

MARIAN UNIVERSITY

## Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and Annual Fire Safety Reports

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A printed version of this document, as well as an electronic version of Marian University crime statistics can be obtained by contacting the Office of Student Life at 920-923-7666.

**OFFICE OF STUDENT LIFE**

**9/27/2017**

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as a part of the Higher Education Act of 1965, is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. All public and private institutions of postsecondary education participating in federal student aid programs are subject to it.

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## **1. The Reporting of Criminal Actions and Other Emergencies on Campus**

### **Timely Notifications**

In the event that a situation arises, either on or off campus that, in the judgment of the Coordinator of Campus Safety and Security, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued through the university e-mail system to students, faculty, and staff. The notice will also be posted on MyMarian at

<https://my.marianuniversity.edu/engagement/ss/Pages/Notifications.aspx>.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals the Office of Campus Safety and Security may also post a notice on MyMarian at <https://my.marianuniversity.edu/SitePages/Home.aspx> and on the SabreAlert page at <https://my.marianuniversity.edu/campussafety/Pages/Sabre-Alert.aspx>. This will provide the university community with more immediate notification. The Dean of Students, Director of Student Services, or Coordinator of Campus Safety and Security may also elect to send text messages to all students, faculty, and staff through the ConnectEd system, depending on the severity and emerging nature of the circumstances.

A hard copy of Timely Notifications will be posted at the entrances of each residences and on each posted bulletin board location on campus. It will also remain on the Timely Notifications page of MyMarian at

<https://my.marianuniversity.edu/campussafety/Pages/Timely-Notification.aspx> and

archived on the Archived Notifications and Emergency Communications page at <https://my.marianuniversity.edu/campussafety/Pages/Archived-Notices-and-Emergency-Communications.aspx>. These sites are accessible to all students, faculty and staff.

Anyone with information warranting a timely warning should report the circumstances to the Office of Campus Safety and Security, by phone at 920-923-8950, or in person at the Campus Safety and Security Office in the Hornung Student Center.

### **Disclosure of Crime Statistics**

The Dean of Students Office prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our website at

<https://my.marianuniversity.edu/engagement/SRR/Pages/Clery.aspx>. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and alternate sites, the Office of Residence Life, the Office of Campus Safety and Security, the Office of Student Involvement, and the Office of Student

Services. Each entity provides the updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to Residence Life staff, Campus Safety and Security Offices, faculty advisors, any other campus official with responsibility for student safety (such as Athletics and Student Life), and local law enforcement agencies. The Wellness Health and Counseling Office and Campus Ministry staff informs their clients or students of the procedures to report a crime to Campus Safety and Security or to local law enforcement agencies on a voluntary or confidential basis, should they feel it is in the best interest of the client or student. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

Each year, all enrolled students are sent an email notification that provides the web site to access this report. Faculty and staff receive similar notification with their paycheck. Copies of the report may also be obtained at the Office of Campus Safety and Security (Hornung Student Center, Office 105, 923-920-8950) and the Office of Student Life (Hornung Student Center, Office 104, 105, 923-920-7666). All prospective employees may obtain a copy from the Human Resources Office (Duplex 18, 923-920-8082). The link for the current annual report is available on the Marian University employment opportunities website at <http://marianuniversity.edu/employment/>.

### **Reporting Criminal Offenses to Campus Authorities**

To report a crime:

To report an EMERGENCY, DIAL 911 immediately (crime in progress, bomb threat, medical emergency, suspicious persons or unusual behavior, need help anywhere on or off campus, etc.).

Contact Campus Safety and Security at 923-8950 (non-emergencies), or by using the Blue Emergency Poles located throughout campus and in parking lots. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the Residential halls should be reported to Campus Safety and Security. In addition you may report a crime to the following areas:

- |   |                |              |
|---|----------------|--------------|
| 1. Coordinator Campus Safety & Security | Bryan Brown    | 920-923-8950 |
| 2. Dean of Students                     | Paul Krikau    | 920-923-7666 |
| 3. Director, Counseling Services        | Robyn Williams | 920-923-8112 |
| 4. Director, Health Services            | Jodi Schrauth  | 920-923-7615 |

5. Director, Student Community Standards	Dee Harmsen	920-923-8530
6. Director, Campus Ministry	Sr. Edie Crews	920-923-7624
7. Director, Residence Life	Severa Krueger	920-923-8091

### Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the university system or the criminal justice system, you may want to consider making a private report. With permission and under certain specific conditions, the Coordinator of Campus Safety and Security or a designee of that office can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep a more accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to potential location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

**Please be advised** Title IX and the Campus Sexual Violence Elimination (SaVE) Act requires the university to act to eliminate actions or environments conducive to sexual violence, harassment, domestic and dating violence, or stalking. Therefore, complete confidentiality cannot always be guaranteed by Campus Safety or other university officials such as resident assistants, faculty, or other administrators. Students or staff members who wish to remain report completely confidential are encouraged to speak with Robyn Williams, Director of Counseling Services, Jodi Schrauth, Director of Health Services or Sr. Edie Crews, Campus Minister.

### 2. Security and Access to Campus Facilities and Residences

During business hours, the University (excluding housing facilities) will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours, access to all University facilities is by key, if issued, or by admittance via the Department of Campus Safety and Security or Residence Life staff. In the case of periods of extended closing, the University will admit only those with prior written approval to all facilities.

Residence halls are secured 24 hours a day. Keys are collected from all students not staying in housing over extended breaks. Some facilities may have individual hours, which may vary at different times of the year. Examples are Todd Wehr Alumni Center, the Cardinal Meyer Library, and Hornung Student Center. In these cases, the

facilities will be secured according to schedules developed by the department responsible for the facility.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic have security surveys conducted of them. Administrators from the Dean of Student's Office, Campus Services, Residence Life, and other concerned areas review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications.

### **3. Policies Concerning Law Enforcement**

#### **Authority of Security on Campus**

Contracted safety officers patrol the Marian University campus. The safety officers are not police officers and do not have the authority to detain or arrest. Their focus while on duty/patrol is to observe and detect crimes and threats to the campus and report to responsible officials both on and off campus, thereby preventing crime and protecting the Marian community and property.

Campus Safety Officers (CSOs), as with all Marian University staff and faculty, have the authority to ask persons for identification and to determine whether individuals have lawful business at Marian University. Marian University CSOs and parking personnel have the authority to issue parking tickets, which are billed to students, faculty, and staff. CSOs do not have arrest power. Criminal incidents are referred to the local police who have jurisdiction on the campus. The Office of Campus Safety and Security maintains a highly professional working relationship with the Fond du Lac Police Department and the Fond du Lac County Sheriff's department. All crime victims and witnesses are strongly encouraged to immediately report the crime to the Office of Campus Safety and Security and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

#### **Working Relationship between Marian University and Local Law Enforcement**

Marian's Campus Safety & Security maintains a cooperative relationship with local and state law enforcement agencies. An excellent working relationship exists between the University Campus Security and the Fond du Lac Police Department. Crimes involving major property loss or a felony are reported to the Fond du Lac Police Department. Campus Safety Security will assist members of the University community in reporting crimes to the Fond du Lac Police. All crime victims and witnesses are strongly encouraged to immediately report the crime to Campus Safety Security and the Fond

du Lac Police. Prompt reporting will assure timely warning notices on campus and timely disclosure of crime statistics.

### **Prompt Reporting of Crimes to Security and Local Law Enforcement**

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the Office of Campus Safety and Security and to the Fond du Lac Police Department. All Office of Campus Safety and Security and Residence Life incident reports are forward to the Office of Residence Life for review and potential action through either the Dean of Students or the Office of Residence Life. Investigation by the Office of Residence Life and/or the Office of Campus Safety and Security will occur when it is deemed appropriate. Additional information obtained by the investigation will also be forwarded to the Office of Student Life.

If assistance is required by the Fond du Lac Police Department or Fond du Lac Fire Department, the Office of Campus Safety and Security will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene (including Campus Security Officers) will offer the victim a wide variety of services. Marian University always has an administrator on call that is trained to provide assistance and support (particularly to referrals in the Fond du Lac community) for victims.

This publication includes information about on-campus and off-campus resources. This information is made available to provide the Marian University community members with specific information about the resources available in the event that they become a victim of a crime. The information about resources is not provided to infer that those resources are “reporting entities” for Marian University.

Crimes should be reported to the Office of Campus Safety and Security to *ensure* inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate. For example, a crime that was reported to A-STOP would not be included in the Marian University crime statistics because they provide confidential services. Students wishing to have it reported would need to make a report to Campus Safety and Security and/or the Fond du Lac Police Department.

### **List of On Campus Reporting Agents**

- Coordinator Campus Safety & Security
- Dean of Students
- Director, Counseling Services
- Director, Health Services

- Director, Student Services
- Director, Campus Ministry
- Director, Residence Life
- Residence Hall Directors
- Resident Assistants
- *All staff members in administrative roles*
- *All faculty members who serve as club and organization advisers.*

### List of On and Off Campus Resources

- Fond du Lac Police Department (call 911 in an emergency) at 920-322-3700
- Fond du Lac Fire Department (call 911 in an emergency) at 920-322-3800
- ASTOP at 926-5395 or 800-418-0270 (Assist Survivors Treatment Outreach Prevention); Website: <http://astop.org>
- FDL County Crisis Intervention (24 hours) at 929-3535
- RAINN at 800-656-4673 (Rape Abuse and Incest National Network)
- Solutions Center (Domestic Violence & Homelessness) 923-1700
- St. Agnes Hospital Behavior Health Services Outpatient at 926-4353
- St. Agnes Hospital Emergency Department at 926-4600
- St. Agnes Hospital Convenient Care at 926-8492
- EZ Care Clinic 926-8700

### Crime Reporting by Pastoral and Professional Counselors

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. The Director of Campus Ministry, who may be seen as a “pastoral counselor” by students and campus “professional counselors,” when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged; if and when they deem appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

The rulemaking committee defines counselors as:

*Pastoral counselors.* An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provided confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

*Professional counselors.* An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

This policy in no way overrules the counselors' judgment in making exceptions to breaking confidentiality in cases where s/he judges the client to be in a position of eminent harm to self or others.

#### **4. Policy on Safety and Security Procedure Information and Education**

During orientation in August, new students participate in activities that stress the importance of safety, alcohol education, and safe relationships. In addition, resident students meet with their resident assistant and further talk about services provided by security. During orientation, families also learn of the Marian University crisis plan.

During the academic year, further programming is done on prevention awareness as both a proactive and reactive measure. Programming has been both active and passive as a way to reach a variety of learning styles.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

Information is disseminated to students and employees through a crime prevention website, videos, security alerts, emergency reference cards, and advertisements in university buildings.

When time is of the essence, information is released to the university community through security alerts sent through personal phones and email. Security alert testing and fire drills occur each semester. In addition, Floor Marshals have also been designated and trained to assist during an emergency.

#### **5. Policy on Crime Prevention Information and Education**

Crime Prevention Programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year. Human Resources, Student Services, Counseling Services, and Residence Life personnel facilitate programs for student, family, faculty, and new employee orientations, student organizations, and community organizations. In addition Resident Assistants, Mentors, and the Office of Student Life provide programs for students on a variety of educational strategies and tips on how to protect themselves from sexual assault, theft, and irresponsible alcohol consumption. In addition, during Resident Assistant training, students are taught by community partners how to assist someone who has been the victim of sexual assault.

Campus Safety and Security provides escort services to any community member who feels unsafe while walking on campus. Campus Services also regularly meets with the Fond du Lac City Police Department to discuss many topics both reactively and proactively regarding crisis management.

## **6. Policy on Monitoring and Addressing Off-Campus Crime by Students**

The Office of Student Life and the Office of Campus Safety and Security do not provide security or policy enforcement services to off-campus residences nor are activities off-campus recognized by university authorities, other than those sponsored by University faculty or staff members specifically. Criminal activities off campus are monitored and recorded by the Fond du Lac Police Department. Fond du Lac Police Department and Marian University enjoy a close working relationship when violations of federal, state, or local laws surface. This cooperative team addresses situations as they arise as well as future concerns. Marian University addresses through the Student Code of Conduct any policy violations committed by students who live off campus or if they are off-campus on university sponsored trips, such as field trips; internships; study abroad, or service learning. Marian University also reserves the right to apply the Student Code of Conduct to students when the university becomes aware of violations of the code even when they occur in off-campus locations.

## **7. Policy on Possession, Use, and Sale of Alcoholic Beverages**

Marian University takes a firm position against the abuse of alcohol by all students and guests, as well as the use, possession, or being in the presence of alcohol by underage students. The University will take action if an individual's behavior is inappropriate due to the illegal possession or consumption of alcohol. The University recognizes that there are legal uses of alcohol (i.e. by individuals who are or over the age of 21) and uses that violate University policy (i.e. because of when or how the use occurred on campus or at University-sponsored events). Consumption of alcohol by underage individuals on campus and in campus housing is not tolerated, may be reported to law enforcement, and will subject students who consume or provide the alcohol to conduct review and sanctioning.

1. Individuals prohibited from the consumption or possession of alcohol, as defined by Wisconsin law, cannot consume or possess alcohol while at Marian University or University-sponsored events. This restriction also applies to the individuals' guests, regardless of age, as it pertains to the presence of alcohol in the residence facilities.

2. Individuals who are under the age of 21 in the presence of alcohol will be considered in violation of the Marian University Alcohol Policy, which may include a violation of the Complicity Policy.
3. Individuals, parents, and/or members of organizations who are 21 or older must refrain from sharing, giving, purchasing, serving, or encouraging the consumption of alcohol by anyone less than 21 years of age. Those who violate this policy will be subject to the University's disciplinary proceedings and/or civil proceedings.
4. Individuals who provide alcohol or participate in functions where alcohol is served are responsible for the safety and welfare of their University peers and/or guests who are consuming alcohol.
5. Social events where alcohol is served must be served by a contracted, professional bartender.
6. Inappropriate behavior resulting from the consumption of alcohol (i.e. public intoxication) will result in disciplinary action against the students and/or organization.
7. Creating, offering, or engaging in drinking games or other behaviors designed for the purpose of rapid and/or excessive consumption of alcohol is prohibited. At no time should activities that encourage excessive drinking or lead to the endangerment of the individuals take place in the residence facilities or on University property.
8. Kegs or similar containers of alcohol (including beer bongs, coolers, Rubbermaid containers, and other large volume containers) are not permitted on campus at any time unless approved by the Dean of Student Engagement.
9. Bars or any bar-type structures are not permitted in any residence facility.
10. Open containers of alcohol (including, but not limited to: bottle, can, cup, case, or box) in public areas are strictly prohibited.

Violations of this policy will be reported to law enforcement officials and/or be handled through the Student Conduct Process.

#### *Housing classification pertaining to alcohol*

- WET: A "wet" housing unit contains residents who are all 21 years of age or older.
- DAMP: A "damp" housing unit contains at least one resident of age 21 or older. Alcohol is allowed in the common area (one open alcoholic beverage per individual aged 21 or older). Individual rooms where residents are underage are considered substance-free areas.
- DRY: A "dry" housing unit contains residents who are all younger than 21 or who choose to live in an alcohol-free environment. Alcohol is prohibited in these designated areas.

## **8. Policy on Possession, Use, and Sale of Illegal Drugs**

Marian University, in compliance with and in support of the Drug-Free Workplace Act of 1988, hereby notifies all employees that the unlawful manufacture, distribution, dispensing, possession or use of controlled substances is prohibited at Marian University. Violation of this prohibition by an employee will result in Marian University taking appropriate personnel action against the employee, up to and including termination of employment, or requiring the employee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency. As a condition of employment, each employee will abide by the terms of this statement and will notify Marian University through the Office of Human Resources of any criminal drug statute conviction for a violation occurring at Marian University no later than five calendar days after such conviction.

Marian University is committed to maintaining a drug-free workplace and will provide employee assistance through referral for drug counseling and/or rehabilitation upon request through Human Resources. Employees deemed by the University to be in violation of the prohibition will be subject to the personnel action deemed appropriate by Marian University.

At officially approved University events, alcoholic beverages may be served under applicable Wisconsin Statutes and legal conditions. Unless abuse is a factor, these events are exempt from this policy.

### **Student Handbook Policy**

Marian University takes a firm position against the possession, use, and abuse of illegal drugs. The University will take action if an individual's behavior is inappropriate due to the possession or use of illegal drugs.

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1. The illegal possession of drugs or identified paraphernalia, in accordance with state and federal laws, is strictly prohibited.
2. Any prescription drug not found in its original container with the individual's name is strictly prohibited.
3. University personnel descriptions of a student whose self or clothing carries a distinct odor of a drug (i.e. marijuana) may be considered evidence in a conduct hearing.
4. Violations of this policy will be reported to law enforcement officials and/or be handled through the Student Conduct Process.

## **9. Policy on Drug and Alcohol Abuse Programs**

Marian University has developed a program to prevent the illicit use of drugs and abuse of alcohol by students and employees. The program provides the services related to drug use and abuse including dissemination of information materials, education programs, counseling services, referrals, and college disciplinary actions.

Marian University Health Services and Counseling Services Offices provide an overall coordination of the Drug-Free School's Program for students. Employees can access AODA assistance through Human Resources.

- **Alcohol and Drug Education:** Counseling services and Health services both provide education and consultation to students seeking individual assistance or information regarding alcohol or other drugs. Counseling and Health services, as well as the Residence Life office provide general education and programming to students regarding alcohol and other drugs. Information about alcohol and other drugs, as well resources to learn more about them or to receive help with additions is provided on the institution's internal portal website.
- **Counseling Services:** We provide counseling services to all students, staff, and faculty through our counseling services. Employees may also seek assistance through human resources contract Employee Assistance Program (EAP).
- **Referral Services:** Both Counseling and Health Services Offices will make referrals to appropriate outside agencies for alcohol and drug abuse assistance
- **Disciplinary Action:** The Dean of Student Engagement administers the university's student conduct processes which include adjudicating alcohol and drug abuse policy violations. The Dean is also responsible for the overall administration of sanctions which may include alcohol education coursework, reflection papers, service-learning, and other educational disciplinary measures.

Employee Resource Center, Inc. is the contracted employee assistance program (EAP) provider for Marian University.

The EAP is a benefit funded by the University and available to all employees, spouses, and dependents. The EAP offers resources, referrals and counseling on many work and non-work related issues. The services are free and completely confidential. Brochures and information are available at the Human Resources Bulletin Board on the first floor of the Administration Building or select the EAP tab on the Human Resources webpage.

## **11. Policy on Informing Victims of Violent Crime of Adjudications and Sanctions**

Marian University will, upon request, disclose to the alleged victim of a crime of violence, or non-forcible sex offense, the results of any disciplinary hearing conducted

by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Marian University will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

## **12. Emergency Response and Evacuation Procedures**

Marian has a crisis plan to better enable the University to protect and support guests and members of its community; enhance the University's ability to communicate with internal and external constituents; enhance the ability of the University to quickly recover from loss or damage to facilities, equipment, or grounds; facilitate the continuation of University business operations and/or University business recovery procedures; assure compliance with regulatory requirements of federal, state, and local agencies; and enable the University to utilize multi-perspective approaches in an organized manner to generate creative problem-solving solutions in crisis. To review the entire policy, refer to the Emergency Information tab on MyMarian.

### **Communication and Notification in an Emergency**

In the event of an emergency on campus, the university relies on an array of communication tools to keep the campus community informed and relay safety instructions. The Office of Marketing and Communications and the Office of Information Technology Services are the only campus offices authorized to disseminate official information about campus emergencies to the campus community. The modes of communication include the following and vary with the nature and severity of the situation

**Campus Sirens:** The Chapel sirens may emit a continuous sound warning and has ability to broadcast a message via PA system.

**Emergency alerts:** Text messages and emails sent when immediate, specific action in response to a situation is needed. To subscribe or update information, go <https://my.marianuniversity.edu/SitePages/Home.aspx> click on Update Contact Info.

**Public safety notices:** E-mails sent when no specific action to a situation is required but information may help raise awareness or mitigate rumors.

**Marian University home page:** In the event of an emergency, the home page would be one of the first places university officials would post official information for all audiences. Should [www.marianuniversity.edu](http://www.marianuniversity.edu) become unavailable during an emergency on campus, the university may post information on social media.

Social media is just one part of an overall, integrated approach to crisis communication. In the event of a crisis, Marian University's social media outlets will be

used to supplement traditional forms of communication. Information will first be distributed to the local media, on Marian's website and on MyMarian, and then posted on Facebook and Twitter.

Facebook: <https://www.facebook.com/MarianUniversityWI>

Twitter: [https://twitter.com/marian\\_wi](https://twitter.com/marian_wi)

However, specific social media pages will be created to provide specific information about the crisis. For more information, contact the Office of Marketing and Communications at 920-923-7602 or at [omc@marianuniversity.edu](mailto:omc@marianuniversity.edu).

### **Emergency Evacuation Procedure**

In an emergency situation (fire, bomb threat, explosion, etc.) the following steps should be followed:

1. Shut all windows.
2. Leave lights on.
3. Wear shoes.
4. Take towel/article of clothing to cover face in case of fire.
5. Close doors, but leave unlocked.
6. Walk quickly to nearest exit; do not use the elevator.
7. Remain calm.

Failure to evacuate the premises within a reasonable time, to cooperate with University personnel, or to prematurely reenter the building when alarms sound may result in disciplinary action.

### **13. Missing Student Notification Policy**

In compliance with the Higher Education Opportunity Act, P.L. 110-315, sec. 488, 122 Stat. 3301 (2008) Missing Student Notification Policy and Procedures, it is the policy of the Office of Student Engagement to actively investigate any report of a missing student who is enrolled at the University and residing in on-campus housing. For purposes of this policy, a student may be considered to be a "missing person" if the person's absence is contrary to his/her usual pattern of behavior and/or unusual circumstances may have caused the absence. Such circumstances could include, but not be limited to: a report or suspicion that the missing person: may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student's welfare. Upon checking into his/her assigned room, every resident student is required via the personal data card to identify the name and contact number of two individuals to be notified in case of an emergency or in the event that the resident is reported missing. In the event the resident is under the age of 18 and is not emancipated, it is required

that the primary emergency contact be a custodial parent or guardian. If a family member or member of the University community has reason to believe that a student is missing, Campus Safety must be notified. Upon receiving notification, the Dean of Students, Coordinator of Campus Safety and Security, any Residence Life staff member, and other appropriate University personnel will make reasonable efforts to locate the student to determine his/her location and state of health and well-being. These efforts may include, but are not limited to: checking a resident's room, class attendance, friends, ID card access, locating the student's vehicle, and calling his/her reported cell phone number. As part of the investigation, the University reserves the right to connect with emergency contacts to help determine the whereabouts of the student.

If, upon investigation by the Office of Student Life, the student has been determined to be missing for at least 24 hours, a University representative will contact the student's designated emergency contact and Campus Safety will inform the appropriate law enforcement agencies within 24 hours. The investigation will continue in collaboration with law enforcement officials as appropriate.

#### **14. Campus SaVE Act and Title IX**

In compliance with the Campus Sexual Violence Elimination Act and Title IX, Marian University investigates, cooperates with local law enforcement, and seeks resolution and remediation of all dating and domestic violence, sexual assault and harassment, and stalking. The Title IX Coordinator for Marian University Kathleen Candee, Vice President of Student Engagement.

#### **Sex Offense Education Policy**

Sex Offense Prevention Programs including information on rape awareness, acquaintance rape, forcible and non-forcible sex offences including stalking, dating violence, and a domestic violence are sponsored by various campus organizations throughout the year. Resident Assistants, Mentors, and the Office of Student Engagement provide programs for students on a variety of educational strategies and tips on how to protect themselves from these situations. In addition, during Resident Assistant training, students are taught by community partners how to assist someone who has been the victim of sexual assault. Counseling. Residence Life, University Athletics, and First Year Studies Programs provide bystander training during the year. Orientation programming sponsors an interactive program annually to inform students about sexual abuse, assault, harassment, and their intersections with alcohol and drug abuse.

## **Reporting crimes of Domestic Violence, Dating Violence, Stalking, or Sexual Assault**

Marian University requires all employees to report any actual or possible incidents of domestic violence, dating violence, stalking, or sexual assault. All reports of these incidents are to be reported up to the Title IX Coordinator for the institution, Kathleen Candee, Vice President of Student Engagement. Students, staff, or faculty wishing to speak with someone confidentially about instances of domestic or dating violence, stalking, or sexual assault may speak with any of our licensed counselors (Robyn Williams or Sr. Deb Walters), our Director of Health Services, Jodi Schrauth, or our campus minister, Sr. Marie Scott. These confidential counselors/ministers will report the instance of the incident and its nature to the Office of Student Life for inclusion in the crime statistics, but will not divulge confidential information about the incident or the alleged complainant(s) or respondent(s).

The Title IX Coordinator, upon learning of a potential situation that may have violated campus policies that are directly related to Title IX or Campus SaVE Act regulations, calls a committee of faculty and staff to review the case. Investigators are assigned to interview all parties and witnesses. If the case involves faculty or staff as respondents (the accused), the matter is referred to the Director of Human Resources. If the case involves students as respondents, the matter is referred for adjudication to the Dean of Students. All parties are offered trained advocates and resources regarding their rights, campus and community aid for victims, and the opportunity to report the crime to local police authorities.

## **Sexual Assault, Dating and Domestic Violence, Stalking Prevention and Bystander Intervention Training and Adjudication at Marian University**

Students attending orientation receive training on the definitions of sexual violence, dating and domestic violence, and stalking prevention. Further, all faculty and staff receive mandatory on-line training about these topics and how to assist complainants and how to report.

For purposes of this report, “awareness programs” are interventions (lectures, activities, poster campaigns, and on-line media) intended to increase community awareness of sexual violence, institutional policies, local and state law, and resources available to those harmed by sexual, dating, and domestic violence as well as harassment or stalking. Further, “bystander intervention” training programs are interactive events where the community is taught techniques for disrupting potential sexual violence scenarios. “On-going” programming is defined as events that occur throughout the calendar year and are not single interventions. For example, orientation programming on sexual violence is a single intervention; on-line and paper poster campaigns and bystander intervention workshops are ongoing. “Risk

reduction” and “primary prevention” programming are education interventions intended to provide community members means to reduce their odds of being the victim of sexual violence. Marian University safety and security programs and bystander invention training programming are examples of risk reduction and primary prevention programs.

Throughout the year, safety and security programming is conducted in the residence halls on a variety of topics ranging from sexual violence prevention to home/room safety and security. Bystander Training (using Green Dot techniques) is mandatory for all athletes and coaches and is offered to faculty and staff and students throughout the year (typically twice a semester). The counseling and health centers provide programs on healthy communication and assertiveness.

In all programs, definitions of consent are presented and discussed. Four policies within the student code of conduct are related to Title IX and Campus SaVE act crimes:

### *Harassment*

Verbal, written, or physical conduct directed at any person or group where the offensive behavior is intimidating, annoying, hostile, or demeaning, or which could or does result in mental, emotional, or physical discomfort, embarrassment, ridicule, or harm is strictly prohibited. Harassment directed at any person or group based on color, race, nationality, ethnicity, gender, or sexual orientation may be considered a hate crime and may be reported to the police. Marian University also affirms the definitions of discrimination and harassment as outlined by Title IX of the Higher Education Act of 1965, as amended and the protections against retaliation. Please also refer to the Amnesty and Exemption Policy listed in the University Policies when considering reporting an act of Harassment.

### *Relationship Violence*

Relationship violence is an act of violence between those in an intimate relationship to each other. Relationship violence, domestic or dating, is prohibited.

### *Sexual Misconduct*

Marian University upholds the Roman Catholic teaching on human sexuality and behavior, as well as the Human Dignity Statement, as outlined in this Student Handbook. Therefore, all acts of sexual misconduct — including forced intercourse or other unwanted contact — are strictly prohibited. Marian University affirms the definitions of discrimination and retaliation as outlined by Title IX of the Higher Education Act of 1965, as amended and the protections against violence as defined by the Campus Sexual Violence Elimination (SaVE) Act of 2013. Because of the nature of sexual misconduct, including respecting victim and alleged assailant rights, student violations of this policy are administered differently than other student code of

conduct violations. Please also refer to the Amnesty and Exemption Policy listed in the University Policies when considering reporting an act of Sexual Misconduct.

#### Definitions of acts of sexual misconduct:

Marian University uses the following definitions of sexual misconduct: Non-Consensual Sexual Contact and Non-Consensual Sexual Intercourse and Sexual Exploitation.

Non-Consensual Sexual Contact is:

- Any intentional sexual touching
- However slight
- With any object
- By one person upon another person
- That is without consent and/or by force

Sexual contact is defined as intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts OR any other intentional bodily contact of a sexual manner.

Non-Consensual Sexual Intercourse is:

- Any sexual intercourse
- However slight
- With any object
- By one person upon another person
- That is without consent and/or by force

Sexual Intercourse includes is defined as vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

Sexual Exploitation: Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited (and that behavior does not otherwise constitute one of other sexual misconduct offenses.) Examples include, but are not limited to:

- Invasion of sexual privacy
- Prostituting another person
- Non-consensual recording or broadcast of sexual activity

- Going beyond the boundaries of consent (such as letting someone hide in the closet to watch you having consensual sex)
- Engaging in voyeurism
- Knowingly exposing another to an STD or HIV
- Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals

### *Stalking*

Stalking is a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear. Stalking is prohibited.

### **Adjudication Processes**

All hearing agents, whether in human resources or in the student engagement office, are trained in hearing protocols and have received training in Title IX and Campus SaVE Act investigations and adjudications.

During investigation and adjudication, the primary concern is the safety of the alleged complainant. Measures will be taken to prevent the respondent and complainant from having contact. These measures may include moving the respondent to another residence, temporary suspension, no-contact orders, and alternative class scheduling (if both parties are enrolled in the same course).

Both parties are entitled to have an advocate during the investigation. The advocate may advise their respective parties but do not act as legal representation as the adjudication process at Marian University is an educational/administrative process and does not attempt to replace nor circumvent legal due process.

The results of the hearing and sanctions, if any, issued are sent simultaneously to both parties via institutional email accounts in an attachment. This attachment is a secure document with password protection. Appeals must be written and submitted within three business days of receipt of the primary decision. All appeals are determined by the Vice President of Student Engagement or her designee.

Faculty and staff implicated in sexual violence, dating or domestic violence, stalking or harassment follow the university employment review processes. As with student adjudication, preponderance of evidence is used, all parties may have an advocate, and notification of all parties occurs simultaneously.

## Annual Fire Safety Report

### Fire Statistics

Date Reported	Nature of Fire	Date and Time of Fire	Location	Cost of Damage
No reported fires in 2016				

A complete listing of housing fire statistics, including prior annual fire reports, is included in the statistics reporting at the end of this document.

### Description of fire safety system

#### Cedar Creek Apartments

- Hardwired smoke detectors in the hallways, inside apartments near rooms and inside resident room
- Pull down stations at the end of each floor hallway
- Central located fire panel in each building complex
- Fire panel calls to an independent emergency operator, who contact Campus Safety and Security, key personnel and local fire department
- Fire extinguisher located in each apartment and one at each end of the halls
- Fire drills and training performed twice a year once per semester

#### Townhouses

- Standalone smoke detectors in each resident room and common areas
- Pull down stations by each exit
- Central located fire panel in each building
- Fire doors throughout each building
- Each furnace room is protected by fire rated door
- Fire extinguishers are located in each common area
- Fire drills and training performed twice a year once per semester

#### Courtyards

- Standalone smoke detectors in each resident room
- Hardwired smoke detectors located by all sleeping areas
- Hardwired smoke and heat detector in each furnace room
- Central located fire panels located in each building, which connect to auto dialer that contact Campus Safety and Security and other key personnel in the event an alarm is activated

- Each furnace room is protected by fire rated door
- Pull down stations located at each entrance
- Fire extinguishers are located in each common area
- Fire drills and training performed twice a year once per semester

### **Naber Hall**

- 5 standalone smoke detectors on each wing
- Standalone smoke detector in each resident room
- Pull down stations located near each exit
- Central located fire panel located in building, which notifies an enunciator located in the Administration Building near a desk that is occupied 24/7.
- Furnace room is equipped with hardwired heat sensors and steel fire rated doors
- Fire extinguishers are located at each end of the wings, in each common area and furnace room
- Fire drills and training performed twice a year once per semester

### **APPLIANCES SAFETY**

Strongly recommended:

- Extension cords: Size 12 or 14 (UL) Underwriters' Laboratory Certified gauge conductor only; sizes 16 and 18 are not permitted.
- 15-amp multi-prong outlet with circuit breaker and surge protectors.

Allowed appliances:

- Refrigerator—4 .0 cu. ft. or less
- Microwave—800 watts or less
- 2-4-cup coffee maker with automatic shut-off
- TV set—cable ready
- Computer
- Toaster (only in common areas)

Prohibited appliances:

- Air conditioners
- Cooking appliances (with heating elements), unless authorized by Residence Life staff only for use in specified kitchen areas
- Deep fryers
- Electric blankets
- Electric skillets

- Grills (any size) and/or portable fire pit grills • Hot plates
- Hotpots
- Microwave ovens (more than 800 watts) • Space heaters
- Sunlamps
- Residents may only have one refrigerator per room, and it may be no more than 45 inches in height.

### **Smoking/Tobacco Use**

A tobacco-free campus prohibits the use of all tobacco products on the premises (buildings, grounds, sidewalks, streets, and structures) and in University-owned or leased vehicles. Individuals may use tobacco in their personal vehicles; however, disposal of cigarette butts, smoking materials, or garbage on campus grounds is strictly prohibited.

### **Fire Evacuation Procedures**

In the event of a fire or fire drill, it is the student's responsibility to leave the building immediately. All individuals should proceed to the nearest exit and remain at least 50 feet from the building until the official word has been given by Fire Department/Campus Safety that it is safe to return inside. Fire evacuation maps with procedures are posted throughout every housing unit. Any student who refuses to leave the building for a fire alarm may be fined up to \$500. Tampering with fire safety equipment is a serious offense, and subject to a student legal and disciplinary action.

1. If a fire is sighted or suspected, sound the nearest alarm at once. If time permits, call 911/Campus Safety and Security and notify authorities of the exact location of the fire. At all times maintain your own safety.
2. Do not use an elevator under any circumstances when a fire has been sighted or when a fire alarm is sounding.
3. While exiting inform any personnel along the way out the need to evacuate, without endangering self.
4. Exit the building quietly and quickly from the nearest hallway or stairwell.
5. If any person you know is unaccounted for, notify Marian University personnel.
6. Persons may return to the building only after the all clear signal has been given by Campus Safety and Security or Fire Department personnel.
7. Students should familiarize themselves with emergency exits and fire alarm locations.
8. For reporting purposes all fires should be reported to the Coordinator of Campus Safety and Security.

## Marian University of Fond du Lac Crime and Fire Reporting Statistics

### CRIMINAL OFFENSES

OFFENSE	YEAR	GEOGRPAHIC LOCATION			
		On Campus	Residential	Non-Campus Property	Public Property
Criminal Homicide – Murder/non-negligent manslaughter	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Manslaughter by Negligence	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Sexual Assault - Rape	2013	2	2	1	0
	2014	1	1	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Sexual Assault - Fondling	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Sexual Assault – Incest	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Sexual Assault – Statutory Rape	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Robbery	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Aggravated Assault	2013	0	0	0	0
	2014	1	1	0	0
	2015	1	0	0	0
	2016	0	0	0	0
Burglary	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Motor Vehicle Theft	2013	0	0	0	0

	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Arson	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0

There have been no unfounded crimes. It was erroneously reported that a sex crime was unfounded for 2014 in the 2015 Annual Safety Report. This was due to a poor understanding of the legal definition of unfounding. The 2016 Clery Reporting manual clarified that only a sworn officer of the law may unfound a crime. That did not occur. These statistics reflect the change.

## BIAS INCIDENTS

### 2016

Criminal offense	Category of Bias for crimes								
		Race	Religion	Sexual orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Rape	0	0	0	0	0	0	0	0	0
d. Fondling	0	0	0	0	0	0	0	0	0
e. Incest	0	0	0	0	0	0	0	0	0
f. Statutory rape	0	0	0	0	0	0	0	0	0
g. Robbery	0	0	0	0	0	0	0	0	0
h. Aggravated assault	0	0	0	0	0	0	0	0	0
i. Burglary	0	0	0	0	0	0	0	0	0
j. Motor vehicle theft	0	0	0	0	0	0	0	0	0
(Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0
k. Arson	0	0	0	0	0	0	0	0	0
l. Simple assault	0	0	0	0	0	0	0	0	0
m. Larceny-theft	0	0	0	0	0	0	0	0	0
n. Intimidation	1	1	0	0	0	0	0	0	0
o. Destruction/damage/vandalism of property	1	1	0	0	0	0	0	0	0

2015

Criminal offense	Category of Bias for crimes								
		Race	Religion	Sexual orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Rape	0	0	0	0	0	0	0	0	0
d. Fondling	0	0	0	0	0	0	0	0	0
e. Incest	0	0	0	0	0	0	0	0	0
f. Statutory rape	0	0	0	0	0	0	0	0	0
g. Robbery	0	0	0	0	0	0	0	0	0
h. Aggravated assault	0	0	0	0	0	0	0	0	0
i. Burglary	0	0	0	0	0	0	0	0	0
j. Motor vehicle theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0
k. Arson	0	0	0	0	0	0	0	0	0
l. Simple assault	0	0	0	0	0	0	0	0	0
m. Larceny-theft	0	0	0	0	0	0	0	0	0
n. Intimidation	0	0	0	0	0	0	0	0	0
o. Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0

2014

Criminal offense	Category of Bias for crimes								
		Race	Religion	Sexual orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Rape	0	0	0	0	0	0	0	0	0
d. Fondling	0	0	0	0	0	0	0	0	0
e. Incest	0	0	0	0	0	0	0	0	0
f. Statutory rape	0	0	0	0	0	0	0	0	0
g. Robbery	0	0	0	0	0	0	0	0	0
h. Aggravated assault	0	0	0	0	0	0	0	0	0
i. Burglary	0	0	0	0	0	0	0	0	0

j. Motor vehicle theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0
k. Arson	0	0	0	0	0	0	0	0	0
l. Simple assault	0	0	0	0	0	0	0	0	0
m. Larceny-theft	0	0	0	0	0	0	0	0	0
n. Intimidation	0	0	0	0	0	0	0	0	0
o. Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0

## 2013

### Criminal offense Category of Bias for crimes

		Race	Religion	Sexual orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Rape	0	0	0	0	0	0	0	0	0
d. Fondling	0	0	0	0	0	0	0	0	0
e. Incest	0	0	0	0	0	0	0	0	0
f. Statutory rape	0	0	0	0	0	0	0	0	0
g. Robbery	0	0	0	0	0	0	0	0	0
h. Aggravated assault	0	0	0	0	0	0	0	0	0
i. Burglary	0	0	0	0	0	0	0	0	0
j. Motor vehicle theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0
k. Arson	0	0	0	0	0	0	0	0	0
l. Simple assault	0	0	0	0	0	0	0	0	0
m. Larceny-theft	0	0	0	0	0	0	0	0	0
n. Intimidation	0	0	0	0	0	0	0	0	0
o. Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0

## VAWA OFFENSES

OFFENSE	YEAR	GEOGRPAHIC LOCATION			
		On Campus	Residential	Non-Campus Property	Public Property

Domestic Violence	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Dating Violence	2013	2	2	0	0
	2014	1	1	0	0
	2015	1	1	0	0
	2016	1	1	0	0
Stalking	2013	0	0	0	0
	2014	1	1	0	0
	2015	0	0	0	0
	2016	1	0	0	0

### ARRESTS AND DISCIPLINARY REFERRALS

OFFENSE	YEAR	GEOGRPAHIC LOCATION			
		On Campus	Residential	Non-Campus Property	Public Property
Arrests: Weapons, Carrying, Possessing, etc.	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Disciplinary Referrals: Weapons, Carrying, Possessing, etc.	2013	0	0	0	0
	2014	0	1	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Arrests: Drug Abuse Violations	2013	0	0	0	0
	2014	1	1	0	0
	2015	2	2	0	0
	2016	1	1	0	0
Disciplinary Referrals: Drug Abuse Violations	2013	7	7	0	0
	2014	7	7	0	0
	2015	13	13	0	0
	2016	12	17	0	0
Arrests: Liquor Law Violations	2013	0	0	0	0
	2014	2	2	0	0
	2015	2	2	0	0
	2016	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2013	35	35	0	0
	2014	31	31	0	0
	2015	31	31	0	0
	2016	45	45	0	0

## FIRE REPORTING

	2013	2014	2015	2016
Naber Hall	0	0	0	0
Townhouse A	0	0	0	0
Townhouse B	0	0	0	0
Townhouse C	0	0	0	0
Courtyard Building 1	0	0	0	0
Courtyard Building 2	0	0	0	0
Courtyard Building 3	0	0	1	0
Duplex 18	0	0	0	0
Duplex 24	0	0	0	0
Duplex 30	0	0	0	0
Duplex 36	0	0	0	0
Duplex 44	0	0	0	0
Duplex 48	0	0	0	0
Cedar Creek Building 1	0	0	0	0
Cedar Creek Building 2	0	1	0	0
Cedar Creek Building 3	0	0	0	0