methods that most effectively fit the situation. Care must be provided in protecting the victims identity and also to

protect others who provided critical information on the incident. Timely Warnings may be shared with local law enforcement for awareness and aid in dissemination of the information in the local area.

Timely warnings will be determined through the President's office in close coordination with the Vice President, Finance and Administration and Public Safety. In addition the President **may consult** with members of the President's Cabinet to include: Vice Presidents, Deans of Student Affairs, Public Information/Marketing, Dir Human Resources, Director Information Management, and others who have expertise and guidance on the incident.

Based on the situation, the following methods of warning may be selected:

- Emergency Notification System, Star Alert text messaging system (SMS, Email, voicemail), ARCC website/sharepoint/blog sites, flyers on doors, announcements on campus hallway electronic signage systems, in-person class announcements, mobile radios, campus e-mail, marketing and public information news releases, campus eye, social media (campus facebook/twitter), in person contact, subsequent community meetings and/or voice mail.

Public Safety highly recommends that all students **opt-in/enroll** in the **Star Alert** system to ensure timely notifications during emergencies, to include warnings and school closing alerts. Numerous posters are around campus to help raise awareness of the benefits of opting in to Star Alert.

<https://staralertarccatc.bbcportal.com/>

#### **POLICIES CONCERNING SAFETY AND SECURITY OF AND ACCESS TO CAMPUS FACILITIES:**

<http://www.minnstate.edu/Board/procedure/524p5.html>

**Security guidelines 5.24 dictates security services may include but are not limited to individuals who:**

1. Provide for a safe campus environment;
2. Respond to calls for assistance and emergency situations, including situations that might involve threats and/or domestic violence, stalking, or sexual violence situations;
3. Render medical aid as trained and certified;
4. Provide campus safety escorts;
5. Provide information to the public;
6. Patrol by foot, bicycle, motorized cart, or vehicle;
7. Prepare crime and incident reports;
8. Observe and report unsafe conditions and/or occurrences;
9. Provide prevention-related education and inspections;
10. Assist victims of injuries and crimes;
11. Secure doors, windows, and/or gates in campus buildings;
12. Complete daily field activity reports;
13. Provide traffic control and direction as needed;
14. Provide event security management;
15. Provide vehicle unlocks and jump start services;
16. Provide access control management;
17. Enforce parking regulations and assist in parking permit sales and collection of fines;
18. Take custody of found, lost, or abandoned property;
19. Act as a witness for sworn law enforcement officers after observing suspected criminal activity;
20. Provide disaster and emergency assistance;
21. Provide alcohol awareness, sexual assault prevention, and theft prevention education; and/or
22. Assist with alarm monitoring.

The President is responsible for determining the appropriate array of security services on Coon Rapids and Cambridge campuses. Chief Campus Security Official is synonymous with the Director, Public Safety at ARCC. This position provides oversight to the day to day operations of campus safety and security. The Director Public



Safety reports to the Vice President, Finance and Administration. Uniforms and Equipment will provide a security officer with distinguishing uniform or other identifiable apparel compliant with Minn. Stat. § 626.88 Uniforms; Peace Officers, Security Guards. Color will be dark blue in winter and white shirts in the summer. Officers will be provided a communication device. Security officers will carry keys and/or access cards, a multi-tool, flashlight, handcuffs, oleoresin capicum (pepper) spray, baton, and other personal protective equipment. Security officers shall not be provided or authorized to use equipment unless they are qualified in its use through a law enforcement agency or through instruction from a certified trainer.

#### **Personal Security Recommendations:**

Public Safety staff are available to assist you in protecting yourself by providing regular foot and/or vehicle patrols, safety and security programs, as well as various safety and security posters and brochures. However, only you can protect yourself by being aware of your surroundings and taking appropriate steps in preventing crime from happening.

**Security Escort Service:** There may be requests for employees, visitors or students to ask for someone to walk them to their vehicle or bus stop on campus. The ARCC Public Safety department provides an escort service, particularly during hours of darkness, for persons walking to/from their vehicles, requests assistance due to accessibility issues, or other incidents involving personal safety. Contact the Public Safety department at x763-433-1240/1330/1275/1184 in Coon Rapids and x763-433-1840 in Cambridge request an escort. In addition you can schedule an escort by emailing [Clifford.Anderson@anokaramsey.edu](mailto:Clifford.Anderson@anokaramsey.edu). Anyone that has personal safety concerns is encouraged to contact the Director of Public Safety regarding assistance and services that are available on campus.

**Personal Protection Plan.** Conducted by Public Safety highlighting individual strategies you can implement to protect yourself while on campus. Personal protection plans, are available for discussion with a Public Safety professional, and are highly recommended in cases regarding no-contact orders or restraint orders.

#### **Campus Personal Protection Plan Strategies...**

- ✓ Use 911 in case of an emergency or when emergency assistance is needed, do not hesitate!
- ✓ Campus Security can/will provide you an escort to your vehicle
- ✓ Know to plan ahead.. let someone know where you are going and when you plan to be back (even when you are on campus) ; consider alternating entry/exit point to campus, consider alternating forms of transportation to campus (rides from trusted friends/families, etc)
- ✓ Know to never walk alone in isolated areas or unlit areas late at night... Walk with a purpose, head up and not looking at your phone screen
- ✓ Know your social networking traffic...Don't post personal information on social networking sites; many vacationers post pictures only to return to a ransacked apt/home
- ✓ Be aware of photo tags as they will often tell a predator where you are, and what time you were there...including real time
- ✓ Know your body language signals...avoid looking down, not using your peripheral vision... when walking or staring into your phone...head on a swivel
- ✓ Know to look around your car before unlocking it...keep your car alarm accessible at all times
- ✓ Know your facility and public safety staff...let someone know you are on campus during late hours...especially what location (by academic area if possible)
- ✓ As a general rule, Know the locations of campus emergency equipment, fire extinguishers, AEDs, fire alarms, other radios;
- ✓ Know your trails/paths at night, stay on a well-lit, "beaten" path...avoid remote/heavy vegetation/overgrowth/poor visibility areas
- ✓ Know your surroundings around your ATMs...cover your pin, do a quick look for "skimmers" that do not belong there, look for folks who "hang" around the ATM

- ✓ Know your campus layout/buildings and office hours; be aware of staff who are working, remember they carry mobile radios to use for help or emergency assistance

**Building Hours:** The campus maintains regular hours when buildings are open to the public. All personnel and visitors are expected to depart the building within 30 minutes of college closing times.

**Protect your property:**

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

**Protect your automobile:**

- ✓ Always lock your car doors and never leave your keys in the vehicle
- ✓ Try to park your car in a well-lit area
- ✓ Avoid leaving property where it is visible
- ✓ Put valuables in the trunk
- ✓ Protect yourself at night:
- ✓ Avoid walking alone at night--walk with a classmate to your car
- ✓ Refrain from taking shortcuts, walk where there is plenty of light and traffic
- ✓ Preprogram your cellphone with 911; you can also list an **ICE** contact; **ICE – In Case of Emergency**

**Protect yourself walking and jogging:**

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

**Help us protect you:**

Watch for suspicious persons in and around college buildings and parking areas. Do not pursue them. Call ARCC Public Safety officers immediately at x1240/1330 in CR and x1840 in CC. After hours, **call 911**.

**Suspicious activity:**

If you observe any suspicious activity or people on or near campus do not assume that what you observe is an innocent activity and report it. Do not assume the person is a visitor or college staff member that you have not seen before. This is your community college, assist/intervene and inquiry folks who looks lost, confused or displays strange behaviors that may warrant Public Safety intervention.

**Suspicious people may be:**

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

#### **SECURITY CONSIDERATIONS OF CAMPUS FACILITIES:**

##### **Building access and maintenance:**

ARCC is for the use of students, faculty, staff and visitors and those on official business with the college.

- Individuals on campus may be required to present identification upon request of Public Safety or campus staff.
- Access to campus buildings is limited to normal business hours and other pre-approved activities.
- Students, faculty, staff and visitors are encouraged to report needed repairs.
- Students, faculty and staff are provided with a badge identifying their position within ARCC and also as a means for access when required.
- Permission for badges are available through electronic application, and will be approved prior to issuing credentials. It is the employee's responsibility to safeguard and secure the badge. Do not borrow your badge to others and report all lost or stolen badges immediately to Public Safety.

##### **Policies and procedures for safe access to buildings:**

- Keys and card access are issued to authorized faculty, staff, and contractors.
- Exterior building doors should not be blocked open.
- Fire or other alarms should be taken seriously. Building evacuation is mandatory for all fire alarms. Only Public Safety or the on-scene incident commander can authorize reentry or cancellation of a drill or actual evacuation.
- Access during non-duty hours must be vetted through Public Safety for permission.

#### **POLICIES CONCERNING LAW ENFORCEMENT:**

Board Policy 5.24 Safety and Security Compliance provides that ARCC is committed to creating and maintaining safe and secure environments in order to fulfill its mission of providing high-quality education. This procedure identifies expectations for ARCC campus security. Public Safety personnel are employees of Minnesota State, Higher Education. ARCC is not authorized by statute to have licensed police departments. Although campus security departments **are not licensed police departments**, campus security personnel **have citizen's arrest** authority per Minn. Stat. § 629.37 When Private Person May Make Arrest and may use force if necessary to affect such arrests per Minn. Stat. § 609.06 Authorized Use of Force. Typically, such arrests are made only to detain individual(s) for serious offense(s) until arrival of local law enforcement representatives.

Public Safety and contracted Security officers have a constitutional right to defend themselves in matters involving self-defense.

Colleges and universities may contract with local law enforcement for an ongoing law enforcement presence.

**Report as much detail as possible to ensure accurate reporting.** If you are a victim of a crime, your immediate recall of the event is often the best. Write down as much information as you can remember after a crime. If you cannot identify the perpetrator by name, try to recall as many details as possible. Use the 911 alerting system during requests for Safety, medical and security related matters for assistance.

#### **PROGRAMS TO EDUCATE ARCC COMMUNITY REGARDING SECURITY:**

##### **Educational Programming on Campus:**

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

Emergency Management preparedness includes procedures, drills and notifications using the Emergency Notification System. In addition Public Safety will include an Events Log for all matters regarding medical and first responder incidents on campus to include 911 calls for assistance. Drills, including fire alarms, tabletops and walkthrough exercises will also be recorded in the events log.

#### Quick Reference List for Student Concerns

Concern or allegation	Where to go at ARCC	Who to contact for a report	Policies, guidelines
<b>Immediate emergency</b>	Call 911	911 center dispatcher	Accessible through landlines throughout campus; individual cell phones, text applications from desktop
<b>Mental Health</b>	Counseling, appointments or drop in at Coon Rapids 763-433-1840 or Cambridge 763-433-1840	911 can also respond to issues regarding Mental Health Contact lifeMatters at 1800-657-3719 or canvas health at 763-755-3801	Assistance can be provided through on campus counseling through Student Affairs.
<b>Immigration and refugee status</b>	Navigate MN @ <a href="http://www.navigatemn.org">http://www.navigatemn.org</a> The Immigrant Law Center of MN @ <a href="https://www.ilcm.org">https://www.ilcm.org</a>	<b>Minnesota Department of Human Rights</b> Freeman Building 625 Robert Street North Suite 700 Saint Paul, Minnesota 55155 Tel: (651) 539-1100 Toll Free: 1-800-657-3704	<a href="http://www.minnstate.edu/system/og/immigration.html">http://www.minnstate.edu/system/og/immigration.html</a>
			State Statute 256.484 SOCIAL ADJUSTMENT SERVICES TO REFUGEES.
<b>Discrimination or harassment based on protected class</b>	Counseling (see above) Michael Opoku Director, Student Development and Engagement	Contact Michael via email or phone  Michael Opoku @ <a href="mailto:Michael.Opoku@anokarmasey.edu">Michael.Opoku@anokarmasey.edu</a> or phone 763-433-1272	<b>Board Policy 1B.1</b> Equal Opportunity and nondiscrimination in Employment and Education <b>System Procedure 1B.1.1</b> Report/Complaint of discrimination/harassment investigation and resolution

<b>Sexual assault</b>	Emergency, call 911  Other referrals: Counseling (see above)	Online at <a href="https://cm.maxient.com/reportingform.php?AnokaRamseyCC&amp;layout_id=4">https://cm.maxient.com/reportingform.php?AnokaRamseyCC&amp;layout_id=4</a> Personal Reporting via email or phone available by contacting either of the following individuals: -Lisa Harris @ 763-433-1292 <a href="mailto:Lisa.Harris@anokaramsey.edu">Lisa.Harris@anokaramsey.edu</a> -Mike Opoku @ 763-433-1272 <a href="mailto:Michael.Opoku@anokaramsey.edu">Michael.Opoku@anokaramsey.edu</a>	<b>Board Policy 1B.3</b> Sexual Violence Policy <b>System Procedure 1B.3.1</b> Response to Sexual Violence Procedure
<b>Student Code of Conduct violations (including bullying, hate crimes, and physical violence)</b>	<b>Crime in progress: Contact 911</b>  Public Safety Clifford Anderson @ <a href="mailto:Clifford.Anderson@anokaramsey.edu">Clifford.Anderson@anokaramsey.edu</a> Student Affairs @ 763-433-1272, Michael Opoku @ <a href="mailto:Michael.Opoku@anokaramsey.edu">Michael.Opoku@anokaramsey.edu</a>	Contact Michael Opoku via email or phone <a href="mailto:Michael.Opoku@anokaramsey.edu">Michael.Opoku@anokaramsey.edu</a> or phone 763-433-1272  Contact Clifford Anderson in Public Safety either by email or phone. <a href="mailto:Clifford.Anderson@anokaramsey.edu">Clifford.Anderson@anokaramsey.edu</a> or 763-433-1184	<b>Board Policy 3.6</b> Student Conduct, Systems <b>Procedure 3.6.1</b> Student Conduct
<b>Restraining or no contact orders</b>	All campuses contact Public Safety 763-433-1330 or 763-433-1184	Clifford Anderson, Director, Public Safety <a href="mailto:Clifford.Anderson@anokaramsey.edu">Clifford.Anderson@anokaramsey.edu</a> 763-433-1184	Annual Security Report matrix for no contact and restraining orders assistance
<b>Safety Action Plan or Personal Protection Plan</b>	All campuses contact Public Safety at 763-433-1330 or 763-433-1184	Clifford Anderson, Director, Public Safety <a href="mailto:Clifford.anderson@anokaramsey.edu">Clifford.anderson@anokaramsey.edu</a> 763-433-1184	Blog site @ <a href="mailto:arccpublicsafety@wordpress.com">arccpublicsafety@wordpress.com</a>
<b>Security Escort requests</b>	Public Safety 763-433-1330 or 763-433-1184	Clifford Anderson, Director Public Safety <a href="mailto:Clifford.anderson@anokaramsey.edu">Clifford.anderson@anokaramsey.edu</a> 763-433-1184	Annual Security Report, campus security procedures
<b>Student complaints &amp; Grievances</b>	Counseling or Advising office 763-433-1840 or 763-433-1240 or Student Affairs 763-433-1272	Online at: <a href="http://www.anokaramsey.edu/about-us/policies-disclosures/policies-procedures/procedure3f211-student-complaints/">http://www.anokaramsey.edu/about-us/policies-disclosures/policies-procedures/procedure3f211-student-complaints/</a>	<b>Board Policy 3.8</b> Student Complaints & Grievances, System Procedure <b>3.8.1 Student Complaints &amp; Grievances</b>

#### CRIME STATISTICS:

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

Crime statistics were provided by the Cambridge and Coon Rapids Police Departments based on the FBI Uniform Crime Reporting Act and the definitions as provided by the Clery Act, Violence Against Women Act and Higher Education Act guidance. Crime data is collected using calendar year timelines, and published in the current fiscal year in the Annual Security Report.

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

<i>Crime Statistics for Anoka-Ramsey Community College Coon Rapids Campus, Reportable Year 2017 (2014 – 2016 calendar years Jan-Dec) Revision on 26 March 2018</i>				
<b>Alleged Criminal Activity (does not necessarily constitute arrest or conviction)</b>				
<b>Category</b>	<b>Venue</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Murder</b>	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
<b>Negligent Manslaughter</b>	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
<b>Non-Negligent Manslaughter</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Sexual Assault (Rape, Fondling, Incest, Statutory Rape)</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Robbery</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Aggravated Assault</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Burglary</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Motor Vehicle Theft</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Arson</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Theft: Non-bias/Hate</b>	On Campus	12	9	8
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Damage to Property – non bias</b>	On Campus	0	1	3
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Bias/Hate Crimes</b>				

Category	Venue	2014	2015	2016
<b>Larceny-Theft</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Simple Assault</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Intimidation</b>	On Campus	1	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Vandalism/Destruction/Damage</b>	On Campus	1	0	3
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Violence Against Women Act</b>				
<b>Category</b>	<b>Venue</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Domestic Violence</b>	On Campus	1	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Dating Violence</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Stalking</b>	On Campus	3	4	1
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Disciplinary Action</b>				
<b>Category Disciplinary referrals for:</b>	<b>Venue</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Liquor Law Violation</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Drug law Violation</b>	On Campus	0	0	1
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Weapons Violation</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Arrests on Campus</b>				
Weapons: carrying, possessing, etc.	On Campus	0	0	0
Drug Abuse violations	On Campus	0	0	0
Liquor Law violations	On Campus	0	0	0

**Cambridge Campus**

<i>Crime Statistics for Anoka-Ramsey Community College Cambridge Campus, Reportable Year 2017 (2014 – 2016 calendar years Jan-Dec) Revision 26 Mar 2018</i>				
<b>Alleged Criminal Activity (does not necessarily constitute arrest or conviction)</b>				
<b>Category</b>	<b>Venue</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Murder</b>	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
<b>Negligent Manslaughter</b>	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
<b>Non-Negligent Manslaughter</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Sexual Assault (Rape, Fondling, Incest, Statutory Rape)</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Robbery</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Aggravated Assault</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Burglary</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Motor Vehicle Theft</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Arson</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Theft: Non-bias/Hate</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Damage to Property – non bias</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Bias/Hate Crimes</b>				
<b>Category</b>	<b>Venue</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Larceny-Theft</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Simple Assault</b>	On Campus	0	0	0
	Non Campus	0	0	0



	Public Property	0	0	0
<b>Intimidation</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Vandalism/Destruction/Damage</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Violence Against Women Act</b>				
<b>Category</b>	<b>Venue</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Domestic Violence</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Dating Violence</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Stalking</b>	On Campus	1	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
Disciplinary Action				
<b>Category Disciplinary referrals for:</b>	<b>Venue</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Liquor Law Violation</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Drug law Violation</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Weapons Violation</b>	On Campus	0	0	0
	Non Campus	0	0	0
	Public Property	0	0	0
<b>Arrests on Campus</b>				
Weapons: carrying, possessing, etc.	On Campus	0	0	0
Drug Abuse violations	On Campus	0	4	0
Liquor Law violations	On Campus	0	0	0

### Cambridge Campus

Cambridge campus property extends north to 2<sup>nd</sup> Ave West, just south of hwy 95, East to River Park trails, and West to Spirit River Dr, Hwy 70, South to 329<sup>th</sup> Ave NE to include out bldg., storage shed, adjacent to 329<sup>th</sup> Ave NE. There are no non-public buildings on campus.





**Coon Rapids Campus, MN**

Coon Rapids campus extends North to Coon Rapids Blvd, to include the Professional Workforce Training Facility to the Northeast corner of the campus, East to Mississippi Blvd to the East; South to Lot #3 adjacent to Mississippi View Apartments, demarcation is a chain link fence to West up to the Mississippi River. In addition ARCC encompasses a natural trail area up to Coon Rapids Blvd to the East side of campus. There are no non-public buildings on campus.

**MONITORING AND RECORDING ACTIVITY AT OFF-CAMPUS LOCATIONS:**

All ARCC recognized organizations that are off-campus will be monitored by local law enforcement agencies. Just because a facility or organization is located off-campus (i.e. conference or class) does not mean activity at that location is not monitored. Such activity is monitored by local law enforcement agencies which shares information with ARCC. Campus sponsored events at off-campus locations could include Clery Act reportable violations dependent on who was involved, location, ownership of the property/premise and scope of the incident. ARCC includes off-campus student organizations' crime statistics in its annual report as part of the crime at ARCC.

Student Activities at both Coon Rapids and Cambridge, provides oversight for ARCC student activities, clubs and organizations that are using campus funds or resources for off-campus functions. All student clubs have advisory positions from employees of the college.

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

According to the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226) and Minnesota Statutes 152 Prohibited Drugs, 340A Liquor Act, and 624.71 Liquors in certain buildings or grounds, ARCC will implement a program to prevent the use of illicit drugs and the abuse of alcohol by its students and employees. ARCC prohibits the unlawful possession, consumption (use), sale, or distribution of alcohol by all students and employees and enforces all applicable drinking/liquor laws and policies on campus, including Federal law, Minnesota State law, Cambridge/Coon Rapids City Ordinances and institution policy (Anoka-Ramsey's Policy: <https://www.anokaramsey.edu/about-us/policies-disclosures/policies-procedures/policy-1a901-environmental-health-and-safety-anoka-ramsey-community-college-drug-free-policy/>). \*\*Additional information on Anoka-Ramsey's Drug and Alcohol Prevention/Education Plan is available on page 37-40 of this document and in the Drug and Alcohol Abuse Prevention Program document: <https://arccwebstorage.blob.core.windows.net/media/4274/drug-and-alcohol-prevention-program.pdf>.

The possession or consumption of alcohol are prohibited in all ARCC campus buildings, and applies regardless of age. Consuming alcohol and loitering with an open container of alcohol is a violation of the law in accordance with MN statute 169A.35 OPEN BOTTLE LAW. The only exception is for special events authorized by the Minnesota State Colleges and College Board of Trustees.

Students are subject to the Student Code of Conduct while participating in school sponsored activities at off campus locations- any violations of the Student Code of Conduct while participating in any such activities will be investigated by ARCC Department of Public Safety and the Office of Dean, Student Affairs.

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

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

Students who are found to be in possession of an open container or consuming alcohol while on campus will be subject to disciplinary action for violating the Student Code of Conduct. If students are not cooperative the Coon Rapids Police Department (who may be called to assist), and the student may be subject to citation or arrest.

Employees who are found to be in possession of an open container or consuming alcohol while on campus will be subject to disciplinary action. Non-students/ non-employees who are found to be in possession of an open

container or consuming alcohol while on campus may be asked to leave campus, may be prohibited from returning for one year, if uncooperative the Coon Rapids or Cambridge Police Department may be called to assist, and the individual may be subject to citation or arrest.

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

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

The state of being under the influence of alcohol is prohibited in all ARCC campus buildings inclusive of Coon Rapids and Cambridge campuses.

Non-students/ non-employees who are believed to be under the influence of alcohol may be asked to leave campus, may be prohibited from returning for one year, and if uncooperative the Coon Rapids or Cambridge Police Department may be called to assist, and the individual may be subject to citation or arrest.

ARCC forbids the use (consumption), possession, manufacture, sale, transportation or furnishing of alcoholic beverages on campus. This prohibition of possession or consumption of alcoholic beverages on campus applies regardless of age. The only exception is authorized use for special functions/events which have been pre-approved by the ARCC President.

ARCC enforces the Minnesota drinking laws, including the prohibition of use by persons under 21 years of age, and College policy.

If the suspect is underage, local law enforcement will be called for assistance.

#### **Health Risks associated with Alcohol and drugs, summary.**

**Alcohol.** Alcohol consumption causes a number of changes in behavior and physiology. Even low doses significantly impair judgment, coordination, and abstract mental functioning. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including acquaintance rape, vandalism, fights, and incidents of drinking and driving. Continued abuse may lead to dependency, which often causes permanent damage to vital organs and deterioration of a healthy lifestyle.

**Amphetamines.** Amphetamines can cause a rapid or irregular heartbeat, headaches, depression, damage to the brain and lungs, tremors, loss of coordination, collapse, and death. Heavy users are prone to irrational acts.

**Cocaine/Crack.** Cocaine users often have a stuffy, runny nose and may have a perforated nasal septum. The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature, paranoia and depression. Cocaine is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, psychosis, convulsions, stroke and even death.

**Hallucinogens.** Lysergic Acid Diethylamide (LSD) causes illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the section of the brain that controls the intellect and keeps instincts in check. Hallucinogens can cause liver damage, convulsion, coma and even death.

**Marijuana.** Marijuana may impair or reduce short-term memory and comprehension, alter sense of time, and reduce coordination and energy level. Users often have a lowered immune system and an increased risk of lung cancer. Users also experience interference with psychological maturation and temporary loss of fertility. The active ingredient in marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 to 30 days.

**Methamphetamines.** Methamphetamines, known as speed, meth, ice, glass, etc., have a high potential for abuse and dependence. Taking even small amounts may produce irritability, insomnia, confusion, tremors, convulsions, anxiety, paranoia, and aggressiveness. Methamphetamine users may experience symptoms similar to Parkinson's disease, a severe movement disorder.

**Narcotics.** Narcotics such as codeine, heroin or other opiate drugs cause the body to have diminished pain reactions. The use of heroin can result in coma or death due to a reduction in heart rate.

**Steroids.** Steroid users experience a sudden increase in muscle and weight and an increase in aggression and combativeness. Steroids can cause high blood pressure, liver and kidney damage, heart disease, sterility and prostate cancer.

#### **Drugs on Campus and Enforcement of State and Federal Laws:**

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

#### **Emergency Response, Notification, and Evacuation:**

Emergency notification applies to a wide range of threats such as crimes, gas leaks, highly contagious viruses, or severe weather situations. In such cases, emergency notifications will be made by methods that most effectively fit the situation. Based on the situation, the following methods of warning maybe selected: Emergency Notification System, Star Alert through blackboards messaging system (SMS, Email, voicemail), ARCC website/sharepoint/blog sites, flyers on doors, announcements on campus hallway electronic signage systems, in-person class announcements, mobile radios, campus e-mail, marketing and public information news releases, campus eye, social media (campus facebook/twitter), in person contact, subsequent community meetings and/or voice mail.

Everyone is encouraged to sign-up for Star Alert by going to <http://www.anokaramsey.edu/about-us/safety-security/> and clicking "Star Alert".

ARCC will issue a timely warning to members of the campus community in cases where it is determined that an ongoing threat to students and employees continues to exist. The Director of Public Safety, Vice President of Administration and Finance, and/or an On-Duty administrator will normally make the initial evaluation to confirm there is a significant emergency or threat with close coordination with the President's office. In some cases the Campus Emergency Response Team may be recalled to aide in decision making for prolonged emergency management and incident command decisions.

Immediate notification for events such as severe weather, fire, lockdown situations, etc. will normally be made on the campus Emergency Notification System through Public Safety. Emergency response teams will be activated to complete additional notifications and response actions based on the nature of the emergency. The campus Emergency Response Plan outlines procedures and responsibilities in response to campus emergencies. Additional notifications will be made by or in coordination with emergency response agencies having operational control of the emergency response.

#### **Emergency Situation Training, Drills and Exercises:**

Training, drills and exercises are conducted at various times of the year to ensure members of the campus community are aware of actions to be taken in the event of emergency situations. These activities include individual, group or campus wide training. College employees may be assigned special duties and/or

responsibilities for emergency response and will receive training to complete these actions. Students and other persons that may be on campus during an emergency cannot be expected to have training on campus emergency procedures. All employees are expected to assist in directing students and others on proper actions during emergency situations.

Annually, a number of drills are scheduled to help train the campus community on procedures for fire, severe weather/tornado, lockdowns and armed intruders on campus emergencies. These trainings and drills may include walkthroughs and table tops with local emergency responders up to full scale multifunctional drills with community partners. Other times, a faculty member or supervisor may simply review procedures with an individual, class or work group to ensure proficiency during emergencies.

**Fire Drills:** Drills will normally be conducted annually. Instructors in classes not in session during drills will discuss procedures with each class during the same week of the drills. Actual fire alarms with evacuation will also count as a drill, and will be recorded in the campus events log.

**Severe Weather/Tornado Drills:** Training will normally be conducted annually in conjunction with State of Minnesota testing in April. Instructors in each class will discuss the weather/tornado warning system and where the nearest safe areas are located in the building.

**\*\*ARCC takes guidance from the document “Action Guide for Emergency Management at Institutions of Higher Education” by the US Department of Education.**

## **SEXUAL VIOLENCE POLICY, PROCEDURES, AND RESOURCES:**

### **Policy**

ARCC’s policy on sexual abuse is governed by the Minnesota State policy 1B.3.1 Response to Sexual Violence. In support of the system policy, ARCC reaffirms the policy that sexual abuse will not be tolerated. Every effort will be made to assure that all members of ARCC community are provided an atmosphere free from sexual abuse. To prevent sexual abuse educational efforts will be undertaken to inform employees and students of their responsibilities regarding such behavior, how to identify and eliminate potential sexual abuse and what steps can be taken if instances of sexual abuse are experienced.

ARCC conducts programs aimed at preventing sexual offenses and making the community aware of the potential of such crimes. These programs include evening security patrols of the campus, providing escorts, inspecting the campus for potentially dangerous areas and implementing programs to inspect campus lighting and shrubbery. In addition, educational programs concerning sexual assault awareness are provided by Counseling, Green Dot Program, and the Public Safety Dept.

A guiding principle in the reporting of sexual assault is to avoid re-victimizing the sexual assault survivor by forcing the person into any plan of action. Sexual assault survivors may contact any one of several ARCC departments or community services for assistance. The following resources provide immediate aid or on-going consultation for survivors of sexual assault.

### **Contact Numbers:**

Public Safety: (763) 433-1184  
Coon Rapids Dean of Students: (763) 433-1240  
Cambridge Dean of Students: (763) 433-1840  
Alexandria House: (763) 780-2330  
Anoka Co. Victim/Witness Service: (763) 323-5728



Isanti Co Sexual Assault Service: (763) 689-8346  
Mille Lacs Co P.E.A.R.L: 1-800-522-2055  
The Refuge: 1-800-338-7233

### **Reporting Incidents of Sexual Violence**

Prompt reporting is strongly encouraged. Complainants of sexual violence may report incidents at any time, but are strongly encouraged to make reports promptly in order to best preserve evidence for a potential legal or disciplinary proceeding.

### **Procedure:**

**Call 911 as soon as possible after the offense, then notify campus security. Please remember it is most important to preserve evidence.**

- Do not bathe, douche, use the toilet, or change clothing.
- Note everything about the location.
- If you have been sexually assaulted, you should seek medical attention immediately regardless of whether you report the matter to the police.

Complainants are strongly encouraged to report incidents of sexual violence to law enforcement for the location where the incident occurred. Complainants are also encouraged to contact the local victim/survivor services office, counseling and health care providers, campus Title IX coordinators, or Minnesota State ARCC campus security authorities for appropriate action.

### **Assistance in reporting**

When informed of an alleged incident of sexual violence, all Minnesota State ARCC students and employees are urged to encourage and assist complainants, as needed, to report the incident to local law enforcement, local victim/survivor services, campus Title IX coordinator, or campus security authorities.

Campus security authorities, when informed of an alleged incident of sexual violence, shall promptly assist the complainant, as requested, including providing guidance in filing complaints with outside agencies, such as law enforcement; obtaining appropriate assistance from victim/survivor services or medical treatment professionals; and filing a complaint with campus officials responsible for enforcing the student conduct code or employee conduct standards.

When appropriate, Minnesota State ARCC may pursue legal action against a respondent, including, but not limited to, trespass or restraining orders, in addition to disciplinary action under the applicable student or employee conduct standard. ARCC may take actions it deems necessary or appropriate in response to all protection, restraining, or no-contact orders.

### **Confidentiality of reporting**

Confidential reports. Because of laws concerning government data contained in Minn. Stat. § 13 Government Data Practices, ARCC cannot guarantee confidentiality to those who report incidents of sexual violence except where those reports are privileged communications with licensed healthcare professionals. Some off-campus reports also may be legally privileged by law, such as reports to clergy, private legal counsel, or healthcare professionals.

### **Reports to campus security authorities**

Complainants of sexual violence may contact any campus security authority for appropriate assistance or to report incidents. Absolute confidentiality of reports made to campus security authorities cannot be promised. However, campus security authorities shall not disclose personally identifiable information about a complainant of sexual violence without the complainant's consent, except as may be required or permitted by law. There may be instances in which a college, university, or the system office determines it needs to act regardless of whether the



parties have reached a personal resolution or if the complainant requests that no action be taken. In such instances, Minnesota State ARCC will investigate and take appropriate action, taking care to protect the identity of the complainant and any other reporter in accordance with this procedure.

### **Required Reports**

Any campus security authority or any college or university employee with supervisory or student-advising responsibility who has been informed of an alleged incident of sexual violence shall follow college or university procedures for making a report for the annual crime statistics report. In addition, the campus security authority shall report to other school officials, as appropriate, such as the campus affirmative action office, the campus office responsible for administering the student conduct code, and/or the designated Title IX compliance coordinator, in order to initiate any applicable investigative or other resolution procedures.

Campus security authorities may be obligated to report to law enforcement the fact that a sexual assault has occurred, but the name of or other personally identifiable information about the complainant will be provided only with the consent of the complainant, except as may be required or permitted by law.

### **Distribution of policy to students**

ARCC shall, at a minimum, at the time of registration make available to each student information about its sexual violence policy and procedure, including its online reporting system that allows for anonymous reporting, and shall additionally post a copy of its policy and procedure at appropriate locations on campus at all times. ARCC may distribute its policy and procedure by posting on an Internet or Intranet website, provided all students are directly notified of how to access the policy by an exact address, and that they may request a paper copy.

### **Distribution of policy to employees**

Colleges, and the system office shall make available to all employees a copy of the sexual violence policy and procedure. Distribution may be accomplished by posting on an Internet or Intranet website, provided all employees are directly notified of the exact address of the policy and procedure as well as the option of receiving a paper copy upon request.

### **Required notice**

ARCC shall have a sexual violence policy, which must include the notice provisions in this part.

### **Notice of complainant options**

Following a report of sexual violence the complainant must be promptly notified of:

Where and how to obtain immediate medical assistance. Complainants should be informed that timely reporting and a medical examination within 72 hours are critical in preserving evidence of sexual assault and proving a criminal or civil case against a perpetrator. Complainants should be told, however, that they may report incidents of sexual violence at any time.

Where and how to report incidents of sexual violence to local law enforcement officials, and/or appropriate college, university, or system contacts for employees, students, and others. Such contacts should be identified by name, location, and phone number for 24-hour availability, as applicable.

### **Notice of complainant rights**

Complainants must be notified of the following:

- Their right to file criminal charges with local law enforcement officials in sexual assault cases;
- Rights under the crime victims bill of rights, Minn. Stat. §§ 611A.01 – 611A.06, including the right to assistance from the Crime Victims Reparations Board and the commissioner of public safety;
- Availability of prompt assistance from campus officials, upon request, in notifying the appropriate campus investigating authorities and law enforcement officials, and, at the direction of law enforcement

authorities, assistance in obtaining, securing, and maintaining evidence in connection with a sexual violence incident;

- Assistance available from campus authorities in preserving for a sexual violence complainant materials relating to a campus disciplinary proceeding;
- Complaints of incidents of sexual violence made to campus security authorities must be promptly and appropriately investigated and resolved;
- Upon a sexual assault complainant's request, ARCC, university, or system office may take action to prevent unwanted contact with the alleged assailant, including, but not limited to, transfer of the complainant and/or the respondent to alternative classes, or to a work site or to alternative college-owned housing, if such alternatives are available and feasible; and
- Upon the request of the complainant, students who reported sexual assaults to ARCC or university and subsequently chose to transfer to another college or university will be provided with information about resources for victims of sexual assault at ARCC or university to which the complainant is transferring.

### **Investigation and Disciplinary Procedures**

Immediate action. The College may, at any time during the report/complaint process, reassign or place on administrative leave an employee alleged to have violated Board Policy 1B.3, in accordance with the procedures in System Procedure 1B.1.1. Such action must be consistent with the applicable collective bargaining agreement or personnel plan.

The College may summarily suspend or take other temporary measures against a student alleged to have committed a violation of Board Policy 1B.3, in accordance with System Procedure 1B.1.1 or Board Policy 3.6.

### **General principles**

ARCC will refer to System Procedure 1B.1.1 Report/Complaint of Discrimination/Harassment Investigations and Resolution when investigating complaints of sexual violence. Procedures used in response to a complaint of sexual violence should avoid requiring complainants to follow any plan of action, to prevent the possibility of re-victimization.

The College, when conducting an investigation and disciplinary procedures concerning allegations of sexual violence against employees or students, must:

- Be respectful of the needs and rights of individuals involved and treat them with dignity;
- Not suggest to the complainant that he or she was at fault for the sexual assault or should have behaved differently to prevent the assault;
- Proceed as promptly as possible
- Permit a student complainant and a student respondent to have the same opportunity to have an appropriate support person or advisor present at any interview or hearing, in a manner consistent with the governing procedures and applicable data practices law;
- Afford employees the right to representation consistent with the appropriate collective bargaining agreement or personnel plan;
- Be conducted in accordance with applicable due process standards and privacy laws;
- Simultaneously inform both the complainant and respondent of the outcome in a timely manner, as permitted by applicable privacy law.
- Be based on a preponderance of evidence standard, meaning that it is more likely than not that the policy, procedure, or code has been violated.

The past sexual history of the complainant and respondent must be deemed irrelevant except as that history may directly relate to the incident being considered.

A respondent's use of any drug, including alcohol, judged to be related to an offense may be considered to be an exacerbating rather than mitigating circumstance.

#### **Relationship to parallel proceedings**

ARCC in conjunction with the general counsel at systems office; will conduct an investigation and disciplinary procedure for allegations of sexual violence and will proceed independent of any action taken in criminal or civil courts. ARCC need not, and in most cases should not, delay its proceedings while a parallel legal action is ongoing. If ARCC is aware of a criminal proceeding involving the alleged incident, they may contact the prosecuting authority to coordinate when feasible. Criminal or civil court proceedings are not a substitute for ARCC and system office procedures.

#### **Memorandum of understanding with local law enforcement**

ARCC shall enter into a memorandum of understanding with the primary law enforcement agencies that serve their campus(es). Prior to the start of each academic year, ARCC shall distribute an electronic copy of the MOU to all employees and students on the campus that are subject to the memorandum. Public Safety will also post current MOUs on [www.arccpublicsafety.wordpress.com](http://www.arccpublicsafety.wordpress.com) Public Safety and Student Affairs will continue to work closely with law enforcement to establish a first responder/investigation support system in matters concerning: Sexual assault, Sexual harassment, Domestic Violence, Dating Violence and Sexual violence.

#### **False statements prohibited**

ARCC take allegations of sexual violence very seriously and recognizes the consequences such allegations may have on a respondent as well as the complainant. Any individual who knowingly provides false information regarding the filing of a complaint or report of sexual violence, or who provides false information during the investigation of such a complaint or report, may be subject to discipline or, under certain circumstances, legal action. Complaints of conduct that are found not to violate policy are not assumed to be false.

#### **Withdrawn complaint**

If a complainant no longer desires to pursue a complaint through the College, Anoka-Ramsey reserves the right to investigate and resolve the complaint as it deems appropriate.

#### **Discretion to pursue certain allegations**

ARCC reserves discretion whether to pursue alleged violations of policy under appropriate circumstances, including, but not limited to, a determination that an effective investigation is not feasible because of the passage of time, or because the respondent is no longer a student or employee of ARCC, or system office.

#### **Sanctions**

Sanctions that may be imposed if a finding is made that sexual violence has occurred include, but are not limited to, suspension, or expulsion of students, or termination from employment for employees. The appropriate sanction will be determined on a case-by-case basis, taking into account the severity of the conduct, the student's or employee's previous disciplinary history, and other factors as appropriate.

Witnesses or victims who report in good faith an incident of sexual violence will not be sanctioned by ARCC, or system office for admitting in the report to a violation of the student conduct policy on the use of alcohol or drugs.

#### **Retaliation prohibited**

Actions by a student or employee intended as retaliation, reprisal, or intimidation against an individual for making a complaint or participating in any way in a report or investigation under this policy are prohibited and are subject to appropriate disciplinary action.

## **Sexual Violence Prevention and Education**

### **Campus-wide training**

ARCC shall:

- Include in their sexual violence policy a description of educational programs that they offer to students and employees to promote the awareness of sexual violence offenses, including sexual violence prevention measures and procedures for responding to incidents.
- Provide training on awareness of sexual violence prevention measures and procedures for responding to incidents of sexual violence. At a minimum, all incoming students and all new employees must be provided/offered with this type training awareness;
- Educational programs are a key component for preserving evidence for proof of a criminal offense, safe and positive options for bystander intervention, and information on risk reduction to recognize warning signs of abusive behavior and risk associated with the perpetration of sexual violence.

### **Other training and education**

ARCC and affiliated student organizations will provide educational awareness to include developing educational programs, brochures, posters, and other means of information to decrease the incidence of sexual violence and advise individuals of the legal and other options available if they are the complainants of an incident or if they learn of such an incident.

### **Training for individuals charged with decision-making authority**

Prior to serving as either an investigator or decision maker for complaints under this procedure, administrators shall complete 1B.1 investigator or decision-maker training provided by the systems office, Minnesota State. Investigators/decision makers, campus security officers, and anyone else involved in the adjudication process must receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. Sexual Violence investigators must complete systems office 1B.1 investigator training prior to accepting duties.

### **Maintenance of report/complaint procedure documentation**

Data that is collected, created, received, maintained, or disseminated about incidents of sexual violence will be handled in accordance with the privacy requirements of Minn. Stat. § 13 Government Data Practices and other applicable laws.

Information on reports of incidents of sexual violence that are made to Campus Security Authorities must be documented in accordance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, codified at 20 U.S.C. § 1092 (f). The information will be used to report campus crime statistics on college and university campuses as required by the Clery Act.

During and upon the completion of the complaint process, the complaint file must be maintained in a secure location. Access to complaint file information, including information stored electronically, must be in accordance with the applicable collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act, and other applicable law and policy.

The College shall annually report statistics on sexual assaults to the Minnesota Office of Higher Education. Additionally, the report must be published on each college and university website in accordance with state law. Every attempt is made to maintain the anonymity of the sexual assault survivor. Every attempt will be made not to release names to the media. Unless requested by the sexual assault survivor, names and addresses of survivors are released to the Police Department. Public Safety will attempt to provide support and advice for sexual assault survivors. Each report of sexual assault will be investigated in order to provide better protection to the survivor of a sexual assault and all members of the campus community. Sexual assault survivors should be aware of the need

of ARCC to release information regarding the fact that an assault has occurred for the protection and safety of others.

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

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

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

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

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

**Procedures for Campus Disciplinary Action for Sex Offenses:**

ARCC disciplinary process is an option for any person wishing to report a case of student misconduct. In order for ARCC to precede a written complaint (whether by the victim or a third party) must be filed with the Dean of Student Affairs. If the complaint is criminal in nature, it will also be forwarded to Public Safety and law enforcement.

Resources for where and how complainants may obtain on- or off-campus counseling, mental health, or other support services.

Both the accuser and the accused are entitled to have others present (an advocate or advisor) during the disciplinary proceeding. This person may not, however, speak in your place or ask questions of witnesses.

Both the accuser and accused shall be informed of the outcome of ARCC disciplinary proceeding concerning the complaint of sexual offense. Generally, this information should not be disclosed to the public.

Sanctions following a college disciplinary proceeding include but are not limited to expulsion or suspension.

**HARASSMENT AND DISCRIMINATION REPORTING PROCESS,**

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

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

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

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

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

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

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

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

**Racial Discrimination/Harassment Definitions**

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

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

## **Sex Discrimination/Harassment and Violence Definitions**

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

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

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

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

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

**Dating Violence:** The term "dating violence" means 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 based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Stalking:** The term "stalking" means engaging in a course of conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated; and that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

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

Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Anoka Ramsey Community College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking. ARCC has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students and participating in and presenting information and materials during new employee orientation. Primary prevention and awareness programs are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome. Environmental risk and protective factors are considered as they occur on the individual, relationship, institutional, community and societal levels.

Name of Program	Date Held	Location Held	Prohibited Behavior Covered
<b>Workplace Violence: Managing Anger to Prevent Violence (MnSCU)</b> (E260000PPD_wumbmapv_vod)	Continuous, offered annually	ELM, online for state employees	Workplace violence with emphasis on managing anger behavior to prevent violence in work areas
<b>Violence: Workplace Violence: The Myths and The Mysteries (MnSCU)</b> (E260000PPD_wumbwvmm_vod)	Continuous, offered annually	ELM, online for state employees	Workplace violence, FAQs and facts relating to incidents
<b>Sexual Harassment Prevention training for Minnesota State (MnSCU) (E260000CLR0007)</b>	Continuous, offered annually	ELM, online for state employees	Sexual Harassment prevention training
<b>MnSCU 1B.3 Sexual Violence Investigator Training (E260000CLR0001)</b>	Continuous, resident courses offered annually	Systems Office	Sexual Assault, Sexual Violence training
<b>Prohibition of Sexual Harassment Policy Review and Acknowledgement (G10ETDHR1392)</b>	Continuous, offered annually	ELM, online for state employees	Sexual Harassment Policy and provisions for conduct
Life Matters, Cycle of Life  Mylifematters.com	Counselors on demand; continuous	Referral 24/7;	Stress, Family difficulties, depression/anxiety, chemical dependency, crisis situations
Code of Conduct	Once for all New Employees; required annually for 2018	On-line (D2L)	Alcohol & Drug use, harassment violations, improper conduct



Personal empowerment through Self Awareness	Once for all New Employees	Online (D2L)	Personal violence such as sexual assault, rape, dating & relationship violence
Coming Storm	Optional training	Online (D2L)	FBI school violence video
Awareness 360	Optional training	Online (D2L)	Personal security and enhancing your Security Awareness/vigilance

**Sexual violence defined:** Acts of sexual violence are criminal behaviors and create an environment contrary to the goals and missions of the system and ARCC.

Acts of sexual violence include:

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

**Sexual Assault.** The definition of sexual assault for the purpose of this report was amended by the 2017 MN legislature. The definition of sexual assault in Minn. Stat. § 135A.15, Subd. 1a is now "rape, sex offenses - fondling, sex offenses - incest, or sex offenses - statutory rape as defined in Code of Federal Regulations, title 34, part 668, subpart D, appendix A, as amended."

Following are the definitions of those terms:

**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."

**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.

**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** – 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.

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

**Nonconsensual Relationships.** Substantial risks are involved even in seemingly consensual romantic/sexual relationships where a power differential exists between the involved parties. The respect and trust accorded a faculty member or other employee by a student, as well as the power exercised by faculty in giving grades, advice, praise, recommendations, and opportunities for further study or other forms of advancement may greatly diminish the student's actual freedom of choice concerning the relationship. Similarly, the authority of the supervisor to hire, fire, evaluate performance, reward, make recommendations, assign and oversee the work activities of employees may interfere with the employee's ability to choose freely in the relationship. Further, it is inherently risky where age, background, stature, credentials or other characteristics contribute to the perception that a power differential exists between the involved parties which limits the student or employee's ability to make informed choices about the relationship.

Claims of a consensual romantic/sexual relationship will not protect individuals from sexual harassment charges nor guarantee a successful defense if charges are made. It is the faculty member, supervisor or staff who will bear the burden of accountability because of his/her special power and responsibility, and it may be exceedingly difficult to use mutual consent as a defense. Therefore, all employees should be aware of the risks involved in entering into a romantic/sexual relationship where there is a superior/subordinate relationship.

### **Sexual Orientation Discrimination/Harassment Definitions**

**Sexual orientation discrimination** is prohibited by state law. Sexual orientation discrimination is defined as conduct that is directed at an individual because of his/her sexual orientation and that subjects the individual to different treatment by agents or employees so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges provided by the system, ARCC or otherwise adversely affects the individual's employment or education.

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

**Procedures for Reporting a Complaint:** ARCC has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. ARCC will make such accommodations, if the complainant requests them and if they are reasonably available, regardless of whether the complainant chooses to report the crime to the ARCC Department of Public Safety or local law enforcement. Students and employees should contact Dean of Student Affairs at 763-433

After an incident of sexual assault or domestic violence, the victim should consider seeking medical attention as soon as possible at:

**Coon Rapids Campus:**

Mercy Hospital @ 4050 Coon Rapids Blvd, NW Coon Rapids MN, call 763-236-6000  
Allina Health Mercy Women's clinic, 11850 Blackfoot Ste 300, Coon Rapids MN, call 763-236-9236  
Allina Health Urgent Care, Coon Rapids MN, 9055 Springbrook Dr NW call 763-780-9155

**Cambridge Campus:**

Cambridge Medical Center, 701 South Dellwood St, Cambridge, call 763-689-7700  
Cambridge Medical Center, 38890 14 Ave, North Branch MN, call 651-674-0055

**Evidence Collection.**

In Minnesota, evidence may be collected even if you chose not to make a report to law enforcement. Evidence collected during a medical forensic exam will only be tested if a report is made to law enforcement. Under Minnesota law, the county in which the sexual assault or rape occurred is responsible for the cost of collecting evidence during your medical forensic examination. The county must pay regardless of whether or not you report to law enforcement. After your medical forensic examination has been performed, the county may be reimbursed from your insurance with your permission. Counties must obtain your approval prior to billing your insurance. Whether or not the county uses your insurance is your choice. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to ARCC investigators or police. Although ARCC strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. ARCC will assist any victim with notifying local police if they so desire. Coon Rapids or Cambridge Police Departments may also be reached directly by calling 763-689-9567, in person at 139 1<sup>st</sup> Ave E, Cambridge MN 55008 or Coon Rapids Police Department is at 763-427-1212; in person 11155 Robinson Drive, Coon Rapids MN 55433-3761

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Michael Opoku, Director Student Development and Title IX Coordinator, by calling 763-433-1272 or in person, at 11200 Mississippi Blvd NW, Coon Rapids MN 55433 or online at [Michael.opoku@anokaramsey.edu](mailto:Michael.opoku@anokaramsey.edu). You can also contact ARCC Department of Public Safety if the victim so desires. ARCC with a full team of professionals will provide resources or provide referral agencies, on campus, off campus or both, to include medical, health, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy.

The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

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

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

ARCC Department of Public Safety, or Director Student Affairs, or Director of Student Development and Title IX coordinator, when informed of an alleged incident of sexual violence, shall promptly assist the complainant, as requested.

### **The College will provide:**

Provide complainant with written information to access medical care, depending on when reported (immediate vs. delayed report).

- Assess immediate safety needs of the petitioner/complainant;
- Assist complainant with contacting local police if complainant requests and provide contact information for local police department;
- Provide complainant with referrals to on and off campus mental health providers;
- Assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, “No Contact” directive between both parties;
- Provide a “No Trespass” directive to accused party if deemed appropriate;
- Provide written instructions on how to apply for an Order of Protection;
- Provide a copy of the Sexual Violence Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution;
- Inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is;
- Enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.

**No-Trespass order.** When appropriate, ARCC may pursue legal action against a respondent, including, but not limited to, no-trespass or restraining orders, in addition to disciplinary action under the applicable student or employee conduct standard. No Trespass authorization is generated by the President and can be also be coordinated with Coon Rapids Police Department or Cambridge Police Departments through Public Safety. No Trespass orders need to have an exact location of the person to whom the no-trespass order was directed. Contact with the respondent can be either through mail or direct contact.

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

In Minnesota, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

- Be informed of prosecutor’s decision to decline prosecution or dismiss the case along with information about seeking a protective or harassment order at no fee
- Protection against employer retaliation for victims to take reasonable time off to attend order for protection or harassment restraining order proceedings

- Domestic abuse victims have the ability to terminate a lease without penalty
- Sexual assault victims can make a confidential request for HIV testing of a convicted offender
- Sexual assault victims do not have to pay the cost of a sexual assault examination
- Sexual assault victims may not be required to undergo a polygraph examination in order for an investigation or prosecution to proceed.

Further, ARCC complies with Minnesota law in recognizing Orders of Protection and Harassment Restraining Orders.

#### **Procedures for Protection order or restraining orders:**

##### **Issue orders:**

- Public Safety will be the point of contact (POC) for all matters dealing with courts/police issued documents
- In conjunction with Student Affairs/Title IX appointed monitor
- Public Safety must review documents and accompany officer/agent to deliver the court order
- Student/faculty/staff are located on campus via registrar's office and student records
- Issuing orders will be done using utmost discretion to not disturb the learning environment while protecting the individual (seek instructor first, have the student excused and issue the order in an appropriate location)
- Monitor issuing order to ensure a peaceful/uneventful exchange takes place
- Public Safety will maintain a copy of the order, until the time of the order has expired; treat as confidential until destroyed

##### **Safety Action Plan: Provided through Public Safety**

- Determine if victim needs an escort to and from school, ascertain times/dates of classes
- Provide immediate numbers to contact in case of an emergency/duress to include 911
- Determine if classes can be provided in different formats to include online or webinars
- Vary routes to and from campus, consult with someone when you are leaving or have arrived on campus
- Vary entry/exit points to campus, ensure you have a means of communicating in an emergency
- Know your entry/exit points, know who is on campus that is an employee in case of emergency
- Contact Public Safety to personalize your safety plan to meet your needs and help develop a Personal Protection Plan of action

Any person who obtains an order of protection from Minnesota or any reciprocal state (Under VAWA's full faith and credit provision, every state must recognize and enforce protection orders issued in other states, as if issued in the enforcing state) should provide a copy to ARCC Department of Public Safety and the Office of Student Affairs/Title IX Coordinator. Information would be shared on a need to know basis, to identify and prevent that individual (respondent) access to campus or the individual for which the order was protecting.

A petitioner/complainant may then meet with ARCC Department of Public Safety to develop a Safety Action Plan, which is a plan for campus officials and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.) ARCC cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services. Protection from abuse orders may be available through the local county court at no cost. ARCC through Student Affairs may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, ARCC offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal investigation of the complaint. If reasonably available, a

complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement.

Additionally, personal identifiable information about the victim will be treated as **confidential** and only shared with persons with a specific need to know who are investigating/ adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).)

ARCC will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Type of Order	Who Can File For One	Where to go for assistance	Criteria for Order
Order for Protection (OFP)  Domestic Abuse	Spouses Former Spouses Parents and Children Persons related by blood Persons who live together or who have lived together in the past Persons who have a child in common, even if they have not been married or lived together Persons who have an unborn child in common Persons involved in a significant romantic or sexual relationship	Visit the Anoka or Isanti County Courthouse. District Court staff will help you complete the paperwork (Affidavit and Petition) needed to ask for a temporary "ex parte" Order for Protection. You are called the "Petitioner" and the person you are filing against is called the "Respondent." <a href="#">ARCC Public Safety</a> can assist students to find the correct agencies above when completing and filing OFP's and harassment orders.	<ul style="list-style-type: none"> <li>• physical harm, bodily injury, or assault;</li> <li>• the infliction of fear of imminent physical harm, bodily injury, or assault; or</li> <li>• terroristic threats, within the meaning of section 609.713, subdivision 1; criminal sexual conduct, within the meaning of section 609.342, 609.343, 609.344, 609.345, or 609.3451; or interference with an emergency call within the meaning of section 609.78, subdivision 2.</li> </ul>
<b>Harassment Restraining Order (HRO)</b>	Anybody who does not fall under the criteria for the Order for Protection.	To file a Harassment Restraining Order, you must first fill out a Court Administration form titled "Petitioner's Affidavit and Petition for Harassment Restraining	A single incident of physical or sexual assault or repeated incidents of intrusive or unwanted acts, words, or gestures that have a

		Order." You may pick up a copy of this form from the Anoka, Isanti County Service Center, or download it from the Minnesota Court System's web site. Provide as many details as possible on the form, and return it to Court Administration.	substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless of the relationship between the actor and the intended target.
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\*Criteria for Order reflects Minnesota Statutes

The institution does not publish the name of crime victims nor house identifiable information regarding victims in the Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request Contact Public Safety for further guidance.

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

<http://www.rainn.org> – Rape, Abuse and Incest National Network <http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice <http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

#### Derived from Anoka county resource guide 2014-2016:

**Alexandra House, Inc. Community Program..... (763) 576-9999**

[www.alexandrahouse.org](http://www.alexandrahouse.org). Free and confidential services for victims of domestic and sexual violence that include: support groups, assistance in filing protection orders and legal representation at hearings, family law legal clinics, crime victim advocacy following a domestic or sexual assault, safety planning, information & referral.

**Alexandra House, Inc. Shelter Program & 24 hour Crisis Line..... (763) 780-2330**

[www.alexandrahouse.org](http://www.alexandrahouse.org). Emergency shelter for victims of domestic and sexual violence and their children. Free and confidential services include: crisis intervention, advocacy, safety planning, women's and children's support groups, info and referral, follow up services and housing services.

**Anger/Domestic Abuse Project..... (612) 874-7063**

[www.domesticabuseproject.org](http://www.domesticabuseproject.org). Treatment for abusive men, therapy for women, adolescents, & children. Office hours Monday-Thursday, 9 am-7 pm and Friday, 9 am-4 pm. 24 hour answering machine.

**Anoka County Attorney's Office, Victim / Witness Services..... (763) 323-5559 or (763) 323-5624**

Crisis counseling, referrals, resources, community education, & victim advocacy. Office: 8 am - 4:30 pm.

**Anoka County Vulnerable Adult/Adult Protection..... (763) 422-7168**

Responds to & investigates reports of maltreatment (abuse & neglect, financial exploitation) for vulnerable adults. Also offers protective services to prevent maltreatment.

**Anoka County Community Resource Guide HELPLINES & CRISIS NUMBERS Community Work**

**Services..... (763) 323-5830**

Allows offenders an opportunity to meet their responsibility to society in a positive way by performing community service work.

**Council on Crime & Justice, General Victims Service..... (612) 340-5400**

[www.crimeandjustice.org](http://www.crimeandjustice.org). Aid to victims of crime. 24 hour crisis line. Provides advocacy, referrals, & training.

**Domestic Abuse Hotline, National Hotline 1-800-799-7233 TTY (Hearing Impaired) ..... 1-800-787-3224**

[www.thehotline.org](http://www.thehotline.org). 24 hours/7 days a week. Provides crisis assistance & shelter referrals for all languages.

**GLBT-KIDS Abuse Intervention Program..... 1-877-GLBT-KIDS (1-877-452-8543)**

[www.thefamilypartnership.org](http://www.thefamilypartnership.org). Offers support, referrals, resources, training and connections for GLBT (gay, lesbian, bisexual, transgender) youth who are experiencing abuse, bullying or mistreatment. Supports their families, youth-serving professionals, and others who care about the well-being of youth.

**HCMC Domestic Violence Intervention Program ..... (612) 873-2636**

A Hennepin County Medical Center (HCMC) Program offering help with legal & medical problems incurred by women who have been battered in a domestic situation. 8 am-11 pm, 365 days a year.

**Lee Carlson Center for Domestic Abuse Program..... (763) 783-4990**

**Women's Line ..... (763) 783-4914**

**Men's Line ..... (763) 783-4914**

**Women's Anger Management.....(763) 783-4990**

**Women's Group for Sexual Assault & Adolescent Group for Sexual Assault .....(763) 783-4990**

[www.leecarlsoncenter.org](http://www.leecarlsoncenter.org). Domestic abuse therapy for children who witness abuse, women who are victims/survivors, men with history of intimate partner abuse, & anger management for adolescents.

Answering machine, confidential, 24 hours a day. Accepts most medical insurance for payment. Sliding fee.

**Men's Line.....(612) 379-MENS (612) 379-6367**

By men, for men, the Men's Line of Family & Children's Service is available to all Twin Cities area men— and the people who care about them. It helps callers find solutions for problems related to stress and anger, parenting concerns, and marriage/relationship concerns.

**Minnesota Domestic Violence Crisis Line ..... 1-866-223-1111**

[www.dayoneservices.org](http://www.dayoneservices.org). 24 hour crisis line for women experiencing domestic abuse. Wherever you are in Minnesota, you will be automatically connected with the closest safe place in your area.

**Out Front Minnesota ..... (612) 822-0127 or 1-800-800-0350**

[www.outfront.org](http://www.outfront.org). 310 E 38th St Room 204, Minneapolis. Legal advocacy, training, education, information, referral, & domestic violence programs on or related to the GLBT community.

**Rape & Sexual Abuse Center / 24 hour Hotline..... (612) 825-4357 TTY**

**(Hearing Impaired) ..... (612) 377-4163**

[www.rsac-nip.org](http://www.rsac-nip.org). Short term counseling & referrals; available Mon-Fri for walk-ins 9 am-5 pm, evenings by appointment. Support group therapy (long term). Concerned persons support group

**Sexual Violence Center..... (612) 871-5111 TTY**

**(Hearing Impaired) ..... (612) 871-1550**

[www.sexualviolencecenter.org](http://www.sexualviolencecenter.org). 24 hour crisis line for immediate support, information, & referral. Counseling available.

**Stop It Now! Minnesota.....Helpline 1-888-PREVENT (1-888-773-**

**8368) [www.stopitnow.org/mn](http://www.stopitnow.org/mn). Monday-Friday, 8 am-5 pm. Safe and confidential resource for anyone concerned about their own or another's sexualized thoughts or behaviors towards children. Call for support, resources, and referral & to learn what you can do to keep children safe or how to help a child who may have been harmed.**

**Tubman..... Crisis Line (612) 825-0000**

**[www.tubman.org](http://www.tubman.org) Business Line (612) 825-3333 3111 1st Ave S, Minneapolis 55408.** Outpatient center for referrals, phone counseling, support groups, legal services, chemical dependency, & mental health services.

Provides legal assistance in family law cases, will provide referrals for other types of legal cases. Family violence resource agency providing domestic abuse survivors safe passage from abuse.

## **Bystanders**

**Bystanders:** Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some of the ways to



be an active bystander. If you or someone else is in immediate danger, **call 911**. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

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

### **Reducing the Risk of Sexual Assault:**

You can reduce the chances of sexual assault by doing the following:

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas, it is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (call 911)
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink unattended, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they have had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- If you need to get out of an uncomfortable or scary situation here are some things that you can try:
- Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
- Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
- Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come and get you or make up an excuse for you to leave.
- Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgement before doing anything you may regret later.

#### **Complainants' rights:**

- Complainants have the right to file criminal charges with local law enforcement officials in any sexual assault case;
- They have all of the rights under the crime victims bill of rights, Minn. Stat. §§611A.01 – 611A.06, including the right to assistance from the Crime Victims Reparations Board and the commissioner of public safety;
- Complainants are afforded the availability of prompt assistance from campus officials, upon request, in notifying the appropriate campus investigating authorities and law enforcement officials, and, at the direction of law enforcement authorities, assistance in obtaining, securing, and maintaining evidence in connection with a sexual violence incident;
- Campus Security Authorities will assist in preserving for a sexual violence complainant materials relating to a campus disciplinary proceeding;
- Complaints of incidents of sexual violence made to campus security authorities must be promptly and appropriately investigated and resolved;
- Upon a sexual assault complainant's request, ARCC will take action to prevent unwanted contact with the alleged assailant, including, but not limited to, transfer of the complainant and/or the respondent to alternative classes, or to a work site or to alternative college-owned housing, if such alternatives are available and feasible. Any accommodations or protective measures provided to the victim will be maintained in confidence, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures;
- Upon the request of the complainant, students who report sexual assaults to (Minnesota State) and subsequently chose to transfer to another college or university will be provided with information about resources for victims of sexual assault at ARCC or university to which the complainant is transferring.

**Investigation and Disciplinary Procedures:** Investigations and disciplinary procedures will be conducted by ARCC officials who, at a minimum, receive annual training on the issues related to 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. ARCC officials who conduct investigations and disciplinary procedures will **not have any bias or conflict of interest** toward either the accuser or the accused. Law Enforcement may be requested to include resources specifically trained to deal with issues dealing with dating violence, domestic violence, sexual assault and stalking.

ARCC procedures used in response to a complaint of sexual violence complainants should avoid requiring complainants to follow any plan of action, to prevent the possibility of re-victimization. The process will be respectful of the needs and rights of individuals involved and they will be treated with dignity. It is never assumed or suggested that the complainant or victim was at fault for the sexual assault or should have behaved differently to prevent the assault. **All proceedings will be acted on promptly and conducted within reasonable timeframes.** The process will allow for extensions of those timeframes for good cause with written notice to the complainant and the respondent of the delay and the reason for the delay. The process will be consistent with these policies and transparent to the complainant and the respondent. Student complainants and respondents will have the same opportunity to have an appropriate support person or advisor present at any interview or hearing, in a manner consistent with the governing procedures and applicable data practices law.

Employees have the right to representation consistent with the appropriate collective bargaining agreement or personnel plan. All procedures will be conducted in accordance with applicable due process standards and privacy laws. The complainant and respondent will simultaneously be informed, in writing, of the outcome in a timely manner, as permitted by applicable privacy law. **Outcomes will be based on a preponderance of evidence** standard, meaning that it is more likely than not that the policy, procedure, or code has been violated. The past sexual history of the complainant and respondent are deemed irrelevant except as that history may directly relate to the incident being considered. A respondent's use of any drug, including alcohol, judged to be related to an offense may be considered to be an exacerbating rather than mitigating circumstance.

**ARCC** takes allegations of sexual violence very seriously and recognizes the consequences such allegations may have on a respondent as well as the complainant. Any individual who knowingly provides false information regarding the filing of a complaint or report of sexual violence, or who provides false information during the investigation of such a complaint or report, may be subject to discipline or, under certain circumstances, legal action. Complaints of conduct that are found not to violate policy are not assumed to be false.

If a complainant no longer desires to pursue a complaint through ARCC proceeding, ARCC reserves the right to investigate and resolve the complaint as it deems appropriate. ARCC reserves discretion whether to pursue alleged violations of policy under appropriate circumstances, including, but not limited to, a determination that an effective investigation is not feasible because of the passage of time, or because the respondent is no longer a student or employee of ARCC.

**Sanctions:** ARCC may, at any time during the report/complaint process, reassign or place on administrative leave an employee alleged to have violated Board Policy 1B.3, in accordance with the procedures in System Procedure 1B.1.1. Such action must be consistent with the applicable collective bargaining agreement or personnel plan.

ARCC may summarily suspend or take other temporary measures against a student alleged to have committed a violation of Board Policy 1B.3, in accordance with System Procedure 1B.1.1 or Board Policy 3.6.

Sanctions that may be imposed if a finding is made that sexual violence has occurred include, but are not limited to, suspension, or expulsion of students, or termination from employment for employees. The appropriate sanction will be determined on a case-by-case basis, taking into account the severity of the conduct, the student's or employee's previous disciplinary history, and other factors as appropriate. Witnesses or victims who report in good faith an incident of sexual violence will not be sanctioned by ARCC for admitting in the report to a violation of the student conduct policy on the use of alcohol or drugs.

Actions by a student or employee intended as retaliation, coercion, discrimination, reprisal, or intimidation against an individual for making a complaint or participating in any way in a report or investigation under this policy are prohibited and are subject to appropriate disciplinary action.

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the *Jeanne Clery Act, section 121 of the Adam Walsh Child Protection and Safety Act of 2006*, and the Family Educational Rights and Privacy Act of 1974, the ARCC Department of Public Safety is providing a link to the Minnesota Sex Offender Registry. This act requires institutions of higher education issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student.

The Minnesota Level 3 Sex Offender Registry is available via Internet. **Information regarding Level 3 sex offenders can be found at [www.coms.doc.state.mn.us/Level3/](http://www.coms.doc.state.mn.us/Level3/) and information regarding Level 2 offenders is available at the (Local Law Enforcement) Police Department.**

**Filing an Appeal:** The complainant or the respondent may appeal the decision of the decision maker. An appeal must be filed in writing with the president or designee within ten (10) business days after notification of the decision. The appeal must state specific reasons why the complainant or respondent believes the decision was improper. In a complaint against a president or other official who reports directly to the chancellor, an appeal may be considered by the chancellor whether or not the chancellor served as the decision maker.

For employees represented by a collective bargaining agreement, an appeal under this procedure is separate and distinct from, and is not in any way related to, any contractual protections or procedures. During the pendency of the appeal disciplinary or corrective action taken as a result of the decision shall be enforced. In addition, in cases involving sanctions of suspension for ten (10) days or longer, students shall be informed of their right to a contested case hearing under Minnesota Statutes Chapter 14.

The president or designee shall review the record and determine whether to affirm or modify the decision. The president or designee may receive additional information if the president or designee believes such information would aid in the consideration of the appeal. The decision on appeal shall be made within a reasonable time and the complainant, respondent and designated officer shall be notified in writing of the decision, consistent with applicable state and federal data privacy laws. The decision on appeal exhausts the complainant's and respondents administrative remedies under this procedure except as provided herein.

### **Disability Discrimination/Harassment Definitions**

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

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

Procedures for Handling Harassment and Discrimination Complaints:

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

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

Jay Nelson: (763) 576-4054

Nora Morris: (763) 433-1632

Lisa Harris: (763) 433-1292

Michael Opoku: (763) 433-1272

Clifford Anderson: 763-433-1184

**DRUG AND ALCOHOL ABUSE EDUCATION PROGRAMS:**

The purpose of this policy is to set forth the ARCC's policy regarding alcohol and other drug use, including unlawful drug use or abuse in the workplace in accordance with the Drug Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D) and Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101-226). The Drug and Alcohol Free Campus Policy is on page 16 of this publication.

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

Anoka-Ramsey Community College adheres to the federal Drug-Free Schools and Campuses Act (DFSCA) and Minnesota State Board Policy 5.18 which prohibits the unlawful possession, use, or distribution of alcohol and illicit drugs by students and employees on ARCC premises, or in conjunction with any college-sponsored activity or event, whether on- or off- campus. In accordance with federal regulations, this policy is printed in the electronic Student Handbook, which is made available to every student and employee and included with the annual Campus Crime and Security Report, which is available to every student and employee. ARCC conducts a biennial review of this policy to determine the effectiveness of this policy and to ensure that disciplinary sanctions for violating standards of conduct are enforced consistently.

Numerous training materials are available and current on Drugs and Alcohol policies/guidelines/statutory language at:

College Policy: <http://www.anokaramsey.edu/about-us/policies-disclosures/policies-procedures/policy-1a901-environmental-health-and-safety-anoka-ramsey-community-college-drug-free-policy/>

Student Consumer Information webpage, under Health and Safety: <https://www.anokaramsey.edu/about-us/policies-disclosures/student-consumer-information/>

Drug and Alcohol Abuse Prevention Program - including Policies & Procedures (direct link):

<https://arccwebstorage.blob.core.windows.net/media/4274/drug-and-alcohol-prevention-program.pdf>

ARCC Drug and Alcohol Abuse Prevention Program Biennial Review (direct link):

<https://arccwebstorage.blob.core.windows.net/media/4272/daapp-biennial-review.pdf>

**Standards of Conduct:**

- No student or employee shall manufacture, sell, give away, barter, deliver, exchange, or distribute; or possess with the intent to manufacture, sell, give away, barter, deliver, exchange, or distribute a controlled substance or drug paraphernalia while involved in a college-sponsored activity or event, on- or off-campus.
- No student or employee shall possess a controlled substance, except when the possession is for that person's own use, and is authorized by law while involved in a college-sponsored activity or event, on- or off-campus.
- No student shall report to campus, and no employee shall report to work while under the influence of alcohol or a controlled substance, except as prescribed by a physician, which affects alertness, coordination, reaction, response, judgment, decision-making, or safety.
- Except as allowed by Minnesota State Board Policy 5.18, the possession, use, sale or distribution of alcoholic beverages and 3.2% malt liquor at ARCC and at college-sponsored events is prohibited.

**Educational and Treatment Programs:**

- ARCC provides annual information and periodic training for employees and information to students that foster a drug- and alcohol-free environment.
- Counselors are available to assist students deal with personal concerns the might interfere with their academic work while at ARCC. Services are free and confidential and can be arranged by contacting the Counseling and Advising Department.

- The Employee Assistance Program (EAP) is available to all Minnesota State employees. EAP can assist employees by providing a professional assessment of a possible alcohol or drug problem. The mission of EAP is to provide confidential, accessible services to individual employees and state agencies in order to restore and strengthen the health and productivity of employees and the workplace. For additional information, contact the Human Resources Department.
- Community area substance abuse treatment center referrals include:

### **Alcohol and Drug Resources**

**If you need assistance with a drug or alcohol problem, the following services are confidential and available to ARCC students:**

Alcoholics Anonymous: [aaminnesota.org](http://aaminnesota.org)

**Anoka Ramsey Counseling Services: 763-433-1240**

Substance awareness programs and services are offered through the ARCC Counseling Department. Contact the department for further information.

**College employees should contact the State Employee Assistance Program: 651-259-3840**

Employee Assistance provides a professional assessment of possible alcohol or drug problem.

### **Community Counseling/Treatment Resources:**

Anoka/Metro Regional Treatment Center  
3301 7th Ave N, Cronin Building, Anoka, MN 55303  
763-712-4492

Dellwood Recovery Center  
701 S Dellwood Ave, Cambridge, MN 55008  
763-689-7723  
[www.cambridgemedicalcenter.com](http://www.cambridgemedicalcenter.com)

Transformation House  
1410 S Ferry St, Anoka, MN 55303  
763-427-7155  
[www.transformationhouse.com](http://www.transformationhouse.com)

Hazelden Foundation  
15245 Pleasant Valley Rd, Center City, MN 55012  
800-257-7800  
[www.hazelden.org](http://www.hazelden.org)

New Connection Programs Outpatient Treatment  
8000 Hwy 65 NE, Minneapolis, MN 55431  
763-784-2454  
[www.regionshospital.com](http://www.regionshospital.com)

Recovery Plus Rum River Outpatient Program  
209 6th Ave S, Princeton, MN 55371  
800-964-8524

Unity Hospital Substance Abuse Services  
550 Osborne Rd, 2 E, Minneapolis, MN 55432

763-236-4522

[www.mercy-unity.com](http://www.mercy-unity.com)

**Illegality of Drugs on Campus and the Enforcement of Federal and State Drug Laws:** ARCC enforces Federal, State, and local drug laws regarding the use, possession, and sale of illegal drugs and drug paraphernalia. ARCC forbids the possession, use, or distribution of illegal drugs on campus. This includes but is not limited to possession, sale, and use, growing, manufacturing and making of narcotic drugs. Exceptions would be drugs prescribed by a doctor's order.

The state of being under the influence of a controlled substance is prohibited in all ARCC campus buildings.

**Students** who are believed to be under the influence of a controlled substance may be subject to disciplinary action for violating the Student Code of Conduct. **Employees** who are believed to be under the influence of a controlled substance may be subject to disciplinary action. **Non-students/ non-employees** who are believed to be under the influence of a controlled substance may be asked to leave campus, may be prohibited from returning for one year, and if uncooperative the Coon Rapids or Cambridge Police Department may be called to assist, and the individual may be subject to citation or arrest.

**For petty misdemeanor crimes, such as possession of marijuana, the following actions will be taken:** **Students** who are found to be in violation of the law may be subject to disciplinary action for violating the Student Code of Conduct. If students are not cooperative the Coon Rapids or Cambridge Police Department may be called to assist, and the student may be subject to citation or arrest. **Employees** who are found to be in violation of the law while on campus may be subject to disciplinary action. **Non-students/ non-employees** who are found to be in violation of the law while on campus may be asked to leave campus, may be prohibited from returning for one year, if uncooperative the Coon Rapids or Cambridge Police Departments may be called to assist, and the individual may be subject to citation or arrest for misdemeanor and felony level drug crimes the Coon Rapids or Cambridge Police Departments will be contacted.

### **Disciplinary Sanctions**

Employees who violate this policy will be subject to disciplinary sanctions. The severity of the sanctions will be appropriate to the violation. Sanctions, consistent with existing contracts, up to and including termination of employment, will be imposed on employees who violate the preceding standards of conduct.

For more information, please see the link below for the Anoka-Ramsey Community College *Policy 1A.8:*

*Environmental Health and Safety: Anoka Ramsey Community College Drug Free Campus.*

<https://www.anokaramsey.edu/about-us/policies-disclosures/policies-procedures/policy-1a901-environmental-health-and-safety-anoka-ramsey-community-college-drug-free-policy/>

### **Financial Aid Suspension:**

A student convicted of any federal or state law for the possession or sale of drugs is ineligible for financial aid as follows. For drug possession, the ineligibility period is one year for the first offense, two years for the second offense, and indefinitely for the third offense. For drug sale, the ineligibility period is two years for the first offense and indefinitely for the second offense. Eligibility may be restored if, during the ineligible period, the student satisfactorily completes a drug rehabilitation program that meets criteria determined by the Federal Government, and includes two unannounced drug tests.

### **Maintaining a Drug and Alcohol-Free Campus**



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

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

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

### **Disclosure of Offenses:**

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

### **Health Risks Associated with the Abuse of Alcohol and Illicit Drugs**

- Alcohol is the most abused drug in the United States today.
- Alcohol is a drug that acts on the brain. It is potentially addicting, both physically and mentally.
- Alcohol abuse is irresponsible drinking which harms or endangers the drinker or other people.
- Alcohol abuse can result in violence, poor judgment and loss of coordination.
- Alcoholism is a disease characterized by a physical and mental dependence on alcohol. About 1 in 10 drinkers becomes an alcoholic.
- Alcohol consumed in heavy amounts over a period of years can result in damage to your health. It can cause malnutrition, brain damage, and cancer to the mouth, stomach and esophagus, heart disease, liver damage, ulcers and gastritis as well as damage to other body organs.
- Prolonged excessive drinking can shorten life spans by 10 to 12 years.
- Drug abuse is a major problem that results when drugs are used improperly.
- Drug abuse is using natural or synthetic chemical substances for non-medical reasons to affect the body, mind and behavior.
- Abusing drugs can be dangerous especially when they are taken for a long time, in the wrong combinations or in excess.
- If you take drugs, you risk overdose and dependence, both physical and psychological.
- Long-term drug abuse can lead to mental illness, malnutrition and organ damage.
- The risk of AIDS, hepatitis and other diseases increases if drugs are injected.
- When drugs make you lose control, you may do things beyond your ability and take foolish risks. Accidents and injuries can result to you and to others.
- Abusing drugs can also cause legal, economic and personal problems.
- People who abuse drugs often need help.
- Breaking a drug habit without outside help can be dangerous because of withdrawal symptoms and difficult because of the psychological need.

### **Firearms Policy: Board Policy 5.21 Possession or Carry of Firearms**

<http://www.mnscu.edu/board/policy/521.html>



**Purpose and Scope.** The purpose of this policy is to establish restrictions on possession or carry of firearms applicable to the ARCC campuses in accordance with the Minnesota Citizens' Personal Protection Act of 2003, Minnesota Statutes section 624.714, and other applicable law.

### Key Definitions

**Employee.** "Employee" means any individual employed by Minnesota State ARCC, its ARCC and the system office, including student employees.

**Firearm.** "Firearm" means a gun, whether loaded or unloaded, that discharges shot or a projectile by means of an explosive, a gas or compressed air.

**Pistol.** Means a weapon as defined in Minnesota Statutes section 624.712, subd. 2

**Student.** "Student" means an individual who is:

registered to take or is taking one or more courses, classes, or seminars, credit or noncredit, at ARCC; or between terms of a continuing course of study at ARCC , such as summer break between spring and fall academic terms; or

expelled or suspended from enrollment as a student at ARCC , during the pendency of any adjudication of the student disciplinary action.

**Campus property.** "Campus property" means the facilities and land owned, leased, or under the primary control of ARCC.

**Visitor.** "Visitor" means any person who is on campus property, but does not include (1) an employee of the Minnesota State ARCC acting in the course and scope of their employment; or (2) a student, when that student is on campus property.

**No person is permitted to carry or possess a firearm on campus property except as provided in this policy.**

### Employees.

**Prohibition.** Employees are prohibited from possessing or carrying a firearm while acting in the course and scope of their employment, either on or off campus property, regardless of whether the employee has a permit to carry a firearm, except as otherwise provided in this policy.

**Employee reporting responsibility.** An employee with a reasonable basis for believing an individual is in possession of or carrying a firearm in violation of this policy has a responsibility to report the suspected act in a timely manner, unless doing so would subject the employee or others to physical harm. Reports should be made to the official designated in the applicable policy included in this report. This policy shall not prohibit prompt notification to appropriate law enforcement authorities when an immediate threat to personal safety exists. Employees shall not make reports of a suspected violation knowing they are false or in reckless disregard of the truth.

**Students.** Students are prohibited from possessing or carrying a firearm while on campus property, regardless of whether the student has a permit to carry a firearm, except as otherwise provided in this policy.

**Visitors.** Visitors are prohibited from possessing or carrying a firearm while on system property, except as otherwise provided in this policy.

**Exceptions.** The following are exceptions to this policy:

**Parking areas.** This policy does not prohibit the lawful possession or carry of firearms in a parking area or parking facility. Weapons in vehicles must be cased and locked and follow applicable city ordinances and state laws.

**Authorized uses.** This policy does not prohibit:

- Lawful possession or carry related to an academic use or use at a campus shooting range, such as law enforcement programs, approved in writing by ARCC president; or
- Transport of an unloaded firearm directly between a parking area or parking facility and the location authorized for its use, or transport of an unloaded firearm directly between a parking area or parking facility and a storage facility provided by ARCC.
- Possession or carry of a pistol by a visitor who has a lawful permit to carry a pistol pursuant to Minnesota Statutes section 624.714, subd. 1a ([see related documents below](#)).
- Possession or carry of a firearm by a licensed peace officer under Minnesota Statutes section 626.84, subd.1(c) or by a qualified law enforcement officer pursuant to 18 United States Code section 926B ([see related documents below](#)), when possession or carry is otherwise authorized by law.

**Violations.** Violations of this policy by students or employees are misconduct subject to discipline, up to and including expulsion or termination.

**Referral to Law Enforcement.** ARCC may refer suspected violations of weapons law to appropriate law enforcement authorities, and provide access to investigative or other data as permitted by law.

## Appendix 1

### Terms and Definitions

#### **Aggravated Assault**

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

#### **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.

#### **Burglary**

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

#### **Consent**

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

#### **Criminal Homicide – Negligent Manslaughter**

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

#### **Dating and Relationship Violence**

Dating and relationship violence includes physical harm or abuse, and threats of physical harm or abuse, arising out of a personal intimate relationship. This violence also may be called domestic abuse or spousal/partner abuse and may be subject to criminal prosecution under Minnesota state law.

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

#### **Drug law violations**

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

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

Note: This offense includes stalking.

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

**Liquor law violations**

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

**Motor Vehicle Theft**

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

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

**Murder and Non-negligent Manslaughter**

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

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

**Robbery**

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

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

**Sexual Assault**

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

Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as “date rape” or “acquaintance rape.” This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.

Involvement in any sexual act when the victim is unable to give consent.

The intentional touching or coercing, forcing, or attempting to coerce or force another to touch an unwilling person’s intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast).

Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

**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.

### **Sex Offenses – Defined**

#### **Forcible Sex Offenses.**

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

Reported offenses may include:

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

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

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

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

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

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

#### **Sex Offenses, Non-forcible.**

Unlawful, non-forcible sexual intercourse. Reported offenses may include:

**Incest** - non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

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

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

### Sexual Violence

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

### Stalking

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

### Weapons law violations

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

Key resources used:

2016 HEA Handbook for Campus Safety and Security Reporting, Dept of Higher Education

***Crime Awareness and Campus Security Act of 1990 (Title II of Public Law 101-542), which amended the Higher Education Act of 1965 (HEA) amended in 1992, 1998, 2000 and 2008***

***Violence Against Women Reauthorization Act of 2013 (VAWA) (Public Law 113-14)***

Title 34: Education [PART 668—STUDENT ASSISTANCE GENERAL PROVISIONS](#)

[Subpart D—Institutional and Financial Assistance Information for Students](#)

Bystander intervention strategies Stanford University's Office of Sexual Assault & Relationship Abuse

Systems Board Policy 5.24 Safety and Security Compliance

<http://www.minnstate.edu/Board/procedure/524p5.html>

System Procedure 1B.1.1 or Board Policy 3.6

<https://www.aamc.org/download/258218/data/actionguideforemergencymanagementathighereducationinstitutions.pdf> "Action Guide for Emergency Management at Institutions of Higher Education" by the US Department of Education.

**Board Policy 5.18 Alcoholic Beverages or Controlled substances on Campus.**

<http://www.minnstate.edu/board/policy/518.html>

Anoka County referral guidebook 2014-2016

ARCC Policy

ARCC Policy 1B.1/11 Complaint Process - <https://www.anokaramsey.edu/about-us/policies-disclosures/policies-procedures/procedure-3f111-student-conduct-code/>

ARCC Policy on Sexual Violence Statement - <https://www.anokaramsey.edu/about-us/policies-disclosures/sexual-violence-statement/>

ARCC Policy on Student Complaints - <https://www.anokaramsey.edu/about-us/policies-disclosures/policies-procedures/procedure-3f211-student-complaints/>

ARCC Policy 1A.9/01 Environmental Health and Safety: Anoka-Ramsey Community College Drug-Free Policy

<https://www.anokaramsey.edu/about-us/policies-disclosures/policies-procedures/policy-1a901-environmental-health-and-safety-anoka-ramsey-community-college-drug-free-policy/>