



2016

***CRIME AWARENESS AND
CAMPUS SECURITY ACT
(the CLERY ACT)
and the
ANNUAL FIRE SAFETY
REPORT***

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Public Safety Department

The Public Safety Department, located on the lower level of Tomson Hall, is dedicated to the safety, security and protection of the entire college community consisting of approximately 3,100 undergraduate students and 850 faculty, staff, and administrators. Staffed with a director, nine full-time public safety officers, Public Safety provides 24-hour incident response and security patrol to the St. Olaf community throughout the year. The safety and security of students, faculty, and staff remain one of St. Olaf College's primary concerns.

All members of the campus community are expected to support the efforts of the Public Safety Department in developing and maintaining a safe and secure living/learning environment. Public Safety strives to provide a safe college environment by following the procedures set forth in this document and encourages all community members to assume responsibility for their own safety and security. If a student or employee believes that appropriate security procedures are not being followed, or that the College environment is unsafe, please contact the Director of Public Safety at (507) 786-3636 or by email at behr@stolaf.edu.

The mission of the Public Safety Department is *"To support and advance the educational objectives of St. Olaf College by fostering a safe, secure and stable environment for living, learning and working"*. The success of this mission depends on an interactive partnership between Public Safety and the students, faculty, staff and visitors to the College. This partnership is based on the realization that all students, faculty, and staff accept their individual and collective responsibilities with respect to crime prevention and incident reporting to make St. Olaf College an institution that fosters a civil, orderly and safe environment for all.

Authority of Public Safety Officers

St. Olaf Public Safety officers are not licensed police officers by the State of Minnesota. They are empowered to make arrests pursuant to Minnesota Code Section 629.37 covering citizen's arrests. However, in most instances, the Northfield Police will be summoned to the campus should circumstances warrant an arrest. St. Olaf Public Safety officers are charged with enforcing college policies as well as state and local laws, where applicable, that occur on college property. The jurisdiction of the St. Olaf College Public Safety Department is generally confined to St. Olaf College property unless assistance is requested by local/area law enforcement agencies. The St. Olaf College campus is considered private property and as such, access to and the ability to remain on campus property may be denied at the discretion of the College including in response to inappropriate/threatening/criminal behavior. All persons must produce identification upon request by a Public Safety officer while on St. Olaf College property.

Relationship with the Northfield Police Department

St. Olaf continues to maintain a positive and on-going working relationship with state and local law enforcement agencies to address the impact of criminal behavior. The Northfield Police Department and St. Olaf College Public Safety openly exchange information concerning security and crime related matters and continue to maintain a pro-active partnership with respect to the safety and welfare of the St. Olaf College and the Northfield communities. A Memorandum Of Understanding has been signed by St. Olaf College Public Safety and the Northfield Police Department outlining the cooperation, investigative roles, support and response between the two agencies. Regular meetings are held on a formal and informal basis with the Northfield Police to discuss criminal activity, investigations and crime trends on the campus, near the campus and within the City of Northfield. When appropriate, the Northfield Police Department will be informed of serious incidents and property crimes occurring on the campus. This information sharing does not constitute a formal complaint with NPD however. Victims of crimes will be encouraged to report the crime to the Northfield Police in person and file criminal charges but the decision to report is up to the victim. Regardless if the incident is reported to

NPD or not, St. Olaf College Public Safety and/or the Dean of Students Office will begin an investigation.

Community Reporting and Institutional Response

To achieve a safe and secure campus environment, all members of the campus community are encouraged to report promptly any suspicious or criminal activity observed directly to Public Safety at x3666 and the Northfield Police Department when the victim elects to report or is unable to make such a report. Those community members who “have significant responsibility for student and campus activities, serve as advisors to student groups or coach student athletes” are required to report crimes to Public Safety as they have been identified as “Campus Security Authorities (CSA’s)” for purposes of the College’s compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (hereafter referred to as the Clery Act). It is critical that all crimes reported to campus security authorities be immediately reported to Public Safety for investigation and inclusion in the College’s annual campus security report pursuant to the Clery Act. Compliance with these provisions does not constitute a violation of Section 444 of the General Education Provision Act (20 U.S.C. 1232g) commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA). Any disclosures made by the College relating to an alleged crime will not include the name or any other personally identifiable information about the victim. Furthermore, retaliation by an institution or an officer, employee or agent of an institution against any individual for exercising their rights or responsibilities to report crimes under any provision under the Clery Act is strictly prohibited.

Upon receipt of a call, the dispatcher will gather preliminary information from the caller and when appropriate, dispatch a Public Safety officer to the location of the incident. The responding officer will investigate the complaint or concern. Depending upon the nature of the incident, Public Safety will initiate the appropriate response according to department protocol and/or college policy. If necessary, the Northfield Police Department will be contacted to assist in resolving the incident. A confidential crime reporting tip line was launched by the Northfield Police Department and community members are encouraged to use this number (507) 663-9494 to help Public Safety and local law enforcement address criminal activity.

Emergency telephones are located inside the main entrance of each residence hall and in the hallways of all academic buildings to facilitate prompt reporting. Additional outside phones are located at Buntrock Commons, Dittmann Center, Christiansen Hall of Music, Regents Hall, Tomson Hall, the Skoglund parking lot, Buntrock Lot, Lincoln Lot, and parking lots I and J to encourage the prompt reporting of criminal and/or unacceptable behavior. These exterior phones are equipped with a stationary blue light above them so they are easily recognizable across campus. All members of the St. Olaf community should memorize the following numbers to report criminal behavior and emergencies:

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| St. Olaf College Public Safety | 507-786-3666 |
| Northfield Police, Fire, and Ambulance | 9-911 |

Community Awareness and Crime Prevention

Crime prevention at St. Olaf College is based on minimizing or eliminating criminal opportunities and encouraging students and employees to be responsible for their individual safety/security and the collective safety/security of others. Even though St. Olaf College has put a number of safety measures in place including 24 hour public safety patrols, card access systems, emergency phones and Safe Ride, you are mainly responsible for your own safety and the security of your property. Crime prevention information including personal safety tips, emergency procedures and protocols, risk reduction strategies and the proper procedure for reporting criminal or suspicious incidents to Public Safety are posted on the Public Safety website <http://www.stolaf.edu/publicsafety> for all community members. We believe that a

well-informed campus community will be empowered to take preventive measures that will ultimately reduce their chances of becoming victims of criminal activity.

Crime prevention/awareness programs, presented by Public Safety, are conducted for all Residence Life Area Coordinators, Resident Assistants and Junior Counselors prior to the beginning of each academic year recognizing they may have the first immediate contact with the victims of crime. Public Safety conducts crime prevention/awareness programs for other groups upon request to educate the St. Olaf community on measures the community can take to reduce the chances of becoming a victim of crime. These crime prevention programs consist of professionally produced videos, college designed power point presentations and/or topic specific lecture materials including an open exchange among attendees. Crime prevention programs for students, faculty and staff can be arranged by contacting the Director of Public Safety at 507-786-3636.

Timely Warning/Public Safety Notifications

When serious crimes are reported to a Campus Security Authority or local law enforcement that occur on campus geography and are deemed by the College “to represent a serious or continuing threat to students and employees”, Public Safety will issue a timely warning (Crime Alert) by email to the campus community. The timely warning will provide general information surrounding the incident and how incidents of a similar nature might be prevented in the future.

Crime Alerts are issued to the community by Public Safety when the college receives a report of a serious crime (i.e. murder, sexual assault, robbery, burglary, aggravated assault) occurring in our Clery Act Geography that :

- a) Are reported to campus security authorities or local police agencies; and
- b) Are considered by the college to represent a serious continuing threat to students and employees

In cases of alleged sexual assault by an acquaintance of the reporting party, an alert will not be issued unless: (1) other factors exist indicating a serious or continuing threat to students or employees; or (2) the reporting party requests that the College publish a campus alert and the College determines an alert would help promote safety on campus. The names of those person involved or information that could lead someone to identify the reporting party or the responding party will be held confidential and will not be released in the timely warning.

Daily Crime Log

A daily crime log listing all crimes reported to Public Safety is maintained in the Public Safety Office and is available for public review during normal business hours. The daily crime log includes general geographic and time reported information but does not include the names of reporting parties, victims or the respondent. Crimes reported to St. Olaf College Public Safety will not be withheld or removed from the annual crime statistics or the Daily Crime Log based on a decision by a court, coroner, jury, prosecutor or other non-campus official unless the crime is classified as “unfounded” by local law enforcement authorities or the complainant provides evidence that the reported crime did not occur.

Facility Policies and Security

All residence halls are secured by a card access system by the residence life office. All exterior doors to the residence halls are locked 24 hours a day and are considered emergency exits only, many complete with local audible alarms. Residence Life and Public Safety staff re-check residence hall exterior doors in an attempt to ensure that the doors remain secure. Honor houses utilize an exterior and interior key system for the residents as well as a separate security lock that may be activated based on the occupancy status of the house. All academic and administrative buildings are secured nightly at predetermined times either by our card access system or by Public Safety staff. The College also employs two full-time locksmiths to repair and replace locks that require attention to maintain the security of all campus

buildings. Public Safety strives to see that all appropriate doors are locked and asks that any student or employee noticing an unlocked, propped or malfunctioning door to report the location immediately to Public Safety at 507-786-3666.

Safe Walk/Safe Ride

St. Olaf College sponsors a Safe Walk/Safe Ride Program to provide safe walking escorts on-campus or vehicular transportation to honor houses for students concerned about their personal safety from 7:00 P.M. to 1:00 A.M. each day classes are in session. Safe Walk and Safe Ride staff are dispatched from the Buntrock Commons and escorts/rides may be obtained by calling 507-786-3666 during the hours listed above. This service is operated only for personal safety reasons and will not escort/transport groups of people. Safe Ride drivers will not provide transportation to downtown locations for appointments or leisure activities. The Safe Walk/Safe Ride program is under the direction of the Public Safety Department and staffed entirely by students. During the hours when Safe Ride is not operational, transportation for those concerned about their personal safety may be obtained by calling Public Safety at 507-786-3666.

Alcohol and Drug Policies

By institutional policy, St. Olaf College chooses to be an alcohol and drug free community. We do so out of the conviction that this policy:

- 1) promotes a caring environment;
- 2) enhances the atmosphere for study, learning, growth, work, and wellness;
- 3) supports members of the community affected by or concerned with the abuse of alcohol and other drugs; and
- 4) respects the rights of those who choose not to use alcohol or other drugs.

Additional information concerning alcohol and other drug policies may be found in the St. Olaf student handbook called *The Book* (<http://wp.stolaf.edu/thebook>).

The possession, use, or distribution of alcoholic beverages is prohibited on the St. Olaf campus, regardless of age, on all land owned by the college and in college-owned houses in which students reside. Alcohol may be served for special events held during the summer with College approval. Furthermore, the possession, use, distribution or sale of illegal drugs on all college property is strictly prohibited in accordance with college policy and State and Federal laws. College policies and State laws regarding alcohol and drug use are enforced by Public Safety, the residence life staff, concerned members of the campus community and the Northfield Police Department.

Students who violate the alcohol policy, will face disciplinary action based on the severity of the infraction. A Level I offense typically is a first-time, less serious violation, a Level II offense is for a repeated or more serious first-time violation and Level III offenses are the most serious violations or repeated violations. Each level carries specific sanctions as outlined in *The Book*. The use, possession, distribution or sale of illegal drugs will be subject to disciplinary action which range from educational sanctions to removal from campus housing to dismissal from St. Olaf College. In addition to this information, we encourage all students, faculty and staff to review the Drug Free Schools and Communities Act at <http://wp.stolaf.edu/deanofstudents/alcohol-and-chemical-use-abuse/> which includes standards of conduct, the legal sanctions for drug and alcohol violations as well as health risks, counseling, treatment and rehabilitation associated with drug and alcohol use and abuse and sanctions for students and employees.

Chemical Abuse Programs

Prevention, Intervention, and Assistance Programs are available to all members of the St. Olaf Community to combat and cope with problems stemming from chemical use and abuse. Students are encouraged to contact the St. Olaf Health Service (507-786-3063) or the Counseling Center (507-786-3062) if they themselves or a friend are affected by chemical use or abuse. Programs are also available for college employees through the Office of Human Resources (507-786-3068).

Emergency Procedures

Emergency Response

Whenever an incident occurs on campus, Public Safety should be contacted immediately at 507-786-3666. Upon arrival, the officers will confirm the reported incident, assess the situation and determine if additional resources are necessary to resolve the situation. Additional resources may include other college employees/departments or external agencies such as the Northfield Police, the Northfield Area Fire & Rescue Department or Northfield Emergency Medical Services. If the incident is determined to be a significant emergency that will impact the campus community, the Critical Event Response Team (CERT) would be activated and respond to the campus. The Critical Event Response Team (CERT) is comprised of personnel from public safety, student affairs, residence life, facilities, administration, communications and IT. CERT was created to assist with the response to the incident and if appropriate, initiate the emergency notification system and begin the transition to emergency operations.

St. Olaf College has adopted an “all hazards approach” to campus emergencies utilizing the Incident Command System (ICS) of incident management. The Public Safety Department and numerous other key college officials have received incident command training through the National Incident Management System (NIMS) to enhance our response to and recovery from critical campus incidents. Emergency response exercises and training for the CERT team are conducted annually. In addition, data is recorded regarding each table top exercise to include a description of the exercise, the date and time it was conducted and whether the exercise was announced or unannounced.

Emergency Notification

St. Olaf College will notify the community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on the campus. This notification will be initiated utilizing our emergency notification system (Ole Alert) consisting of text messaging to cell phones as well as public display monitors and e-mail alerts. The St. Olaf emergency notification system is subscriber based and readily available to all students, faculty and staff through the college website at <http://wp.stolaf.edu/> under Emergency Information. All community members are strongly encouraged to subscribe to the emergency notification system and keep their information updated since this is the most comprehensive and far reaching method of communicating emergency notifications. Tests of the emergency notification system are conducted semi-annually and data is gathered to measure distribution through our system provider. The College will also utilize other systems such as building intercoms, public address systems, digital signage screens, telephones and e-mail to enhance the distribution of information as time and circumstances permit.

In the event of a significant emergency, an Ole Alert will be issued by St. Olaf College to students and staff without delay, taking into account the safety of the community. The College will determine the content of the notification and initiate the notification immediately unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to or otherwise mitigate the emergency. The notification will be prepared and issued through a collaborative discussion with public safety staff, student life deans and communications staff.

Information regarding the emergency will also be posted on the St. Olaf website through the office of Marketing and Communications as appropriate to inform the larger community.

Evacuation Procedures

All faculty, staff and students should learn the evacuation routes and stairwell locations for all campus buildings they frequently occupy. Evacuation maps and information for resident students are posted inside each residence hall student room on campus. Once you have evacuated, seek shelter in the nearest campus building. If public safety, law enforcement or fire department personnel are on the scene, follow their directions. Fire drills are conducted semi-annually in all residential facilities on campus and are monitored by the residence life staff and public safety. The purpose of these drills is to prepare building occupants for an organized evacuation in case of fire or other emergency. During an evacuation, occupants are encouraged to take personal belongings (purse, wallet, Ole card, cell phone, etc.) and follow the evacuation procedures for their building (close your door, proceed to the nearest exit and use the stairs, not the elevators).

Sheltering in Place

If an incident occurs outdoors, the buildings around you become unstable or if the air outdoors becomes dangerous due to toxic or irritating substances in the air, it is usually safer to stay indoors. Thus, to “shelter in place” means to make a shelter in the building you are in. If you are outdoors, proceed to the closest building quickly or follow instructions from emergency personnel on the scene. Should this type of situation arise, a shelter in place notification will be sent to the community through our emergency notification system. To shelter in place, close all exterior doors, shut and lock all windows, turn off air conditioners and fans and close off ventilation systems if you are able (college staff will turn off building ventilation systems as quickly as possible when necessary). Monitor your cell phone and e-mail for further instructions and additional updates. A subsequent notification will be sent when it is no longer necessary to shelter in place.

Missing Students Residing in On-Campus Housing

If a member of the College community has reason to believe that a student who resides in on-campus housing is missing, he or she should **immediately** contact Public Safety at 507-786-3636. Public Safety will respond to the caller and initiate an investigation. After assessing the missing person information, should Public Safety determine the student appears to be missing and has been missing for more than 24 hours, St. Olaf College will notify the Northfield Police Department, provide them with a report and notify the student’s emergency contact person (if one is provided) no later than 24 hours after the student is determined to be missing. If the missing student is under 18 years of age and is not an emancipated individual, St. Olaf College will notify the student’s parent or legal guardian immediately after Public Safety has determined that the student is missing. In addition to registering an emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by St. Olaf College in the event the student is determined to be missing for more than 24 hours. Only college officials and law enforcement will have access to the confidential contact person information. This policy does not preclude St. Olaf College from initiating internal missing person procedures in less than 24 hours if circumstances warrant faster implementation.

Primary Sexual Misconduct Prevention/Awareness Programs for Students and Employees

All St. Olaf students complete a 3 hour web based training program developed by *Campus Clarity* called “Think About It”. This is a comprehensive online training program that prepares students to confront and prevent serious campus problems such as substance and sexual abuse/misconduct. All upper-class students have completed this training and all First Year students are required to complete this training before registering for Fall classes.

During Week One each year, all First Year students attend a program called Square One. This program is facilitated by the St. Olaf Theater Honor Society and presents short skits that explore the dynamics of living in a diverse community. These skits include relevant topic areas such as sexual assault, sexual violence, alcohol use/abuse and racism. This program also addresses bystander behavior and takes place directly before Week One's Bystander Intervention Training.

Each year all First Year students are required to attend Bystander Intervention Training as part of Week One. Bystander Intervention is a philosophy and strategy for prevention of various types of violence, including bullying, sexual harassment, sexual assault, and intimate partner violence. Our bystander intervention training is an adopted Green Dot Program which addresses overcoming barriers to intervening, identifying intervention options and taking action to intervene. Here the students learn to recognize problematic behavior, understand situational awareness and are provided with strategies and tactics to safely intervene as part of their role as a responsible member of the St. Olaf community.

All College employees are required to complete a web based training program developed by *trainEd* called "Speak Up: Understanding and Preventing Sexual Harassment and Sexual Misconduct". This program provides valuable awareness information, response strategies, reporting information and includes a testing module at the conclusion with a minimum standardized score required.

Ongoing Sexual Misconduct Prevention/Awareness Programs for Students and Employees

The Student Government Association (SGA), the Wellness Center and the Sexual Assault Resource Network have teamed up to join the nationwide sexual assault campaign "It's On Us". The St. Olaf "It's On Us" campaign is tailored specifically for the St. Olaf community by crafting the following St. Olaf Pledge to End Sexual Assault:

"As members of the St. Olaf Community, we believe It's On Us to prevent sexual assault and harassment, and we recognize that it will not be tolerated on our campus"

It's On Us....

To RECOGNIZE that any non-consensual sexual contact is sexual assault

To IDENTIFY situations in which sexual assault may occur

To INTERVENE in situations where consent has not or cannot be given

To CREATE an environment in which sexual assault is unacceptable and survivors are supported

This campaign also includes a Pledge to End Sexual Assault and a campus-wide poster effort with the logo It's On Us along with important messages such as:

- Just because they don't say no, doesn't mean they're saying yes
- Someone can't give you consent when he or she is drunk
- Do you think "fondling" is a funny phrase? Without consent it is a crime.

During the academic year, the Wellness Center and SARN (Sexual Assault Resource Network) conduct a variety of sessions for students to reinforce the primary training contained in Think About It, Bystander Intervention and It's On Us. Programs have been completed for athletic teams, Pause student security, and all resident assistants and junior counselors. Additional bystander presentations can be requested through the Wellness center throughout the year.

Employees of the College will hold periodic forums, incorporate sexual misconduct discussions in classrooms and subscribe to webinars to reinforce primary training on sex discrimination, sexual harassment and sexual misconduct as part of the It's on Us campaign.

Campus Sex Crimes Prevention Act (Adam Walsh Child Protection and Safety Act)

Information regarding registered Level 3 sex offenders living in the State of Minnesota is maintained by the Minnesota Department of Public Safety, the Minnesota Department of Corrections and the Minnesota Bureau of Criminal Apprehension. Of the three levels defined by the State of Minnesota, Level 3 sex offenders are considered the most serious and the most likely to re-offend. Information on Level 3 sex offenders may be obtained at the following web address: www.corr.state.mn.us/level3/search.asp.

POLICY PROHIBITING DISCRIMINATION, HARASSMENT AND RELATED MISCONDUCT

Including Sexual Harassment, Sexual Violence, Dating Violence, Domestic Violence and Stalking

I. GENERAL POLICY ON PROHIBITED DISCRIMINATION AND HARASSMENT

a. Notice of Non-Discrimination

St. Olaf College is committed to providing an inclusive and welcoming environment for all students, faculty, staff and visitors to our community. The College prohibits all forms of *discrimination*, and *harassment* based upon an individual's *legally protected status* including *race, color, creed, national origin, gender, gender identity, gender expression, sexual orientation, age, religion, disability, marital status, veteran status, or status with regard to public assistance*. Failure to respond appropriately to a request for reasonable accommodations from a qualified person with a disability or when based upon an individual's bona fide religious beliefs is another form of prohibited discrimination. Harassment based upon an individual's legally protected status is a form of prohibited discrimination. Retaliation against an individual who opposes practices prohibited by this policy, or against an individual who assists the College or other authorities in investigating an alleged violation of this policy is also strictly prohibited.

b. What is "Prohibited Discrimination"?

Prohibited discrimination means treating individuals differently based on the individual's *legally protected status* in a manner that significantly interferes with or limits the individual's ability to participate in St. Olaf programs or activities. For an employee or applicant for employment, prohibited discrimination would be any action that interferes with an individual's hiring, promotion, job duties, or other terms and conditions of employment. For a student, prohibited discrimination would be any action that interferes with the student's access to or benefits from educational programs or activities such as admission into programs or activities, grades, assignments and coursework, housing, participation on a team, program or activity, or other adverse actions. Discrimination against volunteers, guests, visitors and any other participants in College programs or activities is also prohibited when based upon an individual's protected class status.

c. What is "Harassment"?

Harassing behavior based upon an individual's legally protected status is another form of *prohibited discrimination*. Harassment includes verbal, physical, electronic, or other conduct directed at an individual that substantially interferes with the individual's participation in a College program or activity, including a student's educational environment and a staff or faculty member's work environment.

When submission to or rejection of harassing behavior is used, explicitly or implicitly, as the basis for decisions affecting an individual's participation in a College program or activity (including a student's educational opportunities or a staff or faculty member's work), this is one form of prohibited harassment. This type of harassment is commonly referred to as "quid pro quo" harassment.

Another form of prohibited harassment is often referred to as "hostile environment" harassment. This type of harassment involves unwelcome conduct based on an individual's *legally protected status*, when such conduct is severe or pervasive enough to substantially interfere with the individual's participation in a College program or activity. For students, a hostile environment would interfere with their ability to learn or other aspects of their educational environment. For faculty or staff members, a hostile environment would interfere with their work environment.

St. Olaf strives to provide a welcoming, respectful and healthy workplace and educational environment for all students, faculty, staff and visitors to the College. The College is committed to promptly, impartially, and equitably addressing and resolving all reports of prohibited discrimination and harassment. When the College is notified of behavior in violation of this Policy, it is committed to taking prompt action to stop it, prevent it from recurring, and correct its effects.

d. What are the different groups that are legally protected from discrimination and harassment?

Consistent with the Minnesota Human Rights Act and federal laws including Title VII, Title IX, the Rehabilitation Act and the Americans with Disabilities Act, St. Olaf College prohibits discrimination and harassment based upon race, color, creed, national origin, gender, gender identity, gender expression, sexual orientation, age, religion, disability, marital status, veteran status, or status with regard to public assistance.

The following is additional information on the legal protections provided to each of these groups of individuals:

- Race: An individual's actual or perceived racial or ethnic ancestry or physical characteristics associated with a person's race, such as a person's color and physical features.
- Color: An individual's skin complexion, shade or tone.
- Creed: An idea or set of beliefs (or non-beliefs) that guides the actions of an individual or group.
- National Origin: An individual's actual or perceived country or ethnicity of origin.
- Gender: The range of characteristics pertaining to and differentiating between masculinity or femininity, typically related to one's assigned sex at birth.
- Gender Identity: The gender with which an individual identifies psychologically regardless of what gender was assigned at birth.

- Gender Expression: How someone expresses gender through appearance, behavior or mannerisms. A person's gender expression may or may not be identical to the individual's gender identity or assigned gender sex at birth.
- Sexual Orientation: The inclination to develop intimate/sexual relationships with people of the same or different gender or irrespective of gender.
- Age: The number of years a person has lived. Under the federal Age Discrimination in Employment Act, employees who are 40 years old and older are legally protected from *prohibited discrimination* and *harassment*. Minnesota law protects employees 18 years old and older from *prohibited discrimination* and *harassment*. There is no age threshold for students or other participants in the College's educational programs or activities.
- Religion: All aspects of an individual's bona fide religious observances or practices. In addition to prohibiting different treatment based upon an individual's religious beliefs, the College will provide reasonable accommodations of religious beliefs and practices.
- Disability: A person with a physical or mental impairment that substantially limits one or more major life activities; or who has a record of such impairment; or who is regarded as having such impairment is protected from discrimination and harassment under state and federal laws. With regard to employees, the College will provide reasonable accommodations to aid employees with a disability in performing the functions of their jobs. With regard to academic accommodations for students with disabilities, the College will provide auxiliary aids and services to assist a student in participation in the College's programs and activities. Reasonable accommodations and auxiliary aids and services are not required if they would cause an undue burden on the College or if they would fundamentally alter the nature of the College's program or activity.
- Marital Status: Marital status refers to whether a person is single, married, remarried, divorced, separated or a surviving spouse. With regard to staff and faculty, this includes protection against discrimination on the basis of the identity, situation, actions, or beliefs of an employee's spouse or former spouse.
- Veteran Status: Certain individuals who have served in the United State military are protected from *prohibited discrimination* and *harassment*. Covered veterans include disabled veterans, veterans of the Vietnam era, and other veterans under state and federal laws.
- Status with Regard to Public Assistance: This means the condition of being a recipient of federal, state or local assistance, or of being a tenant receiving federal, state or local subsidies including rental assistance or supplements.

II. SEXUAL HARASSMENT, SEXUAL VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE AND STALKING

a. Policy Statement on Prohibited Conduct

St. Olaf College prohibits all forms of discrimination and harassment based upon an individual's *legally protected status*. In conformity with the College's General Policy on Prohibited Discrimination and Harassment, the College expressly prohibits all forms of *sexual assault, sexual violence, sexual exploitation*, and any other forms of *sexual harassment*. The College also prohibits all forms of *dating violence, domestic violence, and stalking*. *Retaliation* against a person who in good faith reports suspected *Prohibited Conduct*, or against an individual who assists in an investigation into a report of *Prohibited Conduct* is also strictly prohibited.

For ease of reference throughout this Policy *sexual assault, sexual violence, sexual exploitation, sexual harassment, dating violence, domestic violence, stalking, and retaliation* are collectively referred to as "*Prohibited Conduct*."

St. Olaf students who violate this Policy on Prohibited Conduct will face disciplinary *sanctions* up to and including suspension or expulsion.

St. Olaf employees who violate this policy will face *sanctions* up to and including termination of employment.

Other individuals who are not employees or students of St. Olaf and who commit *Prohibited Conduct* will be subject to all *sanctions* St. Olaf is able to impose including prohibiting such individuals from trespassing upon the St. Olaf campus or from attending College-sponsored events.

b. St. Olaf and Governmental Resources

In accordance with Title IX of the Educational Amendments of 1972 this Policy defines *Prohibited Conduct* and the College's process for responding to it. *Prohibited Conduct* is not only a violation of this Policy, but an offense to our community. It is also prohibited by various federal and state laws, including Title IX, the Violence Against Women Act (VAWA), and the Minnesota Human Rights Act. Certain types of *Prohibited Conduct* may also constitute a crime under Minnesota criminal laws.

Questions or concerns regarding *Prohibited Conduct* may be directed to the St. Olaf College *Title IX Coordinator* or *Title IX Case Manager* or any member of the College's *Title IX Team*.

ST. OLAF TITLE IX TEAM

Title IX Coordinator **Jo Beld**: 507-786-3632, Tomson Hall 259
Title IX Case Manager **Kari Ogradowski**: 507-786-3465, Tomson Hall 148
Director of Public Safety **Fred Behr**: 507-786-3666, Tomson Hall 10D
Director of Student Wellness **Jamie Cathcart**: 507-786-3487, Buntrock Commons 112A
Dean of Students **Rosalyn Eaton-Neeb**: 507-786-3615, Tomson Hall 148
Associate Dean of Students **Justin Fleming**: 507-786-3615, Tomson Hall 148
Vice President for Human Resources **Michael Goodson**: 507-768-3068, Tomson Hall 180
Vice President for Student Life **Greg Kneser**: 507-786-3503. Tomson Hall 148
Director of Residence Life **Pamela McDowell**: 507-786-3011, Tomson Hall 148
Associate Dean of Students **Tim Schroer**: 507-786-3615, Tomson Hall 148
Athletic Director **Ryan Bowles**: 507-786-3965, Skoglund Athletic Center 1114

Questions or concerns may also be directed to United States Department of Education's Office for Civil Rights or the Minnesota Department of Human Rights.

The Office for Civil Rights may be contacted at the following:

U.S. Department of Education Office for Civil Rights
Lyndon Baines Johnson Department of Education
Building
400 Maryland Avenue, SW
Washington, DC 20202-1100
800-421-3481 (phone)
202-453-6012 (fax)
800-877-8339 (TDD)
<http://www2.ed.gov/about/offices/list/ocr/index.html>
OCR@ed.gov

The Minnesota Department of Human Rights may be contacted at the following:

Minnesota Department of Human
Rights
Freeman Building
625 Robert Street North
Saint Paul, MN 55155
800-657-3704 (phone)
800-627-3529 (fax)
800-627-3529 (TDD)
<http://mn.gov/mdhr/>
Info.MDHR@state.mn.us

St. Olaf College is committed to providing a respectful, safe, and healthy environment. The College does not tolerate *Prohibited Conduct*, and strives to promptly, impartially, and equitably address and resolve all reports of *Prohibited Conduct*. The College is also committed to administering its process in a manner that is fair and impartial; that treats all parties and witnesses with dignity and respect; and that avoids treating individuals who report having been a victim of *Prohibited Conduct* in a manner that suggests they are at fault or that they should have acted differently to avoid becoming a victim. When the College determines that a violation of this Policy has occurred, the College will take prompt and appropriate measures aimed at stopping *Prohibited Conduct*, preventing its recurrence and remedying its effects.

c. Scope of Policy

The College will apply this Policy to address *Prohibited Conduct* occurring under any one or more of the following circumstances:

- *Prohibited Conduct* occurring on campus or on other property owned by St. Olaf College;

- *Prohibited Conduct* committed in connection with any College program or activity, whether on or off campus, including affiliated domestic and international off-campus programs;
- *Prohibited Conduct* occurring in connection with any other academic, educational, co-curricular, athletic, residential and other College program or activity;
- *Prohibited Conduct* occurring on-line or electronic conduct such as emails, text messages, and social media that is committed by or directed to any St. Olaf student, employee, or other individual participating in a St. Olaf program or activity; and
- Any other off-campus *Prohibited Conduct* that is deemed to have the potential of adversely impacting the educational and or workplace environment of any St. Olaf student, employee, or other individual participating in a St. Olaf program or activity.

St. Olaf College is both obligated and committed to addressing *Prohibited Conduct*, and the College strongly encourages any individual who knows of or has been subject to *Prohibited Conduct* to report the incident to appropriate college authorities in accordance with the College's *Reporting* procedures. Individuals who are uncertain whether an incident involving *Prohibited Conduct* falls within the scope of this policy are encouraged to contact the *Title IX Coordinator* or *Title IX Case Manager*.

d. Responsibilities of Title IX Coordinator; Title IX Case Manager and COordinated REsponse (CORE) Team

i. Title IX Coordinator

St. Olaf College has a designated *Title IX Coordinator* who oversees the *Title IX Team*, and who is responsible for coordinating all aspects of the College's Title IX compliance efforts, including the college's efforts to prevent *Prohibited Conduct* based on gender; *dating violence*, *domestic violence*, and *stalking*; and *retaliation* in relation to a report of any of these types of *Prohibited Conduct*. The *Title IX Coordinator* is:

- Knowledgeable and trained in St. Olaf's policies and procedures, as well as the College's legal obligations under state and federal laws including Title IX, the Violence Against Women Act and the Minnesota Human Rights Act;
- Available to advise individuals about St. Olaf's policy and reporting options;
- Available to provide assistance to employees of the College about how to respond to reports of *Prohibited Conduct* based on gender; and
- Responsible for overseeing training, prevention and education efforts and periodic reviews of the campus climate and culture.

ii. Title IX Case Manager

The *Title IX Case Manager* reports to the *Title IX Coordinator* and oversees the College's response to reports of *Prohibited Conduct* based on gender; *dating violence*, *domestic violence*, and *stalking*; and *retaliation* in relation to a report of any of these types of *Prohibited Conduct*. The *Title IX Case Manager* is a resource to the individuals involved in the grievance process by ensuring the effective implementation of this Policy, including monitoring compliance with all procedural requirements, record keeping and deadlines imposed by this Policy. The *Title IX Case Manager's* duties include communicating with the *complainant* and *respondent* about available support services, both on and off campus; answering questions about the College's investigation and adjudication process; providing periodic status updates throughout the grievance process; and communicating College determinations. The *Title IX Case Manager* also assists the College with its

education and prevention efforts aimed at decreasing the incidence of *Prohibited Conduct*.

iii. Title IX COordinated REsponse (CORE) Team

The Title IX COordinated REsponse (CORE) Team is a small “need to know” group comprised of the *Title IX Coordinator*, *Title IX Case Manager*, *Dean of Students*, and *Director of Public Safety*. The CORE Team conducts an initial assessment of reports to determine whether the alleged conduct is *Prohibited Conduct* under this Policy, and whether additional action is warranted. The CORE Team evaluates whether and how the College will proceed under this Policy in a manner that provides a prompt, thorough, fair and equitable process for the individuals involved. The CORE Team strives to protect and safeguard the privacy of all individuals involved in the process while performing a careful assessment of and response to reports of *Prohibited Conduct*.

e. Definitions of Prohibited Conduct and Related Terms

While St. Olaf forbids all forms of *prohibited discrimination* based upon an individual’s *legally protected status*, this Policy is focused upon the College’s prohibitions against *gender discrimination* and *sexual harassment* and related forms of misconduct. The following are the forms of *Prohibited Conduct* under this Policy:

- *Gender discrimination*;
- *Sexual harassment*;
- *Sexual assault*;
- *Sexual violence*;
- *Sexual exploitation*;
- *Dating violence*;
- *Domestic violence*;
- *Stalking*; and
- Any *retaliation* directed toward an individual who reports *Prohibited Conduct* or against any individual who assists in an investigation/adjudication of allegations of *Prohibited Conduct*

i. Gender Discrimination

Gender discrimination is any distinction, preference, or detriment to an individual that is based upon the individual’s gender. It is conduct motivated by an individual’s gender that excludes an individual from participation in, denies the individual benefits of, treats the individual differently or otherwise adversely affects a term or condition of, an individual’s participation in a St. Olaf program or activity.

Examples of gender discrimination include:

- Treating an employee or job applicant because of gender in decisions involving hiring, promotion, and job assignments;
- Treating a prospective or enrolled student adversely because of gender in decisions involving admissions, financial aid or scholarships, grades, academic assignments, or campus housing decisions;
- Denying or limiting volunteers or visitors from participating in programs or activities because of their gender.

Because *sexual harassment*, *sexual violence* and *sexual exploitation* can adversely affect an individual from participating in programs and activities, these are additional forms of gender discrimination.

ii. Sexual Harassment

Sexual harassment is a form of sex discrimination. It includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal, nonverbal or physical conduct or communication of a sexual nature when:

- submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's educational experience or employment, or the individual's submission or rejection of such conduct is used as the basis of an educational program or activity decision or employment decision affecting such individual ("quid pro quo harassment"); or
- such conduct has the purpose or effect of substantially and unreasonably interfering with an individual's education or employment or creating an intimidating, hostile, or offensive educational or work environment ("hostile environment harassment").

Sexual harassment includes gender-based harassment. Gender-based harassment is non-verbal, verbal or physical harassment directed at an individual or a group of individuals solely on the basis of gender, whether or not such conduct is sexual in nature. It may include harassment based on stereotypical notions of what is female/feminine and male/masculine or a failure to conform to those gender stereotypes.

Actions that can constitute sexual harassment include:

- Unwelcome sexual flirtations, advances, or propositions;
- Requests for sexual favors;
- Verbal abuse of a sexual nature, obscene language, off-color jokes, verbal commentary about an individual's body, sexual innuendo, and gossip about sexual relations;
- The display of derogatory or sexually suggestive posters, cartoons, drawings, objects, notes, letters, emails, or text messages;
- Visual conduct such as leering or making obscene gestures;
- Recording video or photographs of a sexual nature without *consent*;
- Cyber harassment, including but not limited to disseminating information, photos, or video of a sexual nature without *consent*;
- Engaging in conduct of a sexual nature which creates an intimidating, hostile, or offensive academic or work environment (e.g., *sexual assault*, *sexual exploitation*, offensive physical contact, obscene messages and gestures); and
- Punishing or threatening to take adverse action against a subordinate or student for refusing to comply with sexual demands.

How Does this Policy Differ From The College's Consensual Relations Policy?

This Policy prohibits all unwelcome conduct of a sexual nature. Because sexual and romantic relationships between persons of unequal status are inherently problematic, even when they are or appear to be entirely consensual, St. Olaf has a separate *Consensual Relations Policy* which:

- “**strongly discourages**” romantic or sexual relationships between staff and faculty members where there is a disparity in power or reporting relationships; and
- “**prohibits**” any and all romantic or sexual relationships between a faculty or staff member and any student enrolled at the College.

If a report is brought to the College's attention indicating that a prohibited relationship exists, the College would review such allegations under its *Consensual Relations Policy* and, if the report included allegations of *sexual assault* or some other form of *Prohibited Conduct*, the matter would also be reviewed under this Policy. Even in instances where a relationship appears to be completely consensual and does not involve allegations of *Prohibited Conduct*, a violation of the *Consensual Relations Policy* is a serious breach of community standards and of College policy, and will result in disciplinary action up to and including termination of employment.

iii. Sexual Assault

Sexual assault is a form of *sexual harassment* and *sexual violence*. Sexual assault is any *sexual contact* with another person who does not or cannot give *consent*. This may or may not include force. Sexual assault includes, but is not limited to:

- 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 any person, without the *consent* of the victim);
- Fondling (the touching of the private body parts of another person for the purpose of sexual gratification, without the *consent* of the victim);
- 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*).

iv. Sexual Violence

Sexual violence is a severe form of *sexual harassment*. It includes *sexual assault*, *dating violence* and other forms of nonconsensual sexual violence. Depending upon the circumstances, other forms of sexual violence may include *domestic violence* and *stalking* (although it is important to note that all forms of *domestic violence* and *stalking* are prohibited under this Policy regardless of whether they also constitute sexual violence).

v. Sexual Exploitation

Sexual Exploitation is a form of *sexual harassment* that involves one or more of the following behaviors committed for any purpose, including sexual arousal or gratification, financial gain, or other personal benefit:

- taking sexual advantage of another person without *consent*;
- taking advantage of another's sexuality; or
- extending the bounds of consensual *Sexual Contact* without the knowledge of the other individual.

Examples of Sexual Exploitation include, but are not limited to: threatening to disclose an individual's sexual orientation, gender identity, or gender expression; observing another individual's nudity or *sexual contact*, or allowing another to observe the same, without the knowledge and *consent* of all parties involved; non-consensual streaming of images, photography, video, or audio recording of *sexual contact* or nudity, or distribution of such without the knowledge and *consent* of all parties involved; prostituting another individual; knowingly exposing another individual to a sexually-transmitted infection, without the individual's knowledge; knowingly failing to use contraception without the other party's knowledge; and inducing *incapacitation* for the purpose of taking sexual advantage of another person.

vi. Dating Violence

Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be determined based on the statement of the individual alleging the dating violence occurred, and based upon a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

vii. Domestic Violence

Domestic Violence is violence committed by an individual who is:

- a current or former spouse or intimate partner of the victim;
- a person with whom the victim shares a child in common;
- cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- considered to be similar to a spouse under Minnesota's domestic or family violence laws; or
- any other person subject to Minnesota's domestic or family violence laws.

Minnesota law defines domestic violence to include violence committed between parents and children, blood relatives, persons who are presently residing together or who have resided together in the past, and persons involved in a significant romantic relationship. The following are examples of conduct that can constitute domestic violence: physical harm, bodily injury or assault; the infliction of fear of imminent physical harm, bodily injury, or

assault; terroristic threats; criminal sexual conduct; or interference with an emergency call.

viii. Stalking

Stalking means engaging in two or more acts directed at a specific person that would cause reasonable people to:

- fear for their safety;
- fear for the safety of others; or
- suffer substantial emotional distress.

Stalking can be committed directly by the individual engaging in the stalking behavior, or indirectly through third parties. It includes actions such as following, monitoring, observing, surveilling, threatening, or unreasonably communicating to or about a person, or interfering with a person's property.

When the behavior is serious enough to cause reasonable fear for safety or substantial emotional distress, examples of stalking behavior can include:

- Repeated, unwanted, intrusive, or frightening communications by phone, mail, text, email and/or social media;
- Repeatedly leaving or sending unwanted items or gifts;
- Following or lying in wait for the victim at places such as the victim's residence hall, school activities, work, or recreational places;
- Making direct or indirect threats to harm the victim or the victim's relatives, friends, or pets;
- Damaging or threatening to damage the victim's property;
- Posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth; or
- Unreasonably obtaining personal information about the victim for no legitimate purposes.

Stalking behavior can also be a crime. Minnesota law defines stalking as "engag[ing] in conduct which the actor knows or has reason to know would cause the victim under the circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated, and causes this reaction on the part of the victim regardless of the relationship between the actor and victim."

ix. Retaliation

St. Olaf College strictly prohibits retaliation against individuals who report *Prohibited Conduct* or against individuals who assists in an investigation or adjudication of a report of *Prohibited Conduct*. Encouraging or assisting others to engage in retaliation also violates this Policy.

Retaliation means any materially adverse words, actions or threats against an individual who engages in protected activity that would discourage a reasonable person from engaging in such protected activity. Protected activity includes an individual's good faith:

- reporting of *Prohibited Conduct*;

- participation in an investigation or adjudication of reported *Prohibited Conduct*;
or
- opposition to policies, practices or actions that the individual reasonably believes are in violation of this Policy.

Retaliatory acts may include, but are not limited to: adverse changes in employment status or opportunities; adverse academic action; adverse changes to academic, educational and extra-curricular opportunities; harassment or intimidation; acts or comments intended to embarrass the individual; or seeking out or attempting to discover the parties and witnesses involved in a report for the purpose of influencing their participation or statements, or taking adverse action against them.

Retaliation may be found even when an underlying report of *Prohibited Conduct* made in good faith was not substantiated. Retaliation may be committed by either of the parties to the College's complaint process, their friends or representatives, or any other individuals.

Retaliatory conduct by community members and third-parties is prohibited regardless of whether it occurs on or off campus, in person, or through social media, e-mail, or other form of communication.

x. Sexual Contact

Sexual contact is defined under Minnesota law as the intentional touching by an individual of another's intimate parts (including an individual's breasts, inner thighs, buttocks, genitals and/or groin area, whether clothed or unclothed); or the coerced touching by an individual of another's intimate parts. Sexual contact also includes the intentional removal or attempted removal of clothing covering an individual's intimate parts.

xi. Consent

Consent is words or overt actions by a person clearly and affirmatively communicating a freely-given present agreement to engage in a particular *sexual contact*. Words or overt actions clearly communicate consent when a reasonable person in the circumstances would believe those words or actions indicate a willingness to participate in the mutually agreed-upon *sexual contact*. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and obtaining consent.

All parties to a particular *sexual contact* must provide consent, and such consent must be present throughout the activity. It is the responsibility of the individual who is initiating each *sexual contact* to obtain consent before proceeding to engage in the *sexual contact*.

Even when consent is given, it may be retracted at any time. When consent is withdrawn, the *sexual contact* for which consent was initially provided must stop immediately. Any words or overt actions can communicate withdrawal

of consent. As is the case with communicating the existence of consent, verbal communication is a clear way of communicating withdrawal of consent.

A person can only provide consent when that person:

- Acts freely and voluntarily, without *coercion or force* or otherwise feeling unduly pressured, threatened, intimidated;
- Is informed about the nature of the *sexual contact* involved;
- Is not *incapacitated*, whether from alcohol, other drugs, or other causes, such that he or she cannot understand the fact, nature, or extent of the *sexual contact*;
- Is conscious;
- Is of legal age to consent (16 years old in Minnesota).

These requirements for consent mean that *sexual contact* with someone who is threatened, coerced, intimidated, uninformed, incapacitated, asleep or otherwise unconscious, or not of legal age, is by definition sexual assault.

In addition, consent to a particular *sexual contact* cannot be inferred from:

- Consent to a different form of *sexual contact*;
- An existing or prior dating, sexual, romantic or marital relationship;
- Silence that is not otherwise accompanied by overt actions indicating consent;
- An absence of physical resistance or verbal protest; or
- Prior sexual activity with other individuals.

xii. Coercion or Force

Coercion or force includes conduct, intimidation, and express or implied threats of physical or emotional harm, that would reasonably place an individual in fear of immediate or future harm and that is used in order to persuade or compel someone to engage in *sexual contact*.

Examples of coercion or force include causing the deliberate *incapacitation* of another person; conditioning an academic benefit or employment advantage on submission to the *sexual contact*; threatening to harm oneself if the other party does not engage in *sexual contact*; or threatening to disclose an individual's sexual orientation, gender identity, gender expression, or other personal sensitive information if the other party does not engage in the *sexual contact*.

xiii. Incapacitation or Incapacitated

Incapacitation means the physical and/or mental inability to make informed, rational judgments that is known or reasonably should have been known to the individual initiating *sexual contact*. An individual who is incapacitated is unable to give *consent* to *sexual contact*. States of incapacitation include sleep, unconsciousness, intermittent consciousness, or any other state where the individual is unaware that *sexual contact* is occurring. Incapacitation may also exist because of a mental or developmental disability that impairs the ability to *consent* to *sexual contact*.

Alcohol or drug use is a common cause of incapacitation. The mere use of drugs or alcohol, or even intoxication from drugs or alcohol is not proof of incapacitation. Where alcohol or drug use is involved, incapacitation is a state beyond intoxication, impairment in judgment, or drunkenness. Because the impact of alcohol or other drugs varies from person to person, evaluating whether an individual is incapacitated, and therefore unable to give *consent*, requires an assessment of whether the consumption of alcohol or other drugs has rendered the individual physically helpless or substantially incapable of:

- Making decisions about the potential consequences of *sexual contact*;
- Appraising the nature of one’s own conduct; or
- Ability to communicate *consent* or unwillingness to engage in *sexual contact*.

There are common signs that should alert a reasonable person as to whether an individual might be incapacitated. Typical signs include slurred or incomprehensible speech, clumsiness, difficulty walking, combativeness, emotional volatility, vomiting, or incontinence. A person who is incapacitated may not be able to understand some or all of the following questions: “Do you know where you are?” “Do you know how you got here?” “Do you know what is happening?” “Do you know who I am?” If there is any doubt as to the level or extent of one’s own or the other individual’s intoxication or incapacitation, the safest course of action is to forgo or cease any *sexual contact*.

Regardless of their level of intoxication, individuals who are initiating *sexual contact* are always responsible for obtaining consent before proceeding. Intoxication is never an excuse for or a defense to committing *sexual assault* or any other *Prohibited Conduct*. Use of drugs or alcohol does not diminish one’s responsibility to obtain *consent*, or reduce one’s personal accountability or criminal liability. The issue is whether the individual initiating *sexual contact* knew, or a reasonable sober person in the position of the individual initiating *sexual contact* should have known, that the other person was incapacitated.

f. Reporting Options

i. Confidential Resources

In times of distress, it may be confusing to determine how best to obtain personal support and clear information about options and resources. In making a decision about whom to contact for support and information, it is important to understand when communications may remain confidential and when individuals with whom you speak may have an obligation to report information to the College. At St. Olaf, employees including faculty and staff are either *confidential resources* or *responsible employees*.

Most St. Olaf employees are not *confidential resources*, and are therefore “responsible employees” who are obligated to report to the College any information they receive about *Prohibited Conduct*.

Confidential communications are those communications which legally cannot be disclosed to another person without the consent of the individual who provided the

information, except under very limited circumstances, such as allegations involving the physical or sexual abuse of a child or vulnerable adult or an imminent threat to the life of any person.

The College recognizes that some individuals who experience *Prohibited Conduct* may wish to keep their concerns confidential. As a result, the College has designated specific persons as *confidential resources* for individuals who prefer to talk with someone confidentially about their concerns. These *confidential resources* include the following:

Sexual Assault Resource Network (SARN)

Buntrock Commons 113

sarn@stolaf.edu

507-786-3777 or 507-786-3062

Counseling Center

Boe House, 1308 St. Olaf Ave.

vonruden@stolaf.edu

507-786-3062

Student Health Service

Tomson Hall 160

healthservices@stolaf.edu

507-786-3064

College Pastors

Boe Memorial Chapel, Lower Level

marohl@stolaf.edu, fick@stolaf.edu

507-786-3092

Individuals may discuss concerns in complete confidence with a confidential resource, so long as the allegations do not involve the physical or sexual abuse of a child or vulnerable adult or an imminent threat to the life of any person. In addition, the College's Counseling Services staff can assist individuals with obtaining medical, emotional, and other support resources whether or not they decide to report their concerns to the College.

1. **Responsible Employees**

All employees of St. Olaf College who are not *confidential resources* are *responsible employees*, and are required by the College to immediately share all known details about any incident of *Prohibited Conduct* with the *Title IX Coordinator, Title IX Case Manager* or other member of the *Title IX CORE Team*. Before obtaining information from a reporting party, responsible employees should apprise the reporting party of the responsible employee's reporting obligations, and inquire whether the reporting party would rather speak with a *confidential resource*.

The information to be reported by a responsible employee to the College should include all known details including the date, time and location of

the incident; the names of individuals involved and other individuals who may have witnessed the incident; and a brief description of the incident. Although responsible employees are expected to provide all information they have learned from a reporting party, responsible employees should not attempt to investigate or gather any details about the incident beyond the information that the reporting party seeks to share.

Prompt and complete reporting will assist the College in providing timely support that will enable an effective, consistent and fair institutional response. While responsible employees are obligated to report information regarding *Prohibited Conduct* to the College, *responsible employees* should respect the confidentiality of the individuals involved by not further disclosing information without the reporting individual's authorization.

2. Students

Students are strongly encouraged to report known or suspected incidents of *Prohibited Conduct* to the *Title IX Coordinator*, *Title IX Case Manager*, or any other members of the *Title IX Team*. Students are not required to report information to the College unless they are also a student-worker and become aware of *Prohibited Conduct* as a result of performing their job for the College. Student workers who learn about *Prohibited Conduct* during the course and scope of their employment with the College are *responsible employees*.

3. Reports to Public Safety

Public Safety Officers are *responsible employees* of the College, and are therefore required to report known or suspected *Prohibited Conduct*. Individuals are strongly encouraged to notify St. Olaf's Public Safety Office of instances of *Prohibited Conduct*. Public Safety provides 24-hour security services, patrol and response throughout the year. Public Safety is dedicated to the safety and protection of the entire St. Olaf community. Public Safety is not a division of the Northfield Police Department, and information provided to Public Safety will not be reported to the Police unless authorized by the reporting party (or such reporting is mandated under Minnesota's child or vulnerable adult abuse and neglect statutes).

24-Hour
Assistance: 507-786-3666

ii. Reporting to the College

St. Olaf is committed to providing reporting options through multiple avenues which are broadly accessible to all members of the St. Olaf community. Reports may be made by contacting the *Title IX Coordinator*, the *Title IX Case Manager*, or another member of the *Title IX Team*. Reports may occur in person, by telephone, in writing, by e-mail, or electronically.

Reports may be made anonymously; however, depending upon the information provided in a report, the College may be limited in its ability to respond.

St. Olaf recognizes that deciding whether to report and how to proceed are difficult decisions. When a report is received, a reporting party does not have to decide on particular course of action or whether to initiate the College's *Complaint Process*. These decisions often unfold over time. The College will make every effort to respect an individual's choices about whether and how to proceed. Support resources and *interim protective measures* are available regardless of the course of action chosen.

Individuals who have experienced sexual assault or another form of sexual misconduct can initiate the *Complaint Process* by reporting to the *Title IX Coordinator*, the *Title IX Case Manager*, or another member of the *Title IX Team*. Even if reporting parties are not interested in or uncertain about initiating the *Complaint Process*, they are strongly encouraged to make such reports so that they can better understand the support services and *interim protective measures* available, and gain a deeper understanding of their options under this Policy. Reporting to the College does not mean that the *Complaint Process* must be pursued. The College is committed to honoring a reporting party's decision as to whether and when to initiate the *Complaint Process*.

1. Commitment to Privacy

The College will strive to make every effort to respect and safeguard the privacy of individuals who report *Prohibited Conduct*, and the privacy of all other individuals involved in the process. Consistent with the College's need to carefully assess allegations of *Prohibited Conduct*, information will be shared with College officials who have a "need to know" in order to assist in the review, investigation, adjudication or resolution of a report. For matters that are reviewed under the *Complaint Process*, information will also be shared as part of the investigation and adjudication process as is required by law and as is deemed necessary for conducting a fair, impartial and thorough investigation.

2. What Will Occur When a Report is Made?

Following receipt of a report, The *Title IX Case Manager* will confer with the reporting party on the following:

- Assess the reporting party's safety and well-being and identify available support and assistance;
- Inform the reporting party of the right to seek medical treatment, and explain the importance of obtaining and preserving forensic and other evidence;
- Inform the reporting party of the right to contact law enforcement, decline to contact law enforcement, and/or seek a protective order;
- Inform the reporting party about resources available at the College and in the community, and the right to seek appropriate

- and available remedial and protective measures, and how to request those resources and measures;
- Inform the reporting party of the right to seek *Informal Resolution* (when available) or to initiate an investigation under the *Complaint Process*, seek to obtain the reporting party's consent to initiate the *Complaint Process*, and discuss with the reporting party any concerns or barriers to participating in the *Complaint Process*;
- Explain the College's prohibition against *retaliation* and that the College will take prompt action in response to any act of *retaliation*;
- Notify the *Title IX CORE Team*.

The *Title IX CORE Team* will perform an initial assessment of reports of *Prohibited Conduct* to assure prompt, fair and consistent application of this Policy. The *Title IX CORE Team* will perform an initial assessment of:

- the incident or behavior reported;
- any risk of harm to the parties, any other individuals, or the broader campus community;
- the effectiveness of any support resources and *interim protective measures* offered to protect the safety of the reporting party, any other individuals, or the community;
- the appropriate manner of resolution, giving deference to the reporting party's desired course of action; and
- whether additional measures should be taken to comply with the Clery Act or other obligations.

Individuals who report *Prohibited Conduct* have the right to access their description of the incident as it was reported to the College. To request access to this information, the individual should contact the *Title IX Coordinator* or *Title IX Case Manager*.

3. Responding to Requests for Confidentiality and/or Non-Action

Upon receiving a report of *Prohibited Conduct*, the College strives to take prompt and appropriate measures to eliminate misconduct, prevent its recurrence and remedy its effects. In so doing, the College strives to honor requests that the College keep the matter confidential and/or not pursue disciplinary action through the *Complaint Process*.

In the vast majority of cases the College will honor a reporting party's request to decide whether and when to initiate a complaint under the College's *Complaint Process*. While St. Olaf strives to honor all such requests, in some cases the College may determine that overriding *risk factors* warrant proceeding with the *Complaint Process*. This assessment will be performed by the *Title IX CORE Team* and the risk factors reviewed will include:

- Whether the accused individual has prior arrests, is the subject of prior reports and/or complaints related to any form of *Prohibited Conduct*, or has any known history of violent behavior;

- Whether the accused individual has a history of failing to comply with any no-contact order imposed by the College, and/or any judicial protective order/harassment restraining order;
- Whether the accused individual has threatened to commit violence or any form of *Prohibited Conduct*;
- Whether the *Prohibited Conduct* involved multiple accused individuals;
- Whether the *Prohibited Conduct* involved physical violence (e.g., hitting, punching, slapping, kicking, restraining, choking and brandishing or using any weapon);
- Whether the report reveals a pattern of *Prohibited Conduct* (e.g., by an individual or a particular group or organization, around a particular recurring event or activity, or at a particular location);
- Whether the *Prohibited Conduct* was facilitated through the use of “date-rape” or similar drugs or intoxicants;
- Whether the *Prohibited Conduct* occurred while the reporting party was unconscious, physically helpless or unaware that the *Prohibited Conduct* was occurring;
- Whether the Complainant is (or was at the time of the *Prohibited Conduct*) a minor (under 18); and/or
- Whether any other aggravating circumstances or signs of predatory behavior are present.

If a reporting party asks the College not to disclose the reporting party’s name or other identifiable information during an investigation, or the reporting party requests that no investigation be conducted at all, the College will evaluate the request in the context of its responsibility to provide a safe and nondiscriminatory environment for all community members. If the College decides that it has an obligation to initiate a *Complaint Process* regarding the alleged policy violation, it will notify the reporting party before proceeding.

4. Anonymous Reports

The college maintains an online anonymous reporting form (<http://wp.stolaf.edu/title-ix/report-sexual-violence/>) for any member of the St. Olaf community to anonymously report *Prohibited Conduct* that the reporter has either experienced or witnessed. The information provided is forwarded to the *Title IX Coordinator* and utilized for reporting purposes to state and federal authorities. The information is also used by the College to better understand the incidence of *sexual violence* in our community, and to aid St. Olaf in its education, prevention, and response efforts. The provision of an anonymous report is not used to initiate the *Complaint Process* under this Policy.

5. Crime Alerts to the Campus Community

To achieve a safe and secure campus environment, all members of the campus community are encouraged to report promptly any suspicious or criminal activity observed directly to Public Safety at 507-786-3666 and the Northfield Police Department. Employees (including student employees) designated as Campus Security Authorities as defined by the Crime Awareness and Campus Security Act (Clery Act), including advisors to student organizations, athletic team

coaches, members of the Public Safety Department, members of the Dean of Students Office, personnel working for Residence Life, and other community members who have significant responsibility for student and campus activities are required to report all known or suspected crimes to Public Safety for inclusion in the college's annual campus security report pursuant to the Clery Act.

When serious crimes are reported on campus, Public Safety will issue a timely warning (Crime Alert) notifying the campus community that an incident has been reported, general information surrounding the incident and how incidents of a similar nature might be prevented in the future. The criteria for issuing timely warnings include crimes that are considered to represent a continuing threat to students and employees. When a Crime Alert is issued, the names of individuals involved and information that could lead someone to identify the individuals involved will not be released. Alerts are sent by electronic mail directly to students, faculty and staff of the college.

While the College is obligated to provide the College community with general information regarding incidents of sexual assaults and certain other crimes occurring on campus, publicly available recordkeeping, including Clery Act reporting and disclosures such as the annual security report and daily crime log, will not include names or other information that may personally identify individuals. A member of the *Title IX CORE Team* will review descriptions of alleged incidents to confirm that names and any other identifiers that would enable others to identify individuals will be removed from any incident reports. The College will also maintain as confidential any accommodations or protective measures provided to an individual, to the extent that maintaining such confidentiality will not impair the ability of the College to provide the accommodations or protective measures. The College will only disclose information necessary to provide the accommodations or protective measures in a timely manner. The *Title IX Case Manager* will determine what information should be disclosed and to whom this information will be disclosed based on the facts and circumstances of the specific situation and the accommodation to be provided. The *Title IX Case Manager* will inform individuals before sharing personally identifying information that is necessary to provide an *interim protective measure*.

iii. Reporting to Law Enforcement

Sexual violence (including *sexual assault* and *sexual exploitation*), *dating violence*, *domestic violence* and *stalking* are also crimes prohibited under Minnesota's criminal laws. Institutions like St. Olaf are often criticized for not reporting such incidents to law enforcement and for internally addressing matters that some believe should be dealt exclusively through our criminal process. St. Olaf has an independent obligation to address reports of *Prohibited Conduct*, regardless of whether such conduct is also reported to the police. Furthermore, legal guidelines preclude the College from reporting incidents of *Prohibited Conduct* to law enforcement without the authorization

of the reporting party (unless such reporting is mandated under Minnesota's child or vulnerable adult abuse and neglect statutes).

Individuals who believe they have been subject to *sexual violence* (including *sexual assault* and *sexual exploitation*), *dating violence*, *domestic violence* and *stalking* are strongly encouraged to notify the Northfield Police Department. If desired, the College through a member of the *Title IX Team* will accompany individuals to meetings with law enforcement. Meetings can normally be arranged on campus or at the Northfield Police Department depending upon the wishes of the reporting party. Reporting provides individuals the opportunity to better understand their options and to assess whether the individual wishes to seek the filing of criminal charges, initiate a complaint under St. Olaf's process under this Policy, or both. In most instances, reporting to the police does not require filing criminal charges, and the individual reporting to the police maintains control over whether and when criminal charges will be pursued.

In instances where the police have been contacted about a matter involving reported *Prohibited Conduct*, the College will cooperate with the Northfield Police in obtaining, securing, and maintaining evidence. The College and the Northfield Police Department are parties to a Memorandum of Understanding that addresses cooperation, communication and collaborative efforts between the College and the Northfield Police Department in our joint efforts to prevent and respond effectively to *sexual violence* (including *sexual assault* and *sexual exploitation*), *dating violence*, *domestic violence* and *stalking*.

Sexual misconduct may be reported to law enforcement by contacting the Northfield Police Department:

Emergency Number: 911

Non-Emergency Number: 507-645-4475

1. Rights of Crime Victims

Minnesota law provides individuals who report crimes to law enforcement with certain rights. These rights pertain to the process used by the police and prosecutors when a crime is reported. This is separate and apart from the process St. Olaf uses under when such a report is made to the College. The following is a brief description of the rights guaranteed to individuals who report crimes to law enforcement:

Notification. By law, individuals who report crimes are entitled to notification of their rights including the following:

- the process for prosecuting crimes and the ability to participate in this process;
- the final results of a criminal report (including whether the accused will be charged with a crime and prosecuted, any plea agreement reached with the accused, the outcome of a criminal

- trial, whether the decision at trial is being appealed, and the results of any appeal);
- the details of any plea agreement that may have been reached with the accused;
- the schedule for trial and any appeal hearings;
- any changes sought to the sentence imposed against the offender and the right to provide input in these proceedings;
- information regarding the offender's release or escape from custody or transfer to a lower security facility;
- any petition by the offender for expungement of the offender's criminal records;
- the right of a victim of crime to request restitution and reparations; and
- information on the nearby crime victim assistance resources.

Protection. Individuals who report crimes are entitled to:

- a secure waiting area during any court proceedings;
- request that their identity and personal information (including home and employment address, telephone number, and birth date) not be disclosed publicly or in open court;
- protection against retaliation by their employer for taking reasonable time off to testify, assist with the prosecution, and to attend court proceedings; and
- protection from any harassment, intimidation or other tampering with a witness.

Rights in Criminal Cases Involving Allegations of Domestic Violence, Sexual Assault, or Harassment. Individuals who report crimes involving allegations of domestic violence, sexual assault or harassment are entitled to:

- be informed of the prosecutor's decision to decline prosecution or dismiss the case along with information about seeking a harassment restraining order at no fee;
- protections against any retaliation from an employer in response to taking reasonable time off to attend a court proceeding relating to a request for an order for protection or harassment restraining order;
- terminate a lease without penalty;
- make a confidential request for HIV testing of a convicted offender in cases of sexual assault;
- a sexual assault medical examination at no cost; and
- to have an investigation and prosecution of a sexual assault case proceed without having to be subjected to a polygraph examination.

Other Rights. Individuals who report crimes are also entitled to:

- request a speedy trial;
- provide input in plea agreements and to object to a plea agreement, orally or in writing, before the court;
- object orally or in writing to a proposed disposition or sentence;

- inform the court, either orally or in writing, of the impact of the crime at the sentencing hearing; and be present at the sentencing and plea presentation hearings; and
- to be informed of any discharge or release of the offender from civil commitment, and submit a statement regarding this decision.

For further information, consult the [Crime Victims Bill of Rights](#), a publication of the Minnesota Department of Public Safety, or [Minnesota Statute 611A](#).

g. Interim Protective Measures

At any time after a report of a *Prohibited Conduct* has been received, the College will impose reasonable and appropriate interim protect measures aimed at protecting the safety of the parties or witnesses involved. Interim protective measures are temporary actions taken to facilitate equal access to educational services, and to foster a more comfortable and safe educational and living environment throughout the process of reporting and, if applicable, investigation and adjudication of a complaint. Interim measures may be requested by a party or witness, or imposed by the College. Interim protective measures are available regardless of whether a report proceeds to the *Complaint Process*.

Appropriate interim protective measures will vary depending upon the particular circumstances and based on a party’s confidentiality preferences. The range of available interim protective measures include:

- Access to counseling or medical services and assistance in setting up initial appointments on and off campus.
- A College-imposed “no-contact order” prohibiting contact between individuals.
- Assistance in petitioning a court for an *order for protection / harassment restraining order*.
- Prohibiting an individual from being on campus or at college events.
- Providing security escorts to assure safe movement between classes and activities.
- Rescheduling of exams or assignments.
- Providing alternative course completion options.
- Providing other academic support services, such as tutoring.
- Changing a student’s class schedule.
- Changing an employee’s work schedule or job assignment.
- Changing campus housing arrangements, and assistance with housing relocation.
- Limiting access to certain College residence halls, facilities or activities pending resolution of the matter.
- Voluntary leave of absence.
- College-imposed leave, suspension or separation for individuals accused of committing *Prohibited Conduct* where there is a credible threat of serious disruption to the College’s operations or a danger to the St. Olaf community.
- Making information available about and providing assistance with respect to orders for protection and *harassment restraining orders*, including enforcement of such orders.
- In cases where the individual is or becomes enrolled at a different educational institution either because of a transfer, on-going studies after

graduation from St. Olaf, or temporary enrollment at a different institution, the College will provide information about resources available at the student's current institution.

- Any other measure deemed appropriate for fostering a more comfortable and safe educational and living environment.

Interim protective measures are initiated by the College based upon the information gathered during the report or made available to the College thereafter. They are not intended to be punitive. Such measures will vary based on the particular facts and circumstances, including but not limited to the specific need expressed by the complainant, the age of the student[s] involved, the severity or pervasiveness of the allegations, any continuing effects on the reporting party, whether the reporting party and the accused share the same residence hall or job location, and whether other measures have been taken to protect the reporting party. The *Title IX CORE Team* will be responsible for determining what measures will be put in place.

The *Title IX Case Manager* will maintain on-going contact with the parties involved in a report of *Prohibited Conduct*. Where interim protective measures impact another party, the *Title IX Case Manager* will inform that party and provide an opportunity to respond to such actions. The *Title IX Coordinator* retains the discretion to impose and/or modify any interim protective measures based on all available information. A party may challenge interim protective measures, or failure to impose interim protective measures or take other actions, by contacting the *Title IX Coordinator* to address any concerns.

h. Options for Avoiding Contact with Other Individuals Involved In a Report of Prohibited Conduct

Individuals who would like to avoid contact with another individual have several options available to them, including seeking a harassment restraining order or protective order from a civil court or requesting a no-contact order from the College.

i. Order for Protection / Harassment Restraining Orders

Harassment restraining orders and orders for protection are legal orders issued by a state court which forbid someone from harassing and/or making contact with another. A harassment restraining order is a civil court order issued against an alleged harasser, regardless of the relationship between the alleged harasser and the alleged victim, which orders the harasser to stop harassing the victim and/or to have no contact with the victim. An order for protection is a civil court order that protects one family or household member from domestic abuse by another family or household member. The College does not issue harassment restraining orders or orders for protection, but one can be obtained through making an application to the Rice County District Court. Paperwork to petition the court for an order for protection or harassment restraining order is available from the Public Safety Office or the Northfield Police Department. These forms may be submitted to the Court Administrator in the Rice County Courthouse, 218 3rd Street NW, Faribault, MN 55021 during business hours.

An order of protection and/or harassment restraining order can be enforced by contacting local law enforcement. St. Olaf is committed to ensuring that any such order issued by a court is fully upheld on the College's campus and at any St. Olaf-sponsored event.

ii. St. Olaf No-Contact Order.

A no-contact order is a College-issued directive that prohibits one or both parties from communication or contact with another. To request a no-contact order from the College, individuals should contact the *Title IX Coordinator* or the *Title IX Case Manager*.

The College is responsible for honoring requests for information about available options for orders for protection, restraining orders, and no-contact orders and will comply with and enforce such orders.

i. Forensic Sexual Assault Investigations / SANE Nurse Examinations

For their health and safety, to preserve their options and for other reasons, victims of *sexual assault* are strongly encouraged to immediately obtain medical attention and a sexual assault examination. Sexual assault examinations are available to anyone who is a victim of *sexual assault* regardless of gender or gender identity. Sexual assault examinations are conducted up to 120 hours after commission of a *sexual assault*; however, there may be circumstances that warrant an examination even after that period of time has expired.

A forensic exam is an exam performed by a specially-trained forensic nurse, called a Sexual Assault Nurse Examiner (or “SANE Nurse”). SANE Nurses work with physicians in the Emergency Department at the Northfield Hospital.

The purpose of a forensic exam is to (1) assess the patient for injuries that need treatment, (2) provide medical care (including medications to prevent infections and pregnancy), and (3) document and collect evidence of sexual contact or physical trauma (including injuries on the body and genitals), trace evidence, and identifiable DNA from the perpetrator of a sexual assault. When there is suspicion or concern that a victim may have been incapacitated by drugs or alcohol during a sexual assault, the forensic exam may include the collection of urine and/or blood samples for toxicology testing.

Evidence recovered from a forensic exam can be used to support a report under this Policy or a police report/criminal complaint; however, having a forensic exam performed does not mean that you must report the incident to either the College or the Northfield Police. That decision is entirely yours to make. Even if you are not considering initiating a complaint with either the College or the police at this time, obtaining an examination may ensure that important evidence is not lost, and may therefore be useful in the future if you decide to initiate a complaint the College or file a police report.

i. What to Do and Not Do Before Obtaining a Forensic Exam

If possible, do not brush your teeth, bathe/shower, change your clothes, or use the bathroom. This is to ensure any/all available forensic evidence is preserved for collection. If you have already done some/all of these things, it is still worth obtaining a forensic exam. Forensic evidence may still be present for collection, and it is also important to seek health care treatment. You may wish to bring a change of clothes with you to the Hospital.

ii. What to Expect During a Forensic Exam

You will be seen by a physician in the Emergency Department at Northfield Hospital; the physician will assess whether you have any life-threatening or urgent medical needs. The physician will ask you basic questions about your health history, the general nature of the assault, and any current pain or other symptoms to help understand what care you need. You do not have to share details of the assault with the physician.

You will also be seen by the SANE Nurse. The SANE Nurse will ask you about:

- your medical history;
- any current medications you are taking;
- your most recent consensual sexual contact;
- the dates of your last menstrual period, if applicable; and
- any current contraceptive methods.

The SANE Nurse will also ask you details about the assault to help determine how best to perform the forensic exam. In order to determine where to look for forensic evidence, the SANE Nurse will ask about the types of conduct that occurred and where (in or on the body) sexual contact was made. This information will be documented in the medical record. After obtaining this information, the SANE Nurse will usually ask you to disrobe so the forensic exam may be performed. Your physical privacy will be respected throughout the forensic exam. The evidence that is collected is guided by the information you provided about the assault. The evidence may include:

- Clothing worn at the time of the assault, including underwear. If your clothing is collected and you did not bring other clothing with you, you will be provided clothing (such as sweatpants and a t-shirt) to wear home.
- Swabs for possible DNA evidence taken from areas of the body where you reported sexual contact occurred.
- Hair samples.
- Blood and/or urine samples (particularly if there is concern of drug-facilitated assault).
- Any external injuries or areas of pain and discomfort. Any injuries will be documented and often photographed. (Photographs become part of the medical record).
- Injuries to the genital and rectal areas.

You control the scope and duration of the forensic exam. You may refuse any part of the forensic exam, even after giving full consent at the start. You may elect to stop the forensic exam before it is completed or you may ask to take a break. The medical staff will not examine you or collect physical evidence without your permission. They need your signed consent to administer the forensic exam and/or to provide any forensic evidence that is collected to the police or the College. You may ask any questions that you have about the forensic exam or any aspect of your care. All forensic exam procedures should be explained so that you understand why and how they are done; if you have any questions, you should ask the SANE Nurse or the doctor to explain what they are doing.

iii. Support Before, During and After the Forensic Exam

The Emergency Department will call an advocate from either the HOPE Center in Faribault (<http://hopecentermn.org/>) or the St. Olaf Sexual Assault Resource Network (“SARN”) <http://pages.stolaf.edu/sarn/>. You do not have to speak to the HOPE Center or SARN advocate, but one will be available to you. You may also contact the HOPE Center or SARN yourself:

HOPE Center 24-Hour Crisis Line: 800-607-2330
SARN: 507-786-3777

HOPE Center and SARN advocates are *confidential resources*. As such, your interactions will be kept confidential. No reports or actions will be taken without your permission.

An advocate can provide emotional support during the forensic exam and any related report-taking. The advocate can help explain medical procedures and the process of evidence collection. The advocate may also counsel friends or family members who may be at the Hospital with you. The advocate may also assist you with follow-up medical and counseling appointments and may provide support throughout any subsequent College or criminal process initiated by you.

You may also have your own friend or other support person present with you before, during and after the forensic exam.

Examination?

iv. Do I Have to Report the Incident of Sexual Assault in Order to Have This

No. You decide whether and when you wish to report the sexual assault to the College and/or the police. You do not have to make a report in order to have forensic evidence collected. Collecting the evidence now may be critical in keeping your options open if you later decide to report.

v. The Forensic Examination is Free of Charge

A SANE Nurse examination is free regardless of whether or not you choose to report the matter to the police or the College. The following services are free of charge:

- Evidence collection after a sexual assault;
- STI prevention medications; and
- Emergency contraception.

Additional medical services, if needed, are not free but are typically covered by private insurance. If you are a dependent on your parents' health insurance plan, be aware that your parents may learn about your visit to the emergency room through their insurance company.

vi. Release of Forensic Evidence

Forensic evidence collected at the Northfield Hospital may be released to the College or Northfield Police only with your written consent or if an authorized third party provides consent on your behalf. This forensic evidence may be used to support any subsequent criminal and/or College disciplinary action.

j. Waiver of Drug/Alcohol Violations

When St. Olaf receives a report of *Prohibited Conduct* our main priority is to protect the safety and well-being of the members of our community. In order to do so, we need individuals who report *Prohibited Conduct* and those who participate in investigations into such reports to be honest and candid about the circumstance surrounding the report. We do not want concerns about the College's alcohol and illicit drugs policy to cause individuals to either avoid reporting or to provide incomplete or inaccurate information during an

investigation into such a report. Therefore, individuals who report *Prohibited Conduct*, and individuals who participate as a party or witness in an investigation into allegations of *Prohibited Conduct* will not be disciplined by the College for any violation of its Policy on Alcohol and Illicit Drugs.

k. Annual Review / Title IX Advisory Group

This policy is maintained by the *Title IX Team* and subject to ongoing review and improvement. The *Title IX Team* will review this Policy on at least an annual basis. To assist the *Title IX Team* in its review of its policies and practices, St. Olaf College has established a *Title IX Advisory Group* that is tasked with gathering information from the St. Olaf community and providing recommendations on policy revisions and enhancements. *Title IX Advisory Group* is appointed by St. Olaf’s President and is comprised of student, faculty and staff representatives.

The *Title IX Advisory Group* will seek to identify legal compliance changes; evaluate the resources and support available to individuals involved in the College’s process; assess the effectiveness of the *Complaint Process*, including assessing fairness, impartiality, and thoroughness of the investigation and adjudication process; and provide feedback on the College’s education, awareness and prevention initiatives. The *Title IX Advisory Group* will provide opportunities for students, staff, faculty and other members of the St. Olaf community, especially individuals affected by this Policy and the *Complaint Process*, to provide feedback on the effectiveness of support services and the *Complaint Process*.

l. External Complaints

Nothing in this Policy or *Complaint Process* is intended to interfere with the right of any individual to pursue other avenues of recourse which may include, but are not limited to, filing a complaint with the United States Department of Education’s Office for Civil Rights (OCR). If you have made a report of *Prohibited Conduct* and/or filed a complaint under the *Complaint Process*, and believe the College’s response was inadequate, or you otherwise believe you have been discriminated against, you may file a complaint with the Office for Civil Rights (OCR) of the U.S. Department of Education. The OCR office that oversees institutions in Minnesota, including St. Olaf, is:

U.S. Department of Education
Office for Civil Rights
Citigroup Center
500 W. Madison Street, Suite 1475
Chicago, IL 60661-4544
Tel: [312.730.1560](tel:312.730.1560)
TDD: [877.521.2172](tel:877.521.2172)
Email: OCR.Chicago@ed.gov

COMPLAINT PROCESS FOR ADDRESSING ALLEGATIONS OF PROHIBITED CONDUCT

I. Introduction

St. Olaf College is committed to providing a safe and non-discriminatory environment for all students, staff, faculty and other members of our campus community. This Complaint Process provides the steps St. Olaf College will take to investigate and adjudicate allegations

of *Prohibited Conduct* (i.e., *sexual violence, sexual exploitation, sexual harassment, dating violence, domestic violence, stalking and retaliation*). This Complaint Process also addresses the *sanctions* that will be imposed when it is determined more likely than not that *Prohibited Conduct* has occurred.

II. Fair Treatment of All Parties

The College seeks to ensure that all complainants and respondents involved in this Complaint Process are treated with dignity and respect. We strive to provide a process that is prompt, fair and impartial. With regard to complainants involved in this process, they should never be treated in a manner that suggests that they were at fault for, or that they should have done something different to avoid the reported *Prohibited Conduct*. If parties have any concerns about the manner in which they are being treated throughout the Complaint Process, they should immediately report such concerns to the *Title IX Case Manager*.

Complainants and respondents who participate in this Complaint Process can expect the following:

- Prompt and equitable resolution of allegations of *Prohibited Conduct*;
- Respect of their privacy in accordance with the Policy and any legal requirements;
- Freedom from *retaliation* for making a good faith report of *Prohibited Conduct* or for participating in this Complaint Process;
- The responsibility to refrain from *retaliation* directed against the other party or any other person for making a good faith report of *Prohibited Conduct*, for participating as a witness to this Complaint Process, or for participating in any proceeding under this Complaint Process;
- The responsibility to provide truthful information in connection with the investigation and adjudication under this Complaint Process;
- The opportunity to articulate concerns or issues about proceedings under this Complaint Process with the *Title IX Case Manager*;
- Timely notice of any meeting or proceeding relating to the Complaint Process at which the complainant or respondent will be in attendance, including any meetings with the investigator, the adjudication panel or other College officials;
- The opportunity to select an advisor of choice, including the right to have that advisor attend any meeting or proceeding at which the party's presence is contemplated by this Complaint Process;
- Written notice of the general nature of the alleged *Prohibited Conduct*;
- The opportunity to challenge the investigator or any member of the adjudication panel for bias or conflict of interest;
- The opportunity to offer information, present evidence, and identify witnesses during an investigation;
- The opportunity to be heard, orally and/or in writing, as to the determination of a violation of this Policy and the imposition of any sanction(s);
- Timely and equal access to any information that will be used during proceedings and related meetings;
- Reasonable time to prepare any response contemplated by this Complaint Process;
- Written notice of any extension of timeframes for good cause; and
- Written notice of the determination of any proceedings, including the determination of a Policy violation, imposition of any sanction(s), and the rationale for each.

III. Conflicts

If a complainant or respondent has any concern that any individual acting for the college under this Complaint Process has a conflict of interest, such concern should be reported to the *Title IX Case Manager* no later than two (2) business days after receiving the notice of the identity of the individual(s) assigned to the matter. The *Title IX CORE Team* will review the concerns and take appropriate steps to ensure that no conflicts of interest exist on the part of anyone investigating or resolving a complaint under this Complaint Process. If the *Title IX Coordinator* or *Title IX Case Manager* has a conflict of interest with respect to a complaint, the College's President or the President's designee shall appoint an alternate person to oversee adherence to this Policy with respect to the complaint at issue. If the President is a party to the complaint or has a conflict of interest with respect to a complaint, the Chair of the Board of Regents for the College shall ensure that the College puts in place appropriate safeguards under the circumstances to ensure that the College promptly and equitably responds to the complaint, including, but not limited to, appointment of alternate individuals to oversee the Complaint Process.

IV. Non-Participation and Silence

A party to this complaint process may at any time decline to provide information or otherwise participate in this Complaint Process. If a party decides not to participate, the College will proceed with the process and make a determination based upon the information available. Silence in response to an allegation will not necessarily be viewed as an admission of the allegation, but may leave allegations unrefuted.

V. Timelines

Typically, the College will complete the investigation and adjudication process (finding and sanction, if any) outlined below within sixty (60) calendar days. This timeframe may be extended for good cause, which may exist if additional time is necessary to ensure the integrity and completeness of the investigation, to comply with a request by external law enforcement for temporary delay to gather evidence for a criminal investigation, to accommodate the availability of witnesses, to account for College breaks or vacations, to account for complexities of a case, including the number of witnesses and volume of information provided by the parties, or for other legitimate reasons. In cases where extensions may be necessary, the *Title IX Case Manager* will notify the parties. Extensions will be no longer than necessary. The complainant and respondent will receive written notice of any extensions that will include the reasons for the delay and the anticipated length of the delay.

VI. Reservation of Flexibility

The procedures set forth in this Complaint Process reflect the College's desire to respond to complaints in good faith and in a manner that promotes fairness, impartiality and prompt resolution for all parties. The College recognizes that each case is unique and that circumstances may arise which require the College reserve flexibility in responding to the particular circumstances. Where it is not possible or practical to follow the procedures provided in the Complaint Process, the College reserves the right to modify the procedure or to take other administrative action as appropriate under the circumstances. In addition, the college reserves the right to process complaints of sex discrimination or sexual harassment according to the Sexual Misconduct Complaint Procedure where the allegations, while not involving sexual misconduct, warrant treatment under the Sexual Misconduct Complaint Procedure under the circumstances.

VII. **Initiation of the Complaint Process**

The Complaint Process is generally initiated after an individual who reports having been subjected to *Prohibited Conduct* authorizes the College to proceed with this process. In rare circumstances the Complaint Process may be initiated by the College when the *Title IX CORE Team* determines that there are overriding *risk factors* that warrant moving forward with the Complaint Process in order to protect the safety of the St. Olaf community.

Normally, the parties are provided written confirmation that the Complaint Process has been initiated. This notification will identify the general nature of *Prohibited Conduct* alleged to have occurred; the identities of the investigator/adjudicator and adjudication panel; the option to participate in *informal resolution* (if applicable); and other general information about the process. A complaint may be initiated by contacting the *Title IX Coordinator*, *Title IX Case Manager*, or any other member of the *Title IX Team*.

VIII. **Advisor of Choice**

The complainant and the respondent have the right to be assisted by an advisor of their choice as long as the advisor is not a potential witness in the case, and as long as the advisor observes the following guidelines:

- The purpose of the advisor is to support a complainant or respondent in the complaint process.
- Advisors may confer with their advisee, but they may not speak on behalf of their advisee or otherwise actively participate in the process.
- The advisor may accompany their advisee to all meetings relating to the Complaint Process, but may not appear in lieu of their advisor.
- While advisors may assist their advisee in drafting written communications to the college, they may not directly communicate with the investigator/adjudicator, witnesses (other than their own advisee), or adjudication panel.
- Advisors may not interrupt or otherwise delay the Complaint Process. The College reserves the right to move forward with its process in order to ensure a prompt completion of the process. The College will strive to accommodate advisors schedules; however, the process may need to move forward even if an advisor is unavailable.
- With the permission of their advisee, advisors will be provided access to the same investigation materials and evidence that is available to their advisee. This information frequently includes student records and other confidential and highly sensitive information. Advisor's access to such information is conditioned upon their agreement to maintain the confidentiality of these records unless disclosure is legally authorized.
- Violations of confidentiality or other forms of interference with the complaint procedure by the advisor may result in disqualification of an advisor.

The College reserves the right to disclose information about the identity of one party's advisor to the other party in the Complaint Process.

IX. **Formal and Informal Resolution Options**

When a complainant or the College chooses to move forward with the Complaint Process set forth in this Policy, there are two avenues for resolution of an alleged policy violation: formal and informal resolution. The *Title IX Case Manager* is available to explain the informal and formal resolution procedures. In addition, the *Title IX Coordinator* may directly refer a matter to other institutional disciplinary procedures when the type of behavior that is alleged to have

occurred does not constitute *Prohibited Conduct* and the concerns raised by the report are better handled under another disciplinary procedure.

a. Formal Process

The Formal Process is used when:

- A Complainant reports *Prohibited Conduct* and requests, at any time, that the College proceed with an investigation and adjudication under this Formal Process;
- Attempts to resolve a reported incident of *Prohibited Conduct* through the Informal Process are unsuccessful, and in the *Title IX Coordinator's* discretion, an investigation of the report of *Prohibited Conduct* is required; or
- In reviewing the nature of the report of *Prohibited Conduct*, the *Title IX CORE Team* determines, based upon a review of the totality of the circumstances and guided by a consideration of the *risk factors*, that investigation of the reported conduct is necessary to ensure the health and safety of the complainant and/or other members of the St. Olaf community.

i. Investigation. Whenever the Formal Process is commenced, the *Title IX Case Manager* will designate an investigator to conduct a prompt, thorough, fair, and impartial investigation. In most instances the College will retain an experienced external investigator to conduct the investigation. All investigators will receive annual training on issues related to sexual and gender-based harassment, sexual assault, dating violence, domestic violence, and stalking, and on how to conduct an investigation that is fair and impartial, provides parties with notice and a meaningful opportunity to be heard, and protects the safety of Complainants and the College community while promoting accountability.

ii. Notice of Investigation. The *Title IX Case Manager* will notify the complainant and the respondent, in writing, of the commencement of an investigation. Such notice will include at least the following:

- The identity of the Complainant and the Respondent;
- The date, time (if known), location, and nature of the alleged *Prohibited Conduct*;
- The type(s) of *Prohibited Conduct* alleged to have occurred;
- The identity of the investigator;
- An explanation of the prohibition against *retaliation*;
- Instructions to the parties to preserve any potentially relevant evidence in any format;
- Information on how the parties may challenge participation by the investigator or the adjudication panel on the basis of bias or a conflict of interest; and
- A link to a copy of the Policy and this Complaint Process.

1. Investigation of Other Code of Conduct Violations. If a report of *Prohibited Conduct* also implicates other allegations of violations of the College's Code of Conduct, the *Title IX Coordinator* will evaluate the allegations to determine whether the investigation of the *Prohibited Conduct* and the other alleged misconduct may be appropriately investigated together without unduly delaying the resolution of the report of *Prohibited Conduct*. Where the *Title IX Coordinator* determines that a single investigation is appropriate, the determination of responsibility

for the violation other Code of Conduct policies will be evaluated under the applicable policy, but the investigation and resolution will be conducted in accordance with these Procedures.

- iii. Presumption of Non-Responsibility and Impact of Non-Participation. The investigation is a neutral fact-gathering process. The respondent will be deemed responsible only where the investigator and/or Adjudication Panel conclude that there is sufficient evidence, by a preponderance of the evidence, to support a finding that the respondent engaged in *Prohibited Conduct*. Neither party is required to participate in the investigation or any form of resolution under this Complaint Process, and the investigator will not draw any adverse inference from a decision by either of the parties not to participate.
- iv. Overview of Investigation. During the investigation, the parties will have an equal opportunity to be heard, to submit information and corroborating evidence, to identify witnesses who may have relevant information, and to suggest questions that they believe should be directed by the investigator to the other party or to any witness. The investigator will notify and seek to meet separately with the complainant, the respondent, and third-party witnesses, and will gather other relevant and available evidence and information, including, without limitation, electronic or other records of communications between the parties or witnesses (via voice-mail, text message, email and social media sites), photographs (including those stored on computers and smartphones), and medical records (subject to the consent of the applicable party). Normally, interviews of the parties and witnesses will be audio recorded.
- v. Prior or Subsequent Conduct. Prior or subsequent conduct of the respondent may be considered in determining pattern, knowledge, intent, motive, or absence of mistake. For example, evidence of a pattern of *Prohibited Conduct* by the respondent, either before or after the incident in question, regardless of whether there has been a prior finding of *Prohibited Conduct*, may be deemed relevant to the determination of responsibility for the *Prohibited Conduct* under investigation. The determination of relevance of pattern evidence will be based on an assessment of whether the previous or subsequent conduct was substantially similar to the conduct under investigation or indicates a pattern of similar *Prohibited Conduct*. Such prior or subsequent conduct may subject the respondent to additional sanctions. The investigator will determine the relevance of this information and both parties will be informed if evidence of prior or subsequent conduct is deemed relevant.
- vi. Prior Sexual History. The sexual history of a complainant or respondent will never be used to prove character or reputation. Moreover, evidence related to the prior sexual history of either of the parties is generally not relevant to the determination of whether *Prohibited Conduct* occurred and will be considered only in limited circumstances. For example, if the existence of *consent* is at issue, the sexual history between the parties may be relevant in understanding context and the manner and nature of communications between the parties, which could be relevant in determining whether *consent* was sought and given during the incident in question. However, even in the context of a prior sexual relationship, *consent* to one sexual act on one occasion does not constitute consent to another

sexual act on a different occasion. The investigator will determine the relevance of evidence of prior sexual history.

- vii. Relevance of Evidence. The investigator has the discretion to determine the relevance of any proffered evidence and to include or exclude certain types of evidence. Evidence that is determined to have been offered for an improper purpose, such as to embarrass or harass another party or witness, will not be considered by the investigator and could be grounds for an independent complaint of *retaliation*.
- viii. Expert Opinions. When expertise on a topic is needed in order to achieve a fuller understanding of the issues under investigation, the investigator may consult medical, forensic, technological or other experts. Information and opinions from experts may be sought by the investigator or proffered by one of the parties. When expert opinion information is reviewed by the investigator the parties will be apprised of the information and provide an opportunity to submit additional expert information.
- ix. Close of Evidence Notice. The College will strive to complete the investigation phase of the Formal Process within twenty-five (25) calendar days. Prior to drafting a Preliminary Investigation Report, the investigator will inform the parties of the pending close of the investigation phase so that the parties will have an opportunity to submit any additional evidence and/or suggest additional witnesses to be interviewed. The opportunity to submit further evidence will close on the date identified by the investigator, and the parties will not be permitted to introduce additional evidence after that date absent extraordinary circumstances.
- x. Preliminary Investigation Report. At the conclusion of the investigation, the investigator will prepare a Preliminary Investigation Report summarizing the information gathered and outlining the contested and uncontested information. The Preliminary Investigation Report will not include any findings. The complainant and the respondent will have an opportunity to review the Preliminary Investigation Report; meet with the investigator; and submit additional comments and information to the investigator. If the parties believe that there is a deficiency with the investigation (e.g., the investigator failed to interview a key witnesses or neglected to mention important evidence in the Preliminary Investigation Report), the parties may request the investigator to conduct further investigation. The investigator will determine whether further investigation is warranted. The investigator will designate a reasonable time for the review and response by the parties, not to exceed five (5) calendar days.
- xi. Final Investigation Report. Unless the investigator identifies a deficiency with the investigation that requires further investigative steps by the investigator, the investigator will proceed with completing a Final Investigation Report. The Final Investigation Report will be completed within five (5) calendar days after receipt and consideration of any additional comments, questions and/or information submitted by the parties during the designated review and response to the Preliminary Investigation Report. The Final Investigation Report, will include a notice of determination as to whether there is sufficient evidence, by a

preponderance of the evidence, to support a finding that the respondent engaged in *Prohibited Conduct*. In reaching this finding, the investigator may consult with St. Olaf's General Counsel. The investigator will deliver the Final Investigation Report to the *Title IX Case Manager*. The *Title IX Case Manager* will notify both parties, simultaneously, that the Final Investigation Report is complete and available for review.

- xii. Adjudication Panel Review. The Adjudication Panel is comprised of the College's Vice President for Student Life and the Associate Dean of Students for Residence Life. In cases where either or both officials are unavailable, or there is a substantiated concern raised about potential bias or conflict of interest, the *Title IX Coordinator* will appoint substitution Adjudication Panel members. Adjudication Panel members will receive annual training on issues related to sexual and gender-based harassment, sexual assault, dating violence, domestic violence, and stalking, and on how to conduct a fair and impartial adjudication.
- xiii. Appeal of Investigator's Decision. Either or both parties may contest the investigator's decision in the Final Investigation Report and appeal it before the Adjudication Panel. If the investigator determines that there is insufficient evidence, by a preponderance of the evidence, to support a finding of responsibility on one or more of the allegations, and this determination is not appealed, the matter will be closed. If the investigator determines that there is sufficient evidence, by a preponderance of the evidence, to support a finding of responsibility on one or more of the allegations, and neither party appeals this determination, the matter will be referred to the Adjudication Panel solely to determine the issue of *sanctions*.

If either or both parties choose to appeal the decision of the investigator before the Adjudication Panel, the appealing party must submit a letter of appeal to the *Title IX Case Manager* within three (3) business days of receipt Final Investigation Report. The letter of appeal should state the grounds for appeal. The non-appealing party will have an opportunity to review and respond to the letter of appeal. A non-appealing party's response to an appeal must be received within three (3) business days of notice of the appeal letter. The *Title IX Case Manager* will provide the Final Investigation Report, together with any statements submitted by the parties, to the Adjudication Panel for review of the appeal.

If either of the parties appeal the investigator's determination in the Final Investigation Report, the Adjudication Panel will review the appeal to determine whether the decision was clearly erroneous. Appealing the determination to the Adjudication Panel is not an opportunity to start over with a new investigation. The investigator's decision will not be changed unless there is evidence that the investigator committed a clear error of judgment in reviewing the facts and reaching a conclusion, and that no reasonable investigator reviewing the evidence made available during the investigation could have made the same conclusion the investigator reached.

In reviewing any appeal, the Adjudication Panel has the ability to affirm the investigator's decision, overturn the investigator's decision, or remand the matter for further investigation and adjudication.

- xiv. Process for Determining Sanctions. Where there is a finding of responsibility on one or more of the allegations, both parties may submit a statement to the *Title IX Case Manager* for consideration by the Adjudication Panel in determining an appropriate sanction. The complainant may submit a written statement describing the impact of the *Prohibited Conduct* on the complainant and expressing a preference about the *sanctions* to be imposed. The respondent may submit a written statement explaining any factors that the respondent believes should mitigate or otherwise be considered in determining the sanctions(s) imposed. If either or both of the parties decides to submit a statement, it must be received by the *Title IX Case Manager* no later than five (5) business days following the party's receipt of the Final Investigation Report. The *Title IX Case Manager* will ensure that each of the parties has an opportunity to review any statement submitted by the other party. The *Title IX Case Manager* will provide any statement(s) with the Final Investigation Report to the Adjudication Panel.

Either or both parties may also request the opportunity to meet with the Adjudication Panel to discuss how the Adjudication Panel should address the issue of *sanctions*. If both parties are interested in attending such a meeting with the Adjudication Panel, the meeting will be arranged in a manner that will permit the parties to participate and respond to each other's statements while maintaining no direct contact between them.

The Adjudication Panel's review of any appeal and any determination on sanctions will normally be completed within ten (10) calendar days after receipt of the investigator's Final Investigation Report.

- xv. Sanctions. Where there is a finding of responsibility, the Adjudication Panel are responsible for determining appropriate sanctions. Sanctions imposed upon student respondents may include a variety of institutional responses or requirements, including, but not limited to, the following: warning, removal from campus housing, not being allowed to represent the college in volunteer or paid work, restitution, required attendance at educational programs, required assessment or counseling, restriction of privileges, probation, suspension (usually at a minimum the greater of either 1 year or the remaining amount of time the complainant will remain a student at the College), and/or expulsion, and any other sanctions listed in the Code of Student Conduct or deemed appropriate under the circumstances.

Appropriate sanctions for staff or faculty members deemed to have violated the Policy include, but are not limited to a disciplinary warning, unpaid suspensions, suspension of promotion and salary increments, loss of prospective benefits, major fines, reduction in salary, suspension from service, suspension or withdrawal of privileges, demotion and/or termination of employment, or any other available sanctions as specified by the St. Olaf Faculty Manual, Faculty Handbook, or Staff Handbook. If the Adjudication Panel determines that it is more likely than not that a faculty member has violated this Policy and that dismissal may be an appropriate sanction, the matter will be referred to the

President, or the President's designee, for appropriate process and decision, which shall be determined and administered in a manner consistent with the Faculty Manual. In such cases, dismissal for cause may only be effectuated in accordance with Faculty Manual Section XIX Dismissal Procedures, including use of the clear and convincing evidence standard. The adjudicator(s) or the adjudicator's designee may impose appropriate sanctions short of dismissal, in a manner consistent with the Faculty Manual and Faculty Handbook.

The Policy prohibits a broad range of conduct, all of which is serious in nature. The propriety of any particular sanction is reviewed on an individual basis based on the unique facts and circumstances as found by the Adjudication Panel. In keeping with the College's commitment to foster an environment that is safe, inclusive, and free of *Prohibited Conduct*, the Complaint Process provides the Adjudication Panel with wide latitude in the imposition of sanctions tailored to circumstances of each unique matter.

The imposition of sanctions is designed to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects, while supporting the College's educational mission and legal obligations. In determining the appropriate sanctions, the Adjudication Panel will be guided by a number of considerations, including:

- The severity, persistence or pervasiveness of the *Prohibited Conduct*;
- Whether the *Prohibited Conduct* included violence;
- The impact of the *Prohibited Conduct* on the complainant;
- The impact or implications of the *Prohibited Conduct* within the St. Olaf community;
- Prior misconduct by the respondent, including the respondent's relevant prior disciplinary history, at St. Olaf or elsewhere, and any criminal convictions;
- Whether the respondent has accepted responsibility for the *Prohibited Conduct*;
- The maintenance of a safe, nondiscriminatory and respectful environment conducive to learning; and
- Any other mitigating, aggravating, or compelling factors.

Sanctions are effective immediately, unless otherwise specified by the Adjudication Panel.

- xvi. Notice of Determination. The Adjudication Panel will issue a written Notice of Determination simultaneously to the complainant and the respondent, with a copy to the *Title IX Coordinator* and *Title IX Case Manager* within three (3) business days following the Adjudication Panel's review. The Notice of Determination will set forth the violation(s) of the Policy for which the respondent was found responsible or not responsible, as supported by the rationale set forth in the Final Investigation Report and/or as modified by any appeal determination by the Adjudication Panel; the sanctions (if applicable) imposed against the respondent; and the rationale for any sanctions imposed. The Notice of Determination may also identify protective measures implemented with respect to the Respondent or the broader College community. The Notice of Determination sent to the respondent will not disclose any remedial measures

offered to the complainant. The decision of the Adjudication Panel is final, without further recourse or appeal by either party.

- b. Informal Resolution Process. The Complainant may seek Informal Resolution in place of an investigation and Formal Resolution. The College maintains the discretion to determine whether the nature of the reported conduct is appropriate for Informal Resolution, to determine the type of Informal Resolution that may be appropriate in a specific case, and, to refer a report for Formal Resolution at any time. In addition, Informal Resolution may not be available where the Adjudication Panel has determined that one or more of the *risk factors* listed in the Policy warrants use of the Formal Process. Informal Resolution that involves face-to-face meetings between the complainant and the respondent, such as mediation, are not available in cases involving *sexual assault*.

Participation in Informal Resolution is completely voluntary. The College will not require a complainant or respondent to engage in Informal Resolution, will not compel a complainant to directly confront the respondent, and will allow a complainant or respondent to withdraw from Informal Resolution at any time. The College may decline the request for Informal Resolution in any particular case and may terminate an ongoing Informal Resolution process at any time.

Pursuing Informal Resolution does not preclude later use of Formal Resolution if the Informal Resolution fails to achieve a resolution acceptable to the parties and the College. Where the complainant or the respondent withdraws from Informal Resolution or Informal Resolution is otherwise terminated for any reason, any statements or disclosures made by the parties during the course of the Informal Resolution may be considered in a subsequent investigation and Formal Resolution.

Each party has the right to choose and consult with an advisor during an Informal Resolution process. The advisor may be any person, including an attorney, who is not otherwise a party or witness to the reported incident. The parties may be accompanied by their respective advisors at any meeting or proceeding held as part of Informal Resolution. While the advisors may provide support and advice to the parties at any meeting and/or proceeding, they may not speak on behalf of the parties or otherwise participate in or disrupt the process.

In pursuing informal resolution, the parties may seek assistance in informally resolving a report of *Prohibited Conduct* from the *Title IX Case Manager*, who can arrange to have a trained representative facilitate a meeting or meetings between the parties. The agreement to participate in Informal Resolution, and any resolution reached is subject to the agreement of the *Title IX Coordinator*, the complainant and the respondent. The *Title IX Case Manager* will maintain records of all reports and conduct referred for Informal Resolution, which typically will be completed within thirty (30) calendar days.

Process for Complaints Involving Parties Who are Not St. Olaf Students or Employees. When the College receives a complaint involving allegations of *Prohibited Conduct* by a third party (an individual who is not a student, faculty, or staff member), the *Title IX CORE Team* may exercise discretion to determine an alternative investigative and adjudication process that is deemed more appropriate based on the facts and circumstances of the matter. The *Title IX Case Manager* will

document any report received, the process used, and the outcome. If it is determined that it is more likely than not that a third party violated this Policy, appropriate sanction(s) may include but are not limited to: conditions upon presence on campus or at college events, no trespass and no contact orders, or other steps deemed necessary to protect the complainant and the campus community. The College will notify the parties of the outcome of the complaint. Any party with concerns about the process or outcome should consult with the *Title IX Coordinator*.

Crime Statistics and Information

Crime Statistics Compilation Process

The Public Safety Department is the central reporting point for campus incidents and crimes but statistical data is gathered from several sources on campus and off-campus for this report. These include the Dean of Students Office, the Director of Residence Life, the Athletic Department, Student Conduct Officer, Human Resources Office, the Northfield Police Department and Campus Security Authorities. Although pastoral and professional counselors are not required to report details of crimes due to their confidential counseling roles, they are encouraged to report statistical data for inclusion in this report.

Statistical data is compiled from January 1 through December 31 of each year and is listed in the calendar year in which it was reported. Crimes are classified according to the Federal Bureau of Investigation Uniform Crime Reporting (UCR) system and the National Incident Based Reporting System (NIBRS). UCR and NIBRS programs are a nationwide, cooperative statistical effort in which city, college and university, county, State, Tribal and federal law enforcement agencies voluntarily report data on crimes brought to their attention.

Within the FBI's UCR reporting system is a "Hierarchy Rule" which applies to all reported crimes. The Hierarchy Rule is the requirement in the FBI's UCR program that, "for purposes of reporting crimes in the system, when more than one criminal offense is committed during a single incident, only the most serious offense is to be included in the institutions Clery Act statistics". The only exception to this rule is if a victim is sexually assaulted and murdered in a single incident, both crimes would then be reported in our Clery Act statistics.

Crime Reporting Areas

All crimes reported to Public Safety that occur on college property are contained in the statistics presented herein based on the calendar year in which they were reported. St. Olaf College does not have off-campus student organizations recognized by the institution as student organizations with off-campus housing facilities. For the purposes of statistical crime reporting, the Clery Geography for St. Olaf College is divided into three reporting areas: on campus, non-campus and public property. The on-campus area is comprised of all central campus property including residence halls. For purposes of the College's annual security report, on campus crimes that occur in the residence halls are reported not only in the on campus category, but also in a subcategory for crimes occurring in the residence halls. The residence halls category includes honor houses and language houses in which students reside. Non-campus includes outlying property owned by the college but not utilized in direct support of the educational mission of the College such as the James farm. Public property includes St. Olaf Avenue from Lincoln Avenue to the St. Olaf Avenue entrance to campus and other streets bordering property owned by the College such as 1st and 2nd Street West from Lincoln Avenue, Lincoln Avenue, Greenvale Avenue and Highway 19 from Armstrong Road West to the edge of campus. The Northfield Police Department provides a listing of all crimes reported on or near the campus on an annual basis. Crimes reported in this manner are included in the crime statistics as presented based on the location of the crime.

2013

2014

2015

| REPORTABLE OFFENSE | 2013 | | | 2014 | | | 2015 | | |
|--------------------------------|-----------|------------|---|-----------|------------|---|-----------|------------|---|
| | On Campus | Non Campus | Public Property Halls * Unfounded Cases | On Campus | Non Campus | Public Property Halls * Unfounded Cases | On Campus | Non Campus | Public Property Halls * Unfounded Cases |
| Criminal Homicide Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Murder/Non Neg. Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Sex Offense Total | 4 | 0 | 4 | 7 | 0 | 3 | 6 | 0 | 6 |
| Rape | 1 | 0 | 1 | 3 | 0 | 1 | 3 | 0 | 3 |
| Fondling | 2 | 0 | 2 | 4 | 0 | 2 | 3 | 0 | 3 |
| Incest | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault Total | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| Burglary Total | 3 | 0 | 3 | 3 | 0 | 0 | 4 | 0 | 0 |
| Forcible Entry | 0 | 0 | 0 | 3 | 0 | 0 | 4 | 0 | 0 |
| Non-Forcible Entry | 3 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 |
| Arson Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | | | | |
|----------------|---|---|---|---|---|---|---|---|---|
| Arrests | 6 | 0 | 4 | 4 | 0 | 2 | 2 | 0 | 0 |
| Liquor Laws | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Drug Laws | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 2 |
| Weapons Laws | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | | | | |
|---|----|---|----|----|---|----|-----|---|-----|
| Referred for Disciplinary Action | 73 | 0 | 69 | 37 | 0 | 27 | 138 | 0 | 131 |
| Liquor Laws | 31 | 0 | 26 | 31 | 0 | 0 | 26 | 0 | 21 |
| Drug Laws | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Weapons Laws | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | | | | |
|--------------------------------|---|---|---|---|---|---|---|---|---|
| Dating Violence Total | 0 | 0 | 0 | 1 | 0 | 1 | 1 | 0 | 1 |
| Domestic Violence Total | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Stalking Total | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 2 |

* Residence Halls are a "subset" of the On Campus Total

Definitions Used to Classify Criminal Offenses (Index 1 Crimes)

Criminal Homicide

a. Murder and Non negligent Manslaughter - The willful (non-negligent) killing of one human being by another.

b. Manslaughter by Negligence - The killing of another person through gross negligence

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

a. 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

b. 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.

c. Incest - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

d. Statutory Rape - Sexual intercourse with a person who is under the statutory age of consent.

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.

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 by means likely to produce death or great bodily harm.

Burglary - The unlawful entry into a building or other structure with the intent to commit a felony or a theft.

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

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

Definitions to Classify Violence Against Women Act (VAWA) Crimes

Dating Violence – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

Domestic Violence – Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, a person who is/has been cohabitating with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress

Hate Crime Statistics

Hate Crimes are defined as *a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim*. The categories of bias include race, religion, sexual orientation, gender, gender identity, ethnicity, national origin and disability. In addition to the previously listed crimes, hate crimes also include Intimidation, Larceny, Simple Assault and Vandalism.

- 2013** One On-Campus larceny believed to be characterized by National Origin and one On-Campus vandalism believed to be characterized by National Origin.
2014 No hate crimes were reported
2015 No hate crimes were reported

Emergency Numbers

| | |
|---|---------------------|
| Public Safety | 507-786-3666 |
| Northfield Police, Fire, Ambulance | 9-911 |

Non-Emergency Numbers

| | |
|--|-----------------------|
| Public Safety Dispatch | 507-786-3666 |
| Public Safety Office (voice mail) | 507-786-3770 |
| Northfield Police Department | 507-645-4477 |
| Northfield Crime Tip Line | 507-663-9494 |
| Counseling Center Office | 507-786-3062 |
| Dean of Students Office | 507-786-3023 |
| Human Resources Office | 507-786-3068 |
| Safe Walk/Safe Ride (7pm-1am when classes are in session) | 507-786-3666 |
| Sexual Assault Resource Network (SARN) | 507-786-3777 |
| Hope Center (off-campus sexual assault advocacy center) | 1-800-607-2330 |

Annual Fire Safety Report

Fire Safety Report

In compliance with the Higher Education Opportunity Act (HEOA), St. Olaf College has included their Annual Fire Safety Report in the following pages of this report. This information discusses on-campus residential fire statistics, fire safety systems, fire drills, residential fire safety policies and fire safety tips. In addition, a Daily Fire Log listing any fires in on-campus housing is also maintained at the Public Safety Office and is available for public review during normal business hours. This report has been prepared to comply with the Higher Education Opportunity Act (HEOA).

Reporting Fires and Fire Alarms on Campus

Whenever a smoke detector or fire alarm system activates, persons at the affected location should **immediately** call Public Safety @ 507-786-3666 and report the incident. If heavy smoke or a fire is present, **immediately** pull a fire alarm station, call 9-911 and report the fire. Upon arrival, the Public Safety officers will confirm the report, assess the situation and determine if additional resources are necessary to resolve the situation. Additional resources may include other college employees/departments or external agencies such as the Northfield Police, the Northfield Fire Department or Northfield Emergency Medical Services. If a member of the St. Olaf community finds evidence of a fire that has been extinguished and is not sure whether Public Safety has already responded, the community member should immediately notify Public Safety to investigate the situation and document the incident.

Residential Evacuation Procedures

All faculty, staff and students should learn the evacuation routes and stairwell locations for all campus buildings they frequently occupy. Evacuation maps and information are posted inside each residence hall student room on campus. During an evacuation for fire or another emergency, occupants are encouraged to take personal belongings (purse, wallet, Ole card, cell phone, etc.) and follow the evacuation procedures for their building (close your door, proceed to the nearest exit and use the stairs, not the elevators). Once you have evacuated, seek shelter in the nearest campus building. If public safety, law enforcement or fire department personnel are on the scene, follow their directions.

Emergency Response and Training

St. Olaf College takes fire safety very seriously and works to reduce risks comprehensively. Building design and construction materials, along with fire alarm and fire suppression systems, go a long way toward a safe environment for our community, but behavior is also important. Most of the campus buildings are constructed with steel reinforced concrete structural systems and most wall construction is fire resistive. The steel structure is protected from heat and fire by fire resistive cladding, spray insulation and/or sprinkling. If there is a fire condition, this all comes together to help isolate the problem, protect our occupants and the structure.

All residence halls and academic buildings are equipped with a fire alarm system and are centrally monitored at the Madson Facilities Building. Facilities engineers are in direct radio communication with public safety staff and can be dispatched to the location should any fire alarm activate in a campus building. St. Olaf College relies on the Northfield Fire Department, a volunteer fire department, for professional fire suppression services.

Each year, residence life staff and public safety officers complete fire alarm orientation training to enhance their understanding of the fire alarm systems in each campus building. The majority of fire alarms at St. Olaf College are activated by burned food in residence hall kitchens. Rarely is there any open flame associated with the activation of a fire alarm on campus since smoke will activate the alarm system first and initiate a response

Fire Log

A Daily Fire Log is maintained by Public Safety and is available for public inspection during normal business hours. This log contains information regarding all fires on campus including the nature of the fire, the date and time the fire occurred and the general location of the fire for the most recent sixty days. Upon request, information regarding fires on campus older than sixty days will be made available within two business days.

Fire Statistics

| 2013 Fire Statistics | | | | | | | | | |
|----------------------|--------------------------|-------|--------|-----------|---------|---------------|----------|--------|----------|
| Residence Hall | Street Address | Total | Fire # | Date | Time | Cause of Fire | Injuries | Deaths | Damage |
| Ellingson Hall | 1622 Founders' Drive | 0 | | | | | | | |
| Hilleboe Hall | 112 Water Tower Place | 0 | | | | | | | |
| Hoyme Hall | 1540 St. Olaf Drive | 1 | 1 | 10/2/2013 | 7:52 PM | Unintentional | 0 | 0 | \$0 |
| Kildahl Hall | 1630 Founders' Drive | 0 | | | | | | | |
| Kittelsby Hall | 112 Water Tower Place | 0 | | | | | | | |
| Larson Hall | 1420 Norway Valley Trail | 0 | | | | | | | |
| Mellby Hall | 1551 St. Olaf Drive | 0 | | | | | | | |
| Mohn Hall | 1626 Founders' Drive | 0 | | | | | | | |
| Rand Hall | 406 Hillside Lane | 0 | | | | | | | |
| Thorson Hall | 1618 Founders' Drive | 0 | | | | | | | |
| Ytterboe Hall | 1631 Campus Drive | 0 | | | | | | | |
| 2014 Fire Statistics | | | | | | | | | |
| Residence Hall | Street Address | Total | Fire # | Date | Time | Cause of Fire | Injuries | Deaths | Damage |
| Ellingson Hall | 1622 Founders' Drive | 0 | | | | | | | |
| Hilleboe Hall | 112 Water Tower Place | 0 | | | | | | | |
| Hoyme Hall | 1540 St. Olaf Drive | 0 | | | | | | | |
| Kildahl Hall | 1630 Founders' Drive | 0 | | | | | | | |
| Kittelsby Hall | 112 Water Tower Place | 0 | | | | | | | |
| Larson Hall | 1420 Norway Valley Trail | 0 | | | | | | | |
| Mellby Hall | 1551 St. Olaf Drive | 0 | | | | | | | |
| Mohn Hall | 1626 Founders' Drive | 0 | | | | | | | |
| Rand Hall | 406 Hillside Lane | 0 | | | | | | | |
| Thorson Hall | 1618 Founders' Drive | 0 | | | | | | | |
| Ytterboe Hall | 1631 Campus Drive | 0 | | | | | | | |
| 2015 Fire Statistics | | | | | | | | | |
| Residence Hall | Street Address | Total | Fire # | Date | Time | Cause of Fire | Injuries | Deaths | Damage |
| Ellingson Hall | 1622 Founders' Drive | 0 | | | | | | | |
| Hilleboe Hall | 112 Water Tower Place | 0 | | | | | | | |
| Hoyme Hall | 1540 St. Olaf Drive | 0 | | | | | | | |
| Kildahl Hall | 1630 Founders' Drive | 0 | | | | | | | |
| Kittelsby Hall | 112 Water Tower Place | 0 | | | | | | | |
| Larson Hall | 1420 Norway Valley Trail | 1 | 1 | 11/7/2015 | 9:45 PM | Unintentional | 0 | 0 | \$500.00 |
| Mellby Hall | 1551 St. Olaf Drive | 0 | | | | | | | |
| Mohn Hall | 1626 Founders' Drive | 0 | | | | | | | |
| Rand Hall | 406 Hillside Lane | 1 | 1 | 4/23/2015 | 7:40 PM | Unintentional | 0 | 0 | \$50.00 |
| Thorson Hall | 1618 Founders' Drive | 0 | | | | | | | |
| Ytterboe Hall | 1631 Campus Drive | 0 | | | | | | | |

2013 Fire Statistics

| Honor House | Street Address | Total | Fire # | Date | Time | Cause of Fire | Injuries | Deaths | Damage |
|--------------------|-----------------------|--------------|---------------|-------------|-------------|----------------------|-----------------|---------------|---------------|
| Aaker House | 1400 Forest Ave. | 0 | | | | | | | |
| Felland House | 1212 St. Olaf Ave. | 0 | | | | | | | |
| Flaten House | 1406 Forest Ave. | 0 | | | | | | | |
| Forest Inn | 1402 Forest Ave. | 0 | | | | | | | |
| Halderson House | 229 Lincoln St. | 0 | | | | | | | |
| Holstad House | 1115 St. Olaf Ave. | 0 | | | | | | | |
| Huggenvik House | 1218 St. Olaf Ave. | 0 | | | | | | | |
| Johnson House | 1110 St. Olaf Ave. | 0 | | | | | | | |
| Lincoln Inn | 219 Lincoln St. | 0 | | | | | | | |
| Lincoln Manor | 215 Lincoln St. | 0 | | | | | | | |
| Mohn House | 1208 St. Olaf Ave. | 0 | | | | | | | |
| Porter House | 1117 2nd St. W. | 0 | | | | | | | |
| Rose House | 1104 1st St. W. | 0 | | | | | | | |
| Schmidt House | 1200 St. Olaf Ave. | 0 | | | | | | | |
| St. John's House | 1304 St. Olaf Ave. | 0 | | | | | | | |
| Swanson House | 1108 1st St. W. | 0 | | | | | | | |
| Thompson House | 1312 St. Olaf Ave. | 0 | | | | | | | |
| Ytterboe House | 1300 St. Olaf Ave. | 0 | | | | | | | |

2014 Fire Statistics

| Honor House | Street Address | Total | Fire # | Date | Time | Cause of Fire | Injuries | Deaths | Damage |
|--------------------|-----------------------|--------------|---------------|-------------|-------------|----------------------|-----------------|---------------|---------------|
| Aaker House | 1400 Forest Ave. | 0 | | | | | | | |
| Felland House | 1212 St. Olaf Ave. | 0 | | | | | | | |
| Flaten House | 1406 Forest Ave. | 0 | | | | | | | |
| Forest Inn | 1402 Forest Ave. | 0 | | | | | | | |
| Halderson House | 229 Lincoln St. | 0 | | | | | | | |
| Holstad House | 1115 St. Olaf Ave. | 0 | | | | | | | |
| Huggenvik House | 1218 St. Olaf Ave. | 0 | | | | | | | |
| Johnson House | 1110 St. Olaf Ave. | 0 | | | | | | | |
| Lincoln Inn | 219 Lincoln St. | 0 | | | | | | | |
| Lincoln Manor | 215 Lincoln St. | 0 | | | | | | | |
| Mohn House | 1208 St. Olaf Ave. | 0 | | | | | | | |
| Porter House | 1117 2nd St. W. | 0 | | | | | | | |
| Rose House | 1104 1st St. W. | 0 | | | | | | | |
| Schmidt House | 1200 St. Olaf Ave. | 0 | | | | | | | |
| St. John's House | 1304 St. Olaf Ave. | 0 | | | | | | | |
| Swanson House | 1108 1st St. W. | 0 | | | | | | | |
| Thompson House | 1312 St. Olaf Ave. | 0 | | | | | | | |
| Ytterboe House | 1300 St. Olaf Ave. | 0 | | | | | | | |

| 2015 Fire Statistics | | | | | | | | | |
|----------------------|--------------------|-------|--------|------|------|---------------|----------|--------|--------|
| Honor House | Street Address | Total | Fire # | Date | Time | Cause of Fire | Injuries | Deaths | Damage |
| Aaker House | 1400 Forest Ave. | 0 | | | | | | | |
| Felland House | 1212 St. Olaf Ave. | 0 | | | | | | | |
| Flaten House | 1406 Forest Ave. | 0 | | | | | | | |
| Forest Inn | 1402 Forest Ave. | 0 | | | | | | | |
| Halderson House | 229 Lincoln St. | 0 | | | | | | | |
| Holstad House | 1115 St. Olaf Ave. | 0 | | | | | | | |
| Huggenvik House | 1218 St. Olaf Ave. | 0 | | | | | | | |
| Johnson House | 1110 St. Olaf Ave. | 0 | | | | | | | |
| Lincoln Inn | 219 Lincoln St. | 0 | | | | | | | |
| Lincoln Manor | 215 Lincoln St. | 0 | | | | | | | |
| Mohn House | 1208 St. Olaf Ave. | 0 | | | | | | | |
| Porter House | 1117 2nd St. W. | 0 | | | | | | | |
| Rose House | 1104 1st St. W. | 0 | | | | | | | |
| Schmidt House | 1200 St. Olaf Ave. | 0 | | | | | | | |
| St. John's House | 1304 St. Olaf Ave. | 0 | | | | | | | |
| Swanson House | 1108 1st St. W. | 0 | | | | | | | |
| Thompson House | 1312 St. Olaf Ave. | 0 | | | | | | | |
| Ytterboe House | 1300 St. Olaf Ave. | 0 | | | | | | | |

Residential Fire Safety Systems and Drills

The following information details the fire safety systems in each residence hall or honor house in which students reside at St. Olaf College. At this time, there are no plans to expand fire safety measures based on campus building materials used in construction and the existing monitoring/suppression devices in place.

Fire drills are conducted semi-annually in all residence halls on campus and are monitored by the residence life staff and public safety. The purpose of these drills is to prepare building occupants for an organized evacuation in case of fire or other emergency.

| Residence Hall | Fire Alarm Monitoring | Partial Sprinkler System | Full Sprinkler System | Smoke Detection | Fire Extinguishers | Evacuation Plans Posted | Fire Drills Each Year |
|-----------------------|------------------------------|---------------------------------|------------------------------|------------------------|---------------------------|--------------------------------|------------------------------|
| Ellingson | X | | X | X | X | X | 2 |
| Hilleboe | X | | | X | X | X | 2 |
| Hoyme | X | | X | X | X | X | 2 |
| Kildahl | X | | X | X | X | X | 2 |
| Kittelsby | X | | | X | X | X | 2 |
| Larson | X | | X | X | X | X | 2 |
| Mellby | X | | | X | X | X | 2 |
| Mohn | X | | | X | X | X | 2 |
| Rand | X | | | X | X | X | 2 |
| Thorson | X | | | X | X | X | 2 |
| Ytterboe | X | X | | X | X | X | 2 |

| Honor Houses | Fire Alarm Monitoring | Partial Sprinkler System | Full Sprinkler System | Smoke Detection | Fire Extinguishers | Evacuation Plans Posted | Fire Drills Each Year |
|---------------------|------------------------------|---------------------------------|------------------------------|------------------------|---------------------------|--------------------------------|------------------------------|
| Aaker House | | | | X | X | X | 0 |
| Felland House | | | | X | X | X | 0 |
| Finholt House | | | | X | X | X | 0 |
| Flaten House | | | | X | X | X | 0 |
| Forest Inn | | | | X | X | X | 0 |
| Haldorson House | | | | X | X | X | 0 |
| Holstad House | | | | X | X | X | 0 |
| Huggenvik House | | | | X | X | X | 0 |
| Johnson House | | | | X | X | X | 0 |
| Larson House | | | | X | X | X | 0 |
| Lincoln Inn | | | | X | X | X | 0 |
| Lincoln Manor | | | | X | X | X | 0 |
| Mohn House | | | | X | X | X | 0 |
| Porter House | | | | X | X | X | 0 |
| Rose House | | | | X | X | X | 0 |
| Schmidt House | | | | X | X | X | 0 |
| St. John's House | | | | X | X | X | 0 |
| Swanson House | | | | X | X | X | 0 |
| Thompson House | | | | X | X | X | 0 |
| Ytterboe House | | | | X | X | X | 0 |

Residential Fire Safety Policies

Because of fire safety concerns, the following guidelines are to be followed. Electrical appliances are permitted in student rooms provided their use does not disturb other residents and that its state of repair is not a fire hazard. Safety, insurance, and health code standards require certain restrictions be placed on the use of some electrical appliances in the halls. Appliances with an open coil or burner, air conditioners, hot plates, grills, skillets, halogen lamps, gas appliances, microwave ovens, toasters, toaster ovens and ceiling fans are not allowed in student rooms. Only heat producing electrical appliances that are UL (*Underwriters Laboratories*) approved and have enclosed heating elements (e.g. electric coffee pots, electric blankets, etc.) are permitted in student rooms. Kitchen cooking must be confined to designated cooking areas. No student owned microwaves, toasters, toaster ovens or hot plates are allowed in residence hall rooms. All electrical appliances brought to the campus by students are subject to inspection and approval by the college.

The safety of every student is of paramount importance to the college. Residence halls have been equipped with various emergency systems and equipment to help ensure student safety. As such, the tampering with and/or misuse of fire and safety equipment, including fire alarms, fire doors, fire extinguishers, fire hoses, smoke alarms, exit signs, heat sensors, and any other safety equipment, poses a serious threat to life and property and will result in a \$500 fine. The starting of any fire on college property without written authorization is strictly prohibited. St. Olaf reserves the right to take disciplinary action through the appropriate college channels and/or local law enforcement agencies.

For safety reasons, observe the following:

- Due to the significant risk of fire, the burning of candles, incense or other open flames are **not** permitted in residence hall rooms. With continuous monitoring, and with the permission of the area coordinator, lit candles are permitted in public areas for programs, dinners and other special events.
- No materials may be draped or affixed overhead (i.e. on the ceiling or over light bulbs).
- Flammable substances, such as gasoline and cleaning fluids, are not to be used or stored in college residences.
- No storage of flammable materials, such as wood (including sheets of wood), empty boxes, excessive amounts of paper or cardboard.
- Do not overload the electrical outlets. The college recommends only one appliance per outlet. Also, multiple outlet 'octopus' plugs are not allowed, as they can be a fire hazard.
- If an extension cord is needed, use a heavy duty extension cord, preferably one equipped with a circuit breaker. Use them in a manner that will not create a fire hazard (i.e. running them under carpet, overloading outlets, etc.).
- Splicing of electrical wires or removal of any outlet plates or light switch plates is prohibited.
- All holiday decorations (Christmas greenery) must be fireproofed. A fireproofing service is provided by Facilities. All greenery should be taken to Facilities who will fireproof the greenery and deliver it to the student's room within 24 hours. All greenery should be tagged, indicating that it has been officially fireproofed.
- Fire doors are to remain closed at all times. Residents of the corridor/hall are responsible for patrolling.
- 'Pennying in' residents is strictly prohibited, as it prevents residents from evacuating in the event of an emergency. Violations of this policy are subject to disciplinary action.
- Electrical appliances should not be left unattended. Once an appliance has been used, be sure to unplug it.

- Refrigerators may not be placed in closets. There must be proper circulation behind the unit to allow the heat that is displaced to be circulated.
- Items stored too close to heating units are extremely dangerous. Keep a three-foot clearing. Waste should be disposed as soon as possible.
- The hallways must be kept free of debris and personal items. Students assume financial responsibility for having these items removed after the first week of classes.
- At the beginning of each break, the residence hall staff enters each room to check for potential fire hazards, electrical problems, as well as safety and energy concerns. With decreased occupancy during breaks, there is greater potential for fires to remain undetected until severe damage has occurred.
- Smoking is not permitted in the residence halls or honor houses. Students who wish to smoke must do so outside at least 10 feet away from the building.

Community Fire Safety Education

If you discover a fire:

- Activate the fire alarm system and call 9-911 from any campus phone to report the fire
- Report the fire to Public Safety by calling 507-786-3666
- Evacuate the building using the stairs, closing doors and windows behind you
- **DO NOT USE THE ELEVATORS**
- Provide evacuation assistance to those with special needs if possible
- Move to a safe location following the directions of emergency response personnel
- **DO NOT** re-enter the building until the fire department authorizes re-entry

If caught in smoke:

- Do not breathe in the smoke
- Breathe shallow through your nose and use a shirt or towel to breathe through if possible
- Drop to your hands and knees and crawl to the nearest safe exit

If trapped in a building:

- Close all doors and windows to the room
- Place cloth material under the door to prevent smoke from entering
- Call for help using a phone or cell phone or attempt to signal people outside of the building

Using a fire extinguisher:

- Use a fire extinguisher **ONLY** if you have been trained to do so
- Our fire extinguishers are in place for the use of *trained staff*. Use a fire extinguisher **ONLY** if you have been trained to do so.
- If you have any doubt of your ability to fight the fire, exit immediately
- If you decide to use a fire extinguisher, place yourself between the fire and an exit
- To use the fire extinguisher, follow the **PASS** method:

Pull the pin to break the tamper seal

Aim low, pointing the nozzle at the base of the fire

Squeeze the handle to release the extinguisher agent

Sweep from side to side at the base of the fire until the fire is out.

*** If the fire re-ignites, repeat the steps above.*