

# **University of Mary Main Campus Security Report and Annual Fire Safety Report and Emergency Procedures for Calendar Years 2018, 2019, and 2020:**



## **Mission and Identity**

**The mission of University of Mary exists to serve the religious, academic, and cultural needs of the people in this region and beyond. It takes its tone from the commitment of the Sisters of Annunciation Monastery. These Sisters founded the University in 1959 and continue to sponsor it today. It is Christian, Catholic, Benedictine.**

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#### WHAT IS THE CLERY ACT?

The "Clery Act" is named in memory of 19-year-old university freshman Jeanne Ann Clery. Clery was raped and murdered while asleep in her residence hall room on April 5, 1986. Jeanne's parents, Connie and Howard, discovered that students hadn't been told about 38 violent crimes on their daughter's campus in the three years before her murder. They joined with other campus crime victims and persuaded Congress to enact this law, which was originally known as the "Crime Awareness and Campus Security Act of 1990" (Title II of Public Law 101-542), which amended the Higher Education Act of 1965.

The law was amended in 1992 to add a requirement that schools afford the victims of campus sexual assault certain basic rights and was amended again in 1998 to expand the reporting requirements. The 1998 amendments also formally named the law in memory of Jeanne Clery, as the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

Compliance with the Clery Act requires institutions like University of Mary to adhere to various mandates. An annual report is published each year, by October 1st, that contains 3 years of campus crime statistics and certain security policy statements including sexual assault policies which assure basic victims' rights, the law enforcement authority of campus police and where students should go to report crimes. The report is to be made available automatically to all current students and employees, while prospective students and employees are to be notified of its existence and afforded an opportunity to request a copy. Schools can comply using the Internet so long as the required recipients are notified and provided the exact internet address where the report can be found, and paper copies are available upon request. A copy of the statistics must also be provided to the U.S. Department of Education.

One of those requirements involves timely notification to the campus community of certain crimes or incidents that are (a) reported to campus security authorities or local police agencies, and (b) considered by the institution to represent a serious or continuing threat to students and employees.

## 2020 University of Mary Annual Security Report:

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## **Annual security reports are published for each University of Mary campus**

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the University of Mary publishes an annual security report for its main campus along with the satellite campuses.

The Clery Act is a federal law that requires institutions of higher education in the United States to disclose campus security information including crime statistics for the campus and surrounding areas. In 1986 Jeanne Clery, a college freshman, was murdered and sexually assaulted in her campus residence hall room by another student she did not know. Her school had not informed students about the high volume of violent crimes on campus in the three years preceding her murder.

This current year's Annual Campus Security and Fire Safety Report is available through the University of Mary Campus Safety and Security. This report includes campus crime and fire statistics for the most recent three-year period and a broad range of institutional policies concerning campus and fire safety. These policies pertain to evacuation procedures, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other important topics.

### **Message from Campus Safety and Security**

The University of Mary Campus Safety and Security welcomes you to its campus locations where our number one priority is the safety of our students, employees, guests, and visitors. While the Campus Safety and Security not only provides a proactive, professional force of police and safety officers, it has an extensive menu of campus safety resources through its services, crime prevention and awareness programs, presentations, initiatives, and collaborative community partnerships.

Campus Safety and Security is the combined responsibility of the entire University of Mary campus community. Therefore, I encourage all students, employees, and visitors to invest in creating and maintaining a safe, secure, educational campus environment by being active, knowledgeable participants in their own personal safety.

The Clery Act stipulates that the University of Mary is to notify all current and prospective students, faculty, and staff of the availability of this report no later than October 1, 2020. The report may be retrieved from the campus security webpage at:

<http://www.umary.edu/student-life/campus-safety-security/>

### **CAMPUS SECURITY POLICIES AND PROCEDURES**

The Campus Safety and Security Coordinator, Mrs. Carla Reinbold, is responsible for Campus Safety and Security. The Campus Safety and Security office hours are from 8:00 am – 4:30 pm. The Campus Safety and Security office is in Room 209 in the lower level of the Benedictine Center. The University of Mary maintains a contract with a private security firm, Bismarck-Mandan Security, to provide security services on the campus from 4:00 pm – 8:00 am daily. The security officer who is on duty carries a cell phone and can be reached at (701) 355-8000.

The Campus Safety and Security Department works closely with the Burleigh County Sheriff's Department and the Bismarck Police Department, which includes memoranda of understanding (MOU) with each agency in university's jurisdiction. Consistent with ND state law, licensed security personnel are authorized to detain persons suspected of criminal activity until law enforcement officers can be present. Prompt and accurate reporting of all crimes to the local law enforcement agencies and to the Campus Safety and Security office is encouraged. The University of Mary Student Handbook stipulates that all students are required to cooperate with security officers and campus officials assigned to the campus and university-sponsored events. In addition to the private security officers, the president, vice presidents, the athletic director, the director for student life, residence directors, the assistant director of student life, and resident assistants are authorized by the university to address security and safety concerns, illegal activity, and violations of university policy when they occur. These individuals are authorized by the university to enter and search student residences and other personal property belonging to the student following the protocol for searches set forth in the student handbook.



## **The University of Mary Campus Safety and Security:**



The Campus Safety and Security department at the University of Mary was established in August 2014 in response to growing concerns about campus safety at the national and local level. Locally, the rapid growth of the Bismarck-Mandan community has resulted in more people building homes and using recreational facilities near and south of the university. Traffic increased to the point where it became necessary to construct a five-lane highway along the eastern edge of the campus. The main campus has also been growing with new residence halls and new facilities. All this growth has resulted in increased traffic at the main campus and in response, the university entered a contract with a private security firm to provide uniformed security guards for evenings and weekends to monitor the campus.

The goal of the department of Campus Safety and Security is to build and promote a culture of safety at the University of Mary through education and training for students, faculty, and staff; collaboration with law enforcement and emergency agencies in the community; policies and procedures to protect people, facilities, and resources; compliance with legal requirements and by serving the University of Mary community and our guests by responding to their needs and requests for assistance.

Our Department main responsibilities are the protection of life and property, prevention of crime, and the preservation of an environment conducive to the pursuit of educational goals and personal growth.

Students are Responsible to Comply with Legal Statutes (Federal and State) and University Policies Pertaining to Controlled Substances, Illegal Drugs, and Drug Paraphernalia Purpose of the Policy the University of Mary views the use, possession, manufacture, distribution, and/or sale of illicit drugs and substances as well as the abuse of prescription and over-the-counter medications to be incompatible with its efforts to maintain a safe and positive living and learning environment. For individuals, substance abuse may have profoundly detrimental consequences including addiction, health and emotional problems, relationship and family problems, academic and career problems, and financial difficulty. Because substance abuse often involves criminal behavior, there is the risk of jail time and those convicted of an offense may experience life-long difficulty finding employment in many career fields. Substance abuse also has a negative impact for the community with increases in thefts and violent crime. On a global level, so-called recreational use of illegal drugs provides financial support for an international underground industry involved in violence and human trafficking. For these reasons, illicit drug and substance use will not be tolerated at the University of Mary.

The university reserves the right to conduct searches with law enforcement officials present as well as the right to request assistance from the law enforcement officials in response to any emergency, criminal activity, or security concern on university property or at any university sponsored event. The security officers do not have arrest authority.

- Safety and Security Department personnel including contracted security officers are authorized by the university to:
- Respond to and assist with all safety/security concerns and may request the assistance of law enforcement officials and other first responders as needed.
- Enter campus buildings, residence halls, parking lots and grounds to monitor campus safety and security while ensuring that the mechanical equipment is operating properly.
- Report any criminal or suspicious activity to law enforcement authorities and/or university officials, as well as any policy violations for appropriate follow-up.
- Require any person on university property or at any university-sponsored event to show proper identification and decide for the university as to whether the individual has a legitimate reason for being present.
- Receive and investigate incidents and crimes that are reported online.
  - Require any person on university property or at university sponsored events to surrender any item considered to be contraband by university policy. **The security officer must give the surrendered item(s) to the Campus Safety and Security Coordinator, Mrs. Carla Reinhold for further investigation.**
- Issue tickets that include monetary fines for parking violations on campus.
- Any violation of the law of the State of North Dakota would constitute a violation of University Policy. Campus Safety and Security Officers (CSS) do not have arrest powers. They only have the authority to enforce University policies. If a crime is reported that warrants an arrest or involvement of law enforcement, CSS would contact the Burleigh County Sheriff's Department.

**Campus Safety and Security officers also have the authority to require any individual to vacate university property or leave a university sponsored event. Anyone who does not cooperate local law enforcement will be called to assist. The university will contact local law enforcement officials to serve and trespassing orders.**

**The Clery Act:** The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal mandate requiring all institutions of higher education that participate in the federal student financial aid program, to disclose information about crime on their campuses and in the surrounding communities. The Clery Act affects almost all public and private institutions and is enforced by the U.S. Department of Education.

#### **Compliance with the Clery Act:**

The Act requires University of Mary to collect, report and disseminate crime data to all faculty, staff, students and prospective students and employees, along with publishing the annual statistics to the Department of Education. When the Higher Education Opportunity Act (HEOA) was signed into law in 2008, it amended the Clery Act by adding a number of safety and security related requirements to the Higher Education Act. To ensure full compliance with the law, University of Mary must do the following (not an all-inclusive list):

- Publish and make available an ASFSR to current and prospective students and employees by October 1 of each year. The report must provide crime statistics for the past three years, detail community and campus policies about safety and security measures, describe campus crime prevention programs, and list procedures to be followed in the investigation and prosecution of alleged sex offenses.
- Provide students and employees with timely warnings of crimes that represent a threat to their safety. University of Mary must keep and make available to the public, a detailed crime log of all crimes reported to 4 them in the past 60 days. Crime logs must be kept for seven years.
- Keep the past three years of crime statistics detailing crimes that have occurred on campus, in the university residence halls, in public areas on or near campus and in some non-campus buildings. University of Mary must also report liquor and drug law violations and weapons possession if they result in an arrest or disciplinary hearing.
- Disclose missing student notification procedures that pertain to students residing in any on-campus student housing.
- Disclosure fire safety information related to any on campus student housing. This information is open to the public and must include the location, cause, injuries, deaths, and property damage of each fire.

### **How We Compile Crime Statistics:**

The CSs reports crime statistics in compliance with the Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC 1092(f)). All criminal incidents are classified in accordance with the Clery Act. A copy of the Handbook for Campus Safety and Security Reporting disclosing these guidelines may be obtained at the US Department of Education's website. This report may be found on the campus website at <https://www.umary.edu/>.

Statistics in this report are obtained from the incident reports filed by Campus Safety Authority's (CSA's), the Bismarck and Mandan Police Department, the Burleigh County Sheriff's office, and the ND Highway Patrol. CSAs are provided with a reporting form used to collect information for reporting to the CSS. In the event a victim wishes to remain anonymous, the CSA will still use the reporting form for the purposes of statistical data only. Law enforcement will not have the victim information but will report the crime in the crime reporting statistics for the purposes of this report. University of Mary is committed to compiling accurate statistics and has implemented a CSA training program. This includes the roles and responsibilities of CSA's, how to report crimes, and a letter to CSA's advising the importance of following the Department of Education regulations.

### **Confidential Reporting:**

If you are the victim of or witness to a crime and do not want to pursue action within the university system or the criminal justice system, you can make a confidential report. CSS can file a report on the details of an incident without revealing the victim's identity. The purpose of a confidential report is to maintain confidentiality, while taking steps to ensure the future safety of yourself and others. Confidential reports without any individually identifying information are included in the university's annual crime statistics. When acting in their roles as pastoral and professional counselors, pastors and counselors are not considered CSA's and therefore are exempt from disclosing reported offenses. Confidential access to resources, reporting options, services and advocacy is available on campus through: Pastoral Counselor: An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor. Chaplain Father Dominic was a pastoral counselor during the 20-21 academic year.

Professional Counselor:

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. If a situation is brought to the counselor's attention, in a counseling setting, the counselor, if and when they deem it appropriate, will discuss options with the student, staff, or faculty member, about reporting a crime on a voluntary and confidential basis to the Director of Campus Safety and Security, Title IX Coordinator or to the Dean of Students.

### **Missing Persons Policy and Procedure:**

In accordance with the Higher Education Opportunity Act, University of Mary must develop and implement certain procedures to be followed when residential students are determined to be missing for 24 hours. Students residing in campus housing will be informed annually that each student has the option to identify a person designated as a confidential missing person contact to be notified by UMary no later than 24 hours after the time the student is determined to be missing by the designated University officials authorized to make that determination (specifically, the [Campus Safety and Security Department) or the local law enforcement agency in which the student went missing. When students are informed of their option to provide a confidential contact, they are advised that their contact information will be registered confidentially, and that this information will be accessible only to authorized 5 campus officials and law enforcement and that it may not be disclosed outside of a missing person investigation. UM will notify any missing student's confidential contact(s), if provided, within 24 hours of the determination that the student is missing. In the event a student under 18 years of age and not emancipated, University of Mary must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. For all missing students, UM will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing. Students residing in on-campus housing may register a confidential contact with Residence Life. The registration is optional, and the contact's name will only be accessed and contacted if a student is officially determined to be missing for 24 hours. The confidential contact should be someone who will be likely to know your location. The confidential contact information will be accessible only to authorized campus officials and law enforcement personnel in furtherance of a missing person investigation. If members of the University of Mary community believe that a student has been missing for 24 hours, it is critical that they report that information to the Campus Safety Department. If anyone believes that a resident student is missing, they should

immediately contact the University of Mary Campus Safety and Security Department at 701-355-8000 from an on-campus phone. Campus Safety will begin an investigation and notify Residence Life. If it is determined the student is missing for 24 hours, the University will contact the student's registered confidential contact and also notify the Burleigh County Sheriff's Department. Should the Campus Safety Department investigate and determine that a residential student is missing, contact will then be made to the missing person contact, if contact information has been provided, within twenty-four (24) hours of the determination that the student is missing by the Campus Safety Department. If the student is under 18 years of age and is not emancipated, University of Mary will notify the student's parents or legal guardian within 24 hours of the determination that the student is missing, in addition to notifying and additional contact person designated by the student. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, UMary will inform the local law enforcement agency that has jurisdiction in the area that the student is missing within 24 hours

**Section 485 Missing Person Procedures 20 U.S.C.1092 (j)** - A residential student is presumed missing if he/she has not been on campus for more than 24 hours after an expected arrival and their residence has been checked and the person is not found.

#### **Organizations of Persons to Whom a Report should be made:**

The organization or persons to which individuals should report a student as missing includes:

- Campus Safety and Security Coordinator
- Residence Hall Directors and Resident Life Scholars
- Residence Life
- Director of Student Life
- Vice President for Student Development
- Vice President for Financial Affairs
- Executive Vice President

**RESIDENTIAL STUDENTS have the option to identify an individual to be contacted by the university no later than 24 hours after the student is determined missing, which includes contacting the person or persons designated by the student or contacting the custodial parent or guardian of any un emancipated student under eighteen years of age. Contact will also be made with local law enforcement.**

#### **Reporting a Crime:**

To report a crime on campus, call 701-355-8000 for Campus Safety and Security. A person also has the right to report a crime to the Burleigh County Sheriff's Department and the Bismarck PD by calling 911. To report a crime while off campus, call 911. CSS regularly work with the victim of a crime and will assist the victim throughout the process. Crimes should be reported to police quickly to ensure a rapid response and can increase the possibility of the perpetrator being caught and could prevent a crime. Prompt reporting also aids in providing a timely warning to the campus community of an on-going threat. Crimes should be accurately and promptly reported to the Campus Safety and Security or the appropriate police agency, when the victim of a crime elects to, or is unable to, make sure a report. An individual can also report a crime to the Dean of Students, Housing, Residence Life, Student Activities, Resident Advisors, Athletics, and any other individual who are considered by UMary to be primary Campus Safety Authorities (CSA). These CSA's will then involve the CSS when appropriate.

#### **Daily Crime Log:**

The University of Mary Campus Safety and Security Department publishes a daily summary, or crime log, each business day. This information summarizes crime incident reports and includes the nature of the crime, the date and time the crime occurred, the general location of the crime, and the disposition of the crime (if known). A copy is available for inspection at the Campus Safety and Security Office located on in the Benedictine Center lower-level room 209. A copy is available for inspection in the Campus Safety and Security Department.

#### **Definitions of Criminal Offenses:**

**Aggravated Assault:** is 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. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in serious potential injury if the crime were successfully completed.

**Arson** is 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 propertyless.

**Burglary** is the unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**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 and the existence of such relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Domestic Violence** is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated 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, 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.

**Drug Abuse Violations** are defined as the violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. There Levant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs.

**Hate Crimes** are committed against person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity, national origin, or disability.

**Liquor Law Violations** are defined as the violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or in temperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

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

**Murder and non-negligent manslaughter** is the willful (nonnegligent) killing of one human being by another.

**Manslaughter by Negligence** is the killing of another person through gross negligence.

**Robbery** is 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 violence and/or by putting the victim in fear.

**Sex Offenses** are defined as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

**Weapons Violations** is the violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned

## **University Policy for Weapons on Campus**

Any type of weapon is prohibited on campus. Weapons are defined as device, instrument, material, or substance which is calculated or designed to inflict serious bodily harm; including but not limited to; live firearms, firecrackers/fireworks, switch knives, slingshots, archery equipment, paintball guns, nerf guns, or any other type of replica gun. Except as otherwise stated in this policy, the University of Mary prohibits the use, possession, display or storage of any weapons, ammunition, explosives, or fireworks on university property or at university events, including all buildings, housing, facilities, or property owned or leased and operated by the university. This policy applies to all persons, including faculty, staff, students, spouses, dependents, and visitors. This policy shall not apply to law enforcement personnel authorized to carry weapons by their governmental agency and /or university employees who have completed training prescribed by the university and authorized by the Executive Vice President.

Consistent with N.D.C.C. section 62.1-02-13, possession of a legally owned and secured firearm in a private vehicle by a person lawfully in the area is permitted. For a weapon to be properly secured it needs to be out of sight and locked. This policy does not prohibit an employee, student, customer, or invitee who is lawfully in the area from possessing a legally owned firearm that is locked inside or locked to a private motor vehicle in a parking lot, or while the employee, student, customer, or invitee is driving directly to or from a public highway or street and a university parking lot.

## **HAZING POLICY**

**Purpose** Hazing violates the God-given dignity of others and is incompatible with the practice of the Benedictine value of respect for persons. Many acts of hazing are illegal, and it is a behavior strictly prohibited by the NCAA and other organizations with which the University of Mary is affiliated. This policy is intended to establish that hazing of any kind is unacceptable at the University of Mary and will not be tolerated.

**Statement of Policy** Definition For the purposes of this policy, hazing is any activity which is unsafe, abusive, harmful, distressing, embarrassing, humiliating, disrespectful, illegal, or otherwise demeaning that is required or implied as being necessary or beneficial as part of the process of joining, affiliating with, being initiated into, or determining status in any group, organization, team, or department at the University (regardless of whether the group has official recognition from the University). Hazing can occur in spite of any willingness to participate. Hazing includes (but is not limited to) encouraging or requiring any form of alcohol abuse or the use of any other intoxicant or mind altering substance; the administration of any physical or emotional pain or abuse; creation of excessive fatigue, quests, road trips or any other such activities; wearing of apparel in public which is conspicuous and not normally in good taste; engaging in public stunts and buffoonery or morally degrading or humiliating games and activities; and any other activities which are not consistent with law or the policies of the University. The University recognizes that hazing may be perpetrated by a group or organization as a whole, by an individual or a group of individuals within the group, by former members of a group, current or former students, or by current or former faculty or staff. In all circumstances, the University reserves the right to sanction the group, as well as individual members, whether or not the hazing was part of the group's official activities.

**How to Report Hazing** Any member of the university community who has been subjected to hazing or anyone who has knowledge that hazing is planned should file a written complaint pursuant to the Conduct Grievance Procedure.

## **DISCRIMINATION AND HARASSMENT POLICY:**

### **Purpose**

The University of Mary is an institution of higher education founded upon a mission and philosophy which is Christian, Catholic, and Benedictine. Thus, the University of Mary affirms the principle that its students, faculty, staff, and administrators have a right to be free from unjust discrimination and harassment.

This policy is intended to be consistent with university policy and federal and state laws, including, but not limited to, Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, Title IX of the Education Amendments of 1972, the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, as amended, the Genetic Information Nondiscrimination Act of 2008, and the North Dakota Human Rights Act.

**Statement of Policy** Discrimination or harassment is strictly prohibited and will not be tolerated at the University of Mary. All students, faculty, staff, and administrators have the responsibility to conduct themselves in a proper manner consistent

with the mission and philosophy of the University. They should actively work to assure that the right of others to be free from discrimination and harassment is protected. Any violation of this University of Mary policy should be promptly reported, as provided below.

**Discrimination** For purposes of this policy, discrimination means an act or attempted act which, because of race, color, religion, sex, age, national origin, disability, marital status or public assistance, results in the unequal treatment or separation or segregation of persons, or if accomplished would have such effect. Harassment For purposes of this policy, harassment means a course of conduct directed at a specific person that causes unwelcome emotional distress and serves no legitimate purpose. Examples of harassment include but are not limited to: (1) phone calls, text messages, emails, or digital communications with no legitimate purpose; (2) insults, taunts, or challenges in a manner likely to provoke violent or disorderly response; (3) communications at inconvenient hours or using offensive language; (4) offensive touching; or (5) any other course of alarming conduct serving no legitimate purpose of the actor.

**Sexual Harassment** the Office of Civil Rights defines sexual harassment to mean conduct based on sex that satisfies one or more of the following:

1. Quid pro quo harassment by a university employee (condition the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct).
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or 3. "Sexual assault" as defined in 20 U.S.C. § 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. § 12291(a)(10), "domestic violence" as defined in 34 U.S.C. § 12291(a)(8), or "stalking" as defined in 34 U.S.C. § 12291(a)(30).

The University of Mary prohibits sexual harassment of its students, faculty, staff, and administrators, including student to student and other peer sexual harassment. Policy, process, and procedure for sexual harassment is governed by Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681), Anyone who believes they are a victim of sexual harassment, as defined above, should visit the Title IX page of the University's website wherein more information about sexual harassment and how to proceed with filing a complaint can be found.

**Disability Harassment** All students and employees have a right to study or work in an environment free of disability harassment. For purposes of this policy, disability harassment means the following:

1. Abusive jokes, name calling, threats, bullying, or assault relating to an individual's physical or mental impairment.
2. Behavior that limits or denies a student's ability to participate in or benefit from programs and activities and creates an intimidating, threatening, or abusive educational environment.
3. Behavior that has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance. Examples of disability harassment include
  - (a) graffiti containing offensive language relating to a physical or mental disability of an individual,
  - (b) jokes, rumors, or name calling relating to a physical or mental disability of an individual,
  - (c) slurs, negative stereotypes, and hostile acts relating to a physical or mental disability of an individual
  - (d) a physical act of aggression or assault upon another because of, or in a manner reasonably related to, an individual's physical or mental disability,
  - (e) theft or damage to property motivated by an individual's physical or mental disability.

### **3 What to Do About Discrimination or Harassment**

1. Any person who believes they have been subjected to discrimination or harassment should immediately inform the person engaging in the offensive conduct that the conduct is unwelcome and offensive and that it must stop.
2. Any person who believes he or she has been subjected to discrimination or harassment has the right to make a report or file a written complaint pursuant to the Conduct Grievance Procedure. Any person who believes they have been subjected to discrimination based on sex or to sexual harassment has the right to make a report or file a formal complaint under Title IX.
3. Any person other than the victim who observes discrimination or harassment is encouraged to report the incident or behavior, using the processes referenced above.
4. If the reported incident constitutes sexual misconduct or sexual harassment as defined by the University's Sexual Misconduct or Title IX Policy, the incident will be governed by that policy.

### **Alcohol and Drug Policy**

To further the goals of our mission statement, the University of Mary complies with and supports the Drug Free Workplace Act of 1988 and the 1989 amendments to the Drug-Free Schools and Communities Act (DFSCA), as

articulated in the Education Department General Administrative Regulations (EDGAR) 34 C.F.R. Part 86, that requires each participating institution of higher education (IHE) that receives Federal education funding to certify that it has developed and implemented a drug and alcohol abuse education and prevention program. The Campus Safety and Security Department is responsible for the enforcement of state underage drinking laws and enforcement of Federal and State drug laws. The University of Mary prohibits the unlawful or unauthorized use, possession, storage, manufacture, distribution or sale of alcoholic beverages and any illicit drugs or drug paraphernalia in University buildings, any campus area, in University housing units, in University vehicles, or at any University affiliated event held on or off-campus, which are sponsored by students, employees and their respective campus organizations. Employees and students are expected to be acquainted with and abide by state laws and University regulations regarding alcohol and drugs. Employees and students also are encouraged to be aware of the social, physiological, and psychological consequences of excessive drinking. The University regularly provides educational programs and resources on alcohol and drug abuse as well as counseling services. The University's alcoholic beverage policy prohibits the possession or consumption of alcoholic beverages on campus or at any campus sponsored event. The only exception is under University Presidential authority. The use, possession, presence, sale and/or distribution of illegal drugs (as defined by federal, state, and local laws) and/or drug paraphernalia (including hookah pipes) on and/or off campus can lead to disciplinary action and/or criminal action (state citation and/or arrest). The use of illegal drugs is physically and mentally harmful and often interferes with the user's ability to function adequately in his/her academic and social life and often impinges upon the social and academic rights of the rest of the community. Special efforts are made to keep drugs off campus and to prevent the presence of illegal drugs on campus. Please refer to the Student Handbook for a complete description of policies and sanctions for violations. Additional alcohol and other drug prevention information, including information on health risks of alcohol and other drug abuse and applicable federal, state, and local laws is available on the University's website at the following web address: <https://www.umary.edu/>

North Dakota Century Code under title 12.1- 31.1-01. D. Local or Federal Law In addition to the state laws described above, local ordinances and federal law generally provide for legal sanctions for unlawful possession or distribution of illicit drugs and alcohol.

### **Smoking and Tobacco Use Policy**

Smoking, tobacco use, and tobacco sales (including the use or sales of smokeless tobacco products) are prohibited on University-owned, -operated, -or leased property, and in University-owned, -leased, or-operated vehicles. Any electronic delivery device, such as an electronic cigarette, is also prohibited.

#### **Definition**

- Smoking: The burning of any type of lighted pipe, cigar, cigarette, e-cigarette, or any other smoking equipment, whether filled with tobacco or any other type of material
- Smokeless Tobacco Products: Smokeless tobacco consists of the use of snuff, chewing tobacco, smokeless pouches, or other forms of loose-leaf tobacco.

**Policy Enforcement** of this policy will depend upon the cooperation of all faculty, staff, and students not only to comply with this policy, but also to encourage others to comply with this policy in order to promote a clean, safe, and healthy environment.

## University of Mary Main Campus- Bismarck:

Offense	Year	On-Campus Property			Non-Campus Property			Public Property		
		Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total
Murder Non-Negligent Manslaughter	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex Offences, Forceable (Rape, Sodomy, Sexual assault w/object, Fondling)	2018	2	2	2	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	1	0	0	0	0	0	0
Sex offences Non Forceable Incest, Statutory	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Robbery	2017	0	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
Aggravated Assault	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Arson	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Burglary	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Arrest/ Citations	2018	40	40	40	0	3	3	0	0	0
	2019	3	3	3	0	0	0	0	0	0
	2020	3	3	3	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	43	43	43	0	0	0	0	0	0
	2019	24	24	24	0	0	0	0	0	0
	2020	40	40	40	0	0	0	0	0	0
Drug Law Arrests	2018	5	5	5	0	0	0	0	0	0
	2019	7	7	7	0	0	0	0	0	0
	2020	3	3	3	0	0	0	0	0	0
Drug Law Arrests Referred for Disciplinary	2018	5	5	5	0	0	0	0	2	0
	2019	5	5	5	2	2	2	0	0	0
	2020	3	3	3	0	0	0	0	0	0
Weapons Law Violations	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Actions	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Stalking	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Domestic Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Dating Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Hate Crimes	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Unfounded Crime Reports	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0



## University of Mary Crime Statistics. Billings Campus

Offense	Year	On-Cam us Property			Non-Cam us Property			Public Property		
		Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total
Murder Non-Negligent Manslaughter	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex Offences, Forceable (Rape, Sodomy, Sexual assault w/object, Fondling	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex offences Non Forceable Insect, Statutory	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Robbery	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Aggravated Assault	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Arson	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Burglary	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Arrest/ Citations	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Drug Law Arrests	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Drug Law Arrests Referred for Disciplinary	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Actions	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Stalking	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Domestic Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Dating Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Hate Crimes	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Unfounded Crime Reports	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0

## University of Mary Crime Statistics. Butler Center:

Offense	Year	On-Campus Property			Non-Campus Property			Public Property		
		Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total
Murder Non-Negligent Manslaughter	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex Offences, Forceable (Rape, Sodomy, Sexual assault w/object, Fondling)	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex offences Non Forceable Incest, Statutory	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Robbery	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Aggravated Assault	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Arson	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Burglary	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Arrest/ Citations	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Drug Law Arrests	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Drug Law Arrests Referred for Disciplinary	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Actions	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Stalking	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Domestic Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Dating Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Hate Crimes	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Unfounded Crime Reports	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0

## University of Mary Crime Statistics: Front Street

Offense	Year	On-Cam us Property			Non-Cam us Property			Public Property		
		Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total
Murder Non-Negligent Manslaughter	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0		0	0	0	0	0
Sex Offences, Forceable (Rape, Sodomy, Sexual assault w/object, Fondling	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex offences Non Forceable Insect, Statutory	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Robbery	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Aggravated Assault	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Arson	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Burglary	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Arrest/ Citations	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Drug Law Arrests	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Drug Law Arrests Referred for Disciplinary	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Actions	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Stalking	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Domestic Violence	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Dating Violence	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Hate Crimes	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Unfounded Crime Reports	2018									
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0

## University of Mary Crime Statistics: Fargo Campus:

Offense	Year	On-Cam us Property			Non-Cam us Property			Public Property		
		Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total
Murder Non-Negligent Manslaughter	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex Offences, Forceable (Rape, Sodomy, Sexual assault w/object, Fondling	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex offences Non Forceable Insect, Statutory	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Robbery	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Aggravated Assault	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Arson	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Burglary	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Arrest/ Citations	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Drug Law Arrests	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Drug Law Arrests Referred for Disciplinary	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Actions	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Stalking	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Domestic Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Dating Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Hate Crimes	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Unfounded Crime Reports	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0

## University of Mary Crime Statistics Fort Riley Campus:

Offense	Year	On-Campus Property			Non-Campus Property			Public Property		
		Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total
Murder Non-Negligent Manslaughter	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex Offences, Forceable (Rape, Sodomy, Sexual assault w/object, Fondling)	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex offences Non Forceable Incest, Statutory	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Robbery	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Aggravated Assault	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Arson	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Burglary	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Arrest/ Citations	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Drug Law Arrests	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Drug Law Arrests Referred for Disciplinary	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Actions	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Stalking	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Domestic Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Dating Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Hate Crimes	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Unfounded Crime Reports	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0



## University of Mary Crime Statistics: Grand Forks Airforce Base Campus:

Offense	Year	On-Campus Property			Non-Campus Property			Public Property		
		Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total
Murder Non-Negligent Manslaughter	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex Offences, Forceable (Rape, Sodomy, Sexual assault w/object, Fondling	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex offences Non Forceable Incest, Statutory	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Robbery	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Aggravated Assault	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Arson	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Burglary	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Arrest/ Citations	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Drug Law Arrests	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Drug Law Arrests Referred for Disciplinary	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Actions	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Stalking	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Domestic Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Dating Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Hate Crimes	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Unfounded Crime Reports	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0

## University of Mary Crime Statistics: Arizona Tempe Campus:

Offense	Year	On-Cam us Property			Non-Cam us Property			Public Property		
		Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total
Murder Non-Negligent Manslaughter	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex Offences, Forceable (Rape, Sodomy, Sexual assault w/object, Fondling)	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex offences Non Forceable Insect, Statutory	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Robbery	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Aggravated Assault	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Arson	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Burglary	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Arrest/ Citations	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	6	6	0	0	0
Drug Law Arrests	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Drug Law Arrests Referred for Disciplinary	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Actions	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Stalking	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Domestic Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Dating Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Hate Crimes	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Unfounded Crime Reports	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0

## University of Mary Crime Statistics: Watford City Campus:

Offense	Year	On-Cam us Property			Non-Cam us Property			Public Property		
		Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total
Murder Non-Negligent Manslaughter	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex Offences, Forceable (Rape, Sodomy, Sexual assault w/object, Fondling	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex offences Non Forceable Insect, Statutory	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Robbery	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Aggravated Assault	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Arson	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Burglary	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Arrest/ Citations	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Drug Law Arrests	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	1	0	0	0
Drug Law Arrests Referred for Disciplinary	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Actions	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Stalking	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Domestic Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Dating Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Hate Crimes	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Unfounded Crime Reports	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0

## University of Mary Crime Statistics: Rome Campus:

Offense	Year	On-Cam us Property			Non-Cam us Property			Public Property		
		Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total	Reported to Police	Reported to Other CSAs	Total
Murder Non-Negligent Manslaughter	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex Offences, Forceable (Rape, Sodomy, Sexual assault w/object, Fondling)	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Sex offences Non Forceable Insect, Statutory	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Robbery	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Aggravated Assault	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Arson	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Burglary	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Arrest/ Citations	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Drug Law Arrests	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Drug Law Arrests Referred for Disciplinary	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Actions	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Stalking	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Domestic Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Dating Violence	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Hate Crimes	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0
Unfounded Crime Reports	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0

## **Definitions of Geography**

Per Clery Act, the following property descriptions are used to identify the locations of crimes on and around University of Mary campus.

**On Campus Buildings or Property:** Any building or property owned or controlled by an institution with in the same reasonably contiguous geographic area and used by the 7 institution in direct support of or in a manner related to the institution’s educational purposes, including residence halls; Any building or property that is within or reasonably contiguous to the area identified above, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).

**Non-Campus Buildings or Property:** Any building or property owned or controlled by a student organization that is officially recognized by the institution or Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution’s educational purposes, is frequently used by students, and is not with in the same reasonably contiguous geographic area of the institution.

**Public property:** Public property includes thoroughfares, streets, sidewalks, and parking facilities that are within campus or immediately next to or accessible to campus and on-campus property. The Department of Education uses a “sidewalk/street/sidewalk” rule to determine the boundary of public property.

### **Main Campus:**

**7500 University Dr. Bismarck Nd 58504**

From any Campus Phone or Cell Phone

Campus Safety and Security

Burleigh County Sheriff’s Department

Bismarck Rural Fire Department

Bismarck Police Department

911

701-355-8000

701-222-6651

701-258-5792

701- 223-1212





## Billings Campus

2590 Holman Ave, Suite A  
Billings, MT 5910

**Emergency**  
**University Campus Safety and Security**  
Billings Police Department-  
Billings Clinic Hospital -

**911**  
**701-355-8000**  
1-406-657-8200  
1-406-238-2500



## Butler Center Campus

505 S 7<sup>th</sup> Street Bismarck, ND 58504

From any Campus Phone or Cell Phone  
Campus Safety and Security  
Burleigh County Sheriff's Department  
Bismarck Rural Fire Department  
Bismarck Police Department

911  
701-355-8000  
701-222-6651  
701-258-5792  
701- 223-1212



## Front Street Campus

**500 East Front Street Bismarck ND, 58504**

From any Campus Phone or Cell Phone  
Campus Safety and Security  
Burleigh County Sheriff's Department  
Bismarck Rural Fire Department  
Bismarck Police Department

911  
701-355-8000  
701-222-6651  
701-258-5792  
701- 223-1212



## Fort Riley 211 Custer Ave Room #110 Fort Riley, Kansas

Emergency from any Campus Phone or Cell Phone  
University Campus Safety and Security  
Fort Riley Police Department  
Fort Riley Fire Department

911  
701-355-8000  
1-785-239-6767  
1-785-239-4257





## Fargo Campus

**1351 Page Drive Fargo ND, 58103**

Emergency from any Campus Phone or Cell Phone

University Campus Safety and Security

Fargo Police Department

Fargo Fire Department

911

701-355-8000

701-235-4493

701-241-1540



## Grand Forks Air Force Base

**319 FSS/FSDE 344 Tuskegee Airman Blvd**

**Grand Forks AFB, ND 58205**

Emergency

University Campus Safety and Security

Grand Forks Police Department

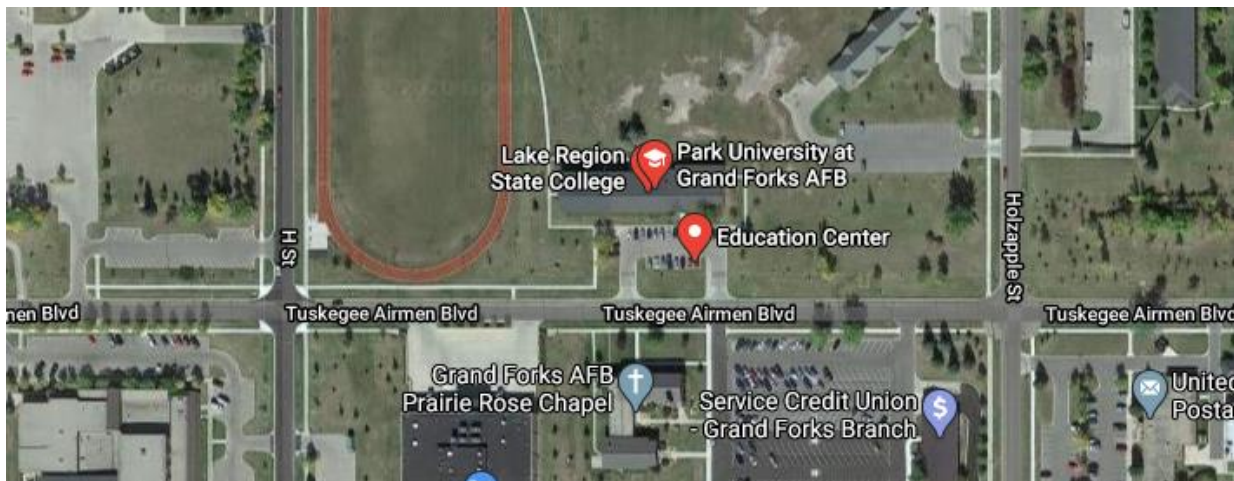
Grand Forks Fire Department

911

701-355-8000

701-787-8000

701-746-2563



## University of Mary Tempe

230 E University Dr

Tempe, AZ 85281

Emergency from any Campus Phone or Cell Phone

Campus Safety and Security

Tempe Police Department

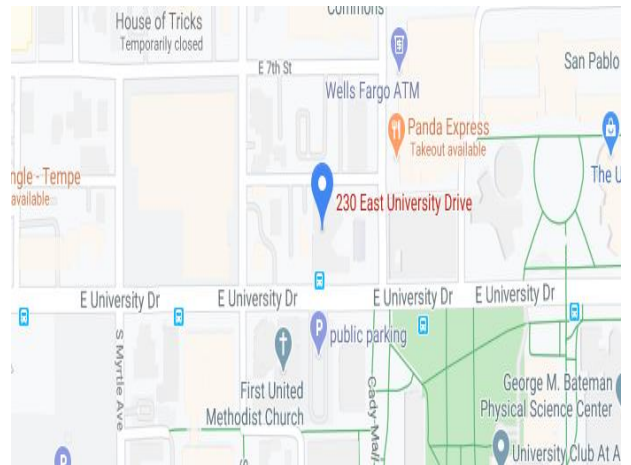
Tempe Fire Department

911

701-355-8000

480-35-8311

480-858-720



## Watford City Campus

2209 Wolves Den Parkway Suite 129 A

Watford city ND 58854

Emergency

University Campus Safety and Security

Watford City Police Department

Watford City Fire Department

911

701-355-8000

701-842-2280

701-444-2934





## Rome Campus

**Via del Casaletto, 538, 00151 Roma RM**

Italy +39 06 6579 6067 Emergency from any Campus Phone or Cell Phone

911

**Campus Safety and Security**

**701-355-8000**

Rome Police department: The main police station, or Questura Centrale, is located at Piazza del Collegio Romano 3 (off Via del Corso). The telephone number is 06 4686.

Director, Michael Lombardo-

342-715-6866





## **Alert System and Timely Warning Notices**

The Department of Campus Safety and Security is authorized by the university to maintain accurate law enforcement records of all criminal activity on campus, near campus, or involving the university community. Campus Safety and Security has a strong working relationship with the Dean of Students, Residence Life, Human Resources, and other departments and campus security authorities. In the event of a crime being reported within the UM Clery Geography (On Campus, Public Property and Non-campus property) that, in the judgment of the Coordinator of Campus Safety or a Campus Safety designee and/or the Dean of Students, or designee and in consultation with other senior administrators when time permits, constitutes a serious or continuing threat to the University of Mary community, a campus wide Timely Warning Notice (called Crime Alerts) will be issued. These alerts are sent to the campus community via e-mail and/or text message UM is not required to issue a Timely Warning if a crime is reported to a pastoral or professional counselor. The alert is written by the Coordinator of Campus Safety and Security or a Campus Safety designee and/or the Dean of Students, or designee, and time permitting is reviewed by the Executive Vice President before distribution. It is distributed to the University community by Director of Campus Safety or a Campus Safety designee and/or the Dean of Students, or designee, or designated personnel in the Social Media, Marketing and Content Creator Department. Campus and community members are encouraged to update their cell phone numbers on a regular basis for text and phone notification. Registration is completed through the Director of Residence Life and Campus Safety. Crime Alerts are usually distributed for the following Uniformed Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications: major incidents of arson, murder/non-negligent manslaughter, burglary, and robbery. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by Campus Safety. For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to other community members and a Crime Alert would not be distributed. The Dean of Students, Coordinator of Campus Safety, and Security and/or Director of Residence Life reviews all reports to determine if there is an on-going threat to the community and the distribution of a Crime Alert is warranted. Cases involving sexual assault are often reported long after the incident occurred, thus there is no opportunity to distribute a “timely” warning notice to the community. Sex offenses will be considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by the Campus Safety. Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

There are three different types of postings: Campus Safety and Security Bulletins posters and using University’s App. Campus Safety and Security posters are printed, and outline topics of concern that serve to educate students, faculty, and staff on the environment in which they live and work. These postings emphasize crime awareness and prevention and are posted around campus to warn of situations in which the university community may be vulnerable. Examples of incidents calling for Campus Safety and Security posters to produce training for, thefts, fraudulent activity, or dangerous conditions. Public Safety Advisories Public Safety advisories are printed on yellow paper and describe crimes on or off campus that are important to the university community. The Campus Safety and Security Department is responsible for developing and issuing timely warnings for crimes reported to a CSAs that are occurring within Clery geography that pose as a serious or ongoing threat to the campus community. Public Safety can seek assistance with the content of these timely warnings from other departments and agencies. Timely warnings are disseminated to the campus community through paper copies posted on doors and walls near primary entrances to the University of Mary on-campus buildings and residence facilities. An electronic copy is also sent out through campus email through our mass notification system to current faculty, staff, and students. Who have opted into university’s notification system. Timely warnings and community notifications are posted to the Campus Safety and Security Public Safety Department website at the following link: <https://www.umary.edu/student-life/campus-safety-security/> Please watch for Campus Safety and Security, advisories, and alerts posted in campus buildings and university publications throughout the year. Our safety as a community depends on each of us staying informed.

The Campus Safety and Security Department sends a test alert monthly to all users. In case of an emergency or timely warning Campus Safety and Security will be advised of information to be sent out through universities emergency notification system.

## **Emergency Response**

The University maintains that the Incident Response Team is responsible for conducting emergency response drills annually. These annual drills could include area first responder agencies such as The Burleigh County Sheriff's Department, Bismarck Rural Fire Department, Bismarck Police Department, and the American Red Cross are the main governmental agencies that the University of Mary calls on for assistance in an emergency since Campus Security does not have law enforcement authority. The University of Mary has a memorandum of understanding (MOU), with Burleigh County Sheriff's Department and the Bismarck Police Department. Additional tests may be conducted if deemed necessary. Each system was successfully tested in 2020. During an emergency follow-up, messages may come from one or all of the alert systems depending on the situation. Documentation of tests, description of the exercises, dates, times, and whether it was announced or unannounced can be found in the office of Campus Safety and Security.

## **Emergency Evacuation Procedures**

The emergency evacuation procedures are tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The Campus Safety and Security Department does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, Campus Safety and Security Department staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At UMary evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

## **General Evacuation Procedures**

At the sound of a fire alarm or if you are instructed to evacuate, leave immediately and proceed to the nearest exit and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify Campus Safety and Security (701-355-8000) or Police Emergency (911).

- Remain Calm
- Do NOT use elevators – Use the stairs
- Assist the physically impaired. If he/she is unable to exit without using an elevator, secure a safe location near a stairwell and immediately inform Campus Safety and Security or the responding Fire Dept of the location
- Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for EMS vehicles
- Make sure all personnel are out of the building
- Do not re-enter the building

## **How will you know to Shelter-in-Place**

A shelter-in-place notification may come from several sources: emergency notification system, Resident Directors other University employees, Local Law Enforcement, or other authorities utilizing the University's emergency communications tools.

## **How to Shelter-in-Place**

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a phone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.

- Locate a room to shelter inside. It should be:
- An interior room
- Above ground level
- Without windows or with the least number of windows. If there is a large group of people inside a building, several rooms may be necessary.
- Shut and lock all windows and close exterior doors
- Turn off air conditioners, heaters, and fans
- Close vents to ventilation systems as you are able
- Make a list of the people with you and ask someone to call the list and where you are to Campus Safety
- Turn on the news for further instructions
- Make yourself comfortable

### **Shelter-in-Place Procedures**

What it means to “Shelter-in-Place”. If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. So, to “shelter-in place” means to make a shelter of the building that you are in and with a few adjustments, this location can be made even safer and more comfortable until it is safe to go outside.

### **Basic Shelter-in-Place Guidance**

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

### **Emergency Notification**

University of Mary has developed a process to immediately notify the campus community in cases where there is confirmation of an emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an emergency (immediate) notification after confirmation: armed/hostile intruder; bomb/explosives (threat); communicable disease outbreak; severe weather; terrorist incident; civil unrest; natural disaster; hazardous materials incident and structural fire. In the event of an emergency, University of Mary will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the University community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employee, and visitors. The Campus Safety and Security staff is responsible for responding to reported emergencies and confirming the existence of an emergency, sometimes in conjunction with campus administrators, local first responders and/or the national weather center. If the Coordinator of Campus Safety and Security or designee, the or Dean of Students, or designee, or the Executive Vice President in conjunction with other University administrators, local first responders and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the University of Mary Community. Coordinator of Campus Safety and Security or a Campus Safety designee, the Dean of Students, or designee, or the Executive Vice President are responsible for determining the content of the message and Coordinator of Campus Safety and Security or a Campus Safety designee, the or Dean of Students, or designee, or the designated staff in the Social Media, Marketing, and Content Creator Department will use some or all of the systems described below to communicate the threat to the University of Mary Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. University of Mary will, without delay and considering the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the first responders (including, but not limited to: Campus Safety and Security, Local PD, and/or the Local Fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Notification will be made by using some or all of the following methods depending on the type of emergency: University Alert System (which contains email, cell phone

text, voice message alert); fire alarm (where available), public address systems (where available), social media, local media, webpage and/or in person communication. If any these systems fail or the University deems it appropriate, in person communication may be used to communicate an emergency. All students, faculty and staff are automatically entered into the emergency system at the beginning of each semester. The person's cell phone number and e-mail address are used. The content of the message will vary depending on the situation. At a minimum, the messages will describe the emergency, provide basic instructions to the community, and will direct them to where they can receive additional information. The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents, and other interested parties. The larger community can also access emergency information via the University of Mary homepage and/or social media. Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm). If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution will provide follow up information and notification to the campus community about the threat per Law Enforcement and/or when the threat has disseminated.

#### **Omnilert Emergency Notification System**

- **E-mail:** All official notices and security advisories are a timely warning.
- **Local media:** (radio, television)
- **Web page updates**
- **Information posted on social media**

#### **Access to and Security of Campus Facilities**

University of Mary is open to the public. The academic and administrative buildings are open to the public normally during regular business hours. Most facilities have individual hours, and the hours may vary at different times of the year. Campus Safety and Security Officers patrol the academic, athletic, administrative building and the residence halls. Residence life has on call RA's that complete an evening round of their buildings nightly. The University does have a camera system and key card readers in the residence halls for safety and security purposes. Access to some buildings are also controlled by card access after business hours and all of these buildings have varied levels of access. Buildings do not have an officer assigned to them; however, Campus Safety and Security officers patrol the academic and administrative buildings on a regular basis in the evening hours to monitor security and safety related matters. During the daytime hours, the Coordinator of Campus Safety and Security and Assistant Coordinator are on duty or on call to handle security and safety matters. All Residence Halls are locked 24-hours a day and entry is required using a University of Mary access card. Access to residence halls is restricted to residents, approved guests, and other approved members of the University community. Some students are housed at off campus properties and the University does not patrol those apartments. The local Law Enforcement responds to situations that arise, but there is no agreement that they will monitor the buildings. Residents gain entry by swiping their cards near the card access readers. Residents are cautioned to not let strangers in the building and are urged to have individuals seeking entry to use their access cards. Campus Safety and Security officers patrol the residence halls on a regular basis to monitor security and safety related matters. Residence Life and Residence Hall Advisors also enforce security measures in the halls and work with residents to achieve a community respectful of individual and group rights and responsibilities. Residence Life and Campus Safety and Security officers also conduct periodic educational sessions on prevention of various crimes, including sexual assault and acquaintance rape.

#### **Safety Used in the Maintenance of Campus Facilities**

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Campus Safety and Security officers regularly patrol the campus and report malfunctioning lights, malfunctioning doors, and other unsafe physical conditions to the Physical Plant at (701) 355-8310, or they submit a physical plant work order for corrections and repairs. Other members of the University community are helpful when they report equipment problems to the Campus Safety and Security Department or to the Physical Plant.

**Personal Safety** At the University of Mary, you are one of the keys to your own safety and the safety of others. University of Mary encourages students and employees to be responsible for their own security and safety and the security and safety of others.

**Immediate Reporting:** If you observe any suspicious activity or wish to report any criminal act or if you are a victim of a crime, promptly report it to the Campus Safety and Security Department at 701-355-8000. Prompt reporting increases the likelihood that critical evidence will be obtained, stolen property will be recovered, and the offender will be successfully prosecuted. This is especially important in cases involving sex offenses and will also ensure that you are made aware of all available victim support services and resources.

**Be alert:** Your safety depends mostly upon your own attitude and actions. Use common sense and do not place yourself in a location or situation to become a victim of a crime.

**Avoid walking alone at night:** Plan to walk in groups. If you must travel alone at night, stay on well-lit paths and sidewalks. You may also call Campus Safety at 701-355-8000 for a free security escort.

**Keep your room door locked at all times:** Locking your door with your key wherever you reside is an effective way to reduce theft and enhance personal safety. The vast majority of thefts occur from unlocked rooms when the occupant is gone only briefly. Do not prop open exterior doors and close any doors you find propped open. Propped doors are a high risk and greatly increase chances of your victimization. Campus Safety and Security Officers monitor doors equipped with key card readers. Propping doors could result in loss of campus housing and other sanctions. Do not open your door to someone you do not know.

**Do not lend your key or key card to anyone:** Lending your key or key card to anyone could result in both you and/or an innocent victim being referred to the campus judicial system. Report a lost or stolen key to the RA/ RD immediately.

**Report obscene, annoying, or harassing phone calls or emails immediately:** Law Enforcement will investigate and as patterns develop, they will work closely with the phone company.

**Report all security related maintenance problems:** Locks, doors, windows, and exterior lights in need of repair, shrubs in need of trimming or other unsafe conditions should be reported immediately to the Physical Plant at 701-355-8310 Campus facilities and landscaping are maintained in a manner to minimize hazardous conditions. Campus Safety and Security Officers routinely check for malfunctioning lights and other unsafe physical conditions and are reported to the physical plant.

**Vehicle Safety:** Park your vehicle in well-lit areas and keep it locked at all times. Lock all valuables in your trunk or bring those valuables into your room. Register your vehicle with the Campus Safety and Security Department.

**Participate in personal safety and security programs** University of Mary offers many security awareness programs designed to inform students and employees about campus security procedures and practices. A common theme of all awareness and crime prevention programs is to encourage students and employees to be responsible for their own safety and for the safety of others on campus. During the 2020-2021 academic year, University of Mary offered several crime prevention and security awareness programs along with other programs put on by student organizations. Crime Prevention Programs on personal safety and security are sponsored by various campus organizations throughout the year. The programs include general crime prevention and security awareness programs, such as safety education forums, programs, and discussions about topics such as alcohol abuse, domestic violence, self-defense, fire safety, emergency response and evacuation procedures, sexual assault prevention and theft prevention. Fire safety informational programs are presented during New Student Orientation and throughout the year because it is important to be aware of any threat. Students and employees should be responsible for their own safety. Customized programs on most security-related topics such as Workplace Violence are prepared for campus groups and organizations upon request. Officers serve as a familiar resource for information and a point-of contact in the event you ever need assistance. Each assigned officer works closely with resident students, as well as Resident Assistants (RA) and Resident Directors (RD) of the Office of Residential Life. Officers assist community members in defining problems, developing solutions, and implementing strategies to solve problems and prevent crimes. In addition to this, officers conduct investigations and facilitate a variety of educational programs including self- defense,

operation identification, drug and alcohol awareness, personal safety, and property security.

**(VAWA) Violence Against Women Act and North Dakota Crime Definitions**

The University of Mary prohibits crimes of domestic violence, dating violence, sexual assault, and stalking. These crimes are called and in compliance within the Violence Against Women Act (VAWA). The University of Mary also prohibits other crimes as defined by the North Dakota Century Code:

**CONSENT:** The University of Mary consent definition is affirmative, conscious, voluntary, and revocable. Consent to sexual activity requires of all persons involved an affirmative, conscious, and voluntary agreement to engage in specific sexual activity. Consent to one form of sexual activity does not imply consent to another form of sexual activity. It is the responsibility of each person to ensure that they have the affirmative consent of the other to engage in the sexual activity. Lack of protest, lack of resistance, or silence do not alone constitute consent. Affirmative consent must be ongoing and can be revoked at any time during sexual activity. The existence of a dating relationship or past sexual relations between the persons involved should never by itself be assumed to be an indicator of consent (nor will subsequent sexual relations or dating relationships alone suffice as evidence of consent to prior conduct). University of Mary uses this definition in our Title IX policy thus it is our institutional definition.

**Consent** is defined in North Dakota as (NDCC 12.1-17-08):

1. When conduct is an offense because it causes or threatens bodily injury, consent to such conduct or to the infliction of such injury by all persons injured or threatened by the conduct is a defense if:
  - a. Neither the injury inflicted, nor the injury threatened is such as to jeopardize life or seriously impair health.
  - b. The conduct and the injury are reasonably foreseeable hazards of joint participation in a lawful athletic contest or competitive sport; or
  - c. The conduct and the injury are reasonably foreseeable hazards of an occupation or profession or of medical or scientific experimentation conducted by recognized methods, and the persons subjected to such conduct or injury, having been made aware of the risks involved, consent to the performance of the conduct or the infliction of the injury.
2. Assent does not constitute consent, within the meaning of this section, if:
  - a. It is given by a person who is legally incompetent to authorize the conduct charged to constitute the offense and such incompetence is manifest or known to the actor.
  - b. It is given by a person who by reason of youth, mental disease or defect, or intoxication is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or
  - c. It is induced by force, duress, or deception.

**SEXUAL ASSAULT is defined in North Dakota as (NDCC 12.1- 20-07):**

1. A person who knowingly has sexual contact with another person, or who causes another person to have sexual contact with that person, is guilty of an offense if:
  - a. That person knows or has reasonable cause to believe that the contact is offensive to the other person
  - b. That person knows or has reasonable cause to believe that the other person suffers from a mental disease or defect which renders that other person incapable of understanding the nature of that other person's conduct
  - c. That person or someone with that person's knowledge has substantially impaired the victim's power to appraise or control the victim's conduct, by administering or employing without the victim's knowledge intoxicants, a controlled substance as defined in chapter 19-03.1, or other means for the purpose of preventing resistance
  - d. The other person is in official custody or detained in a hospital, prison, or other institution and the actor has supervisory or disciplinary authority over that other person
  - e. The other person is a minor, fifteen years of age or older, and the actor is the other person's parent, guardian, or is otherwise responsible for general supervision of the other person's welfare

## **2. The offense is:**

- a. A class C felony if the actor's conduct violates subdivision b, c, d, or e of subsection 1, or subdivision f of subsection 1 if the adult is at least twenty-two years of age; or
- b. A class A misdemeanor if the actor's conduct violates subdivision f of subsection 1 if the adult is at least eighteen years of age and not twenty-two years of age or older, or if the actor's conduct violates subdivision a of subsection.

**RAPE**- is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**FONDLING**- is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/ her temporary or permanent mental incapacity.

**INCEST**- is defined as nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**STATUTORY RAPE**- is defined as nonforcible sexual intercourse with a person who is under the age of consent. The state of North Dakota defines the statutory age of consent in North Dakota Century Code 12.1-20-01:

1. When the criminality of conduct depends on a child's being below the age of 15, it is no defense that the actor did not know the child's age, or reasonably believed the child to be older than 14.
2. When criminality depends on the victim being a minor, it is an affirmative defense that the actor reasonably believed the victim to be an adult.
3. When criminality depends on the victim being a minor 15 years of age or older, the actor is guilty of an offense only if the actor is at least three years older than the minor. The state of North Dakota has numerous sex offenses defined in North Dakota Century Code. They are as follows:

### **12.1-20-03 GROSS SEXUAL IMPOSITION:**

1. A person who engages in a sexual act with another, or who causes another to engage in a sexual act, is guilty of an offense if:
  - a. That person compels the victim to submit by force or by threat of imminent death, serious bodily injury, or kidnapping, to be inflicted on any human being.
  - b. That person or someone with that person's knowledge has substantially impaired the victim's power to appraise or control the victim's conduct by administering or employing without the victim's knowledge intoxicants, a controlled substance as defined in chapter 19- 03.1, or other means with intent to prevent resistance.
  - c. That person knows or has reasonable cause to believe that the victim is unaware that a sexual act is being committed upon him or her.
  - d. The victim is less than 15 years old; or
  - e. That person knows or has reasonable cause to believe that the other person suffers from a mental disease or defect which renders him or her incapable of understanding the nature of his or her conduct.
2. A person who engages in sexual contact with another, or who causes another to engage in sexual contact, is guilty of an offense if: a. The victim is less than 15 years old; b. That person compels the victim to submit by force or by threat of imminent death, serious bodily injury, or kidnapping, to be inflicted on any human being, or c. That person knows or has reasonable cause to believe that the victim is unaware that sexual contact is being committed on the victim.

### **12.1-20-03.1. CONTINUOUS SEXUAL ABUSE OF A CHILD:**

1. An individual in adult court is guilty of an offense if the individual engages in any combination of three or more sexual acts or sexual contacts with a minor under the age of 15 years during a period of three



or more months. The offense is a class AA felony if the actor was at least 22 years of age at the time of the offense. Otherwise, the offense is a class A felony. The court may not defer imposition of sentence.

2. If more than three sexual acts or contacts are alleged, a jury must unanimously agree that any combination of three or more acts or contacts occurred. The jury does not need to unanimously agree which three acts or contacts occurred.
3. No other felony offense under this chapter involving the same victim may be charged in the same proceeding with a charge under this section unless the other charged offense occurred outside the time period charged under this section or the other offense is charged in the alternative. A defendant may be charged with only one count under this section, but a separate count may be charged for each victim if more than one victim is involved.

**12.1-20-04. SEXUAL IMPOSITION:** A person who engages in a sexual act or sexual contact with another, or who causes another to engage in a sexual act or sexual contact, is guilty of a class B felony if the actor:

1. Compels the other person to submit by any threat or coercion that would render a person reasonably incapable of resisting; or
2. Engages in a sexual act or sexual contact with another, whether consensual or not, as part of an induction, initiation, ceremony, pledge, hazing or qualification to become a member or an associate of any criminal street gang as defined in section 12.1- 06.2-01.

**12.1-20-07. SEXUAL ASSAULT:** A person who knowingly has sexual contact with another person, or who causes another person to have sexual contact with that person, is guilty of an offense if:

1. That person knows or has reasonable cause to believe the contact is offensive to the other person.
2. That person knows or has reasonable cause to believe that the other person suffers from a mental disease or defect which renders that other person incapable of understanding the nature of that other person's conduct.
3. That person or someone with that person's knowledge has substantially impaired the victim's power to appraise or control the victim's conduct, by administering or employing without the victim's knowledge intoxicants, a controlled substance as defined in chapter 19-03.1, or other means for the purpose of preventing resistance.
4. The other person is in official custody or detained in a hospital, prison or other institution and the actor has supervisory or disciplinary authority over that other person.
5. The other person is a minor, 15 years of age or older, and the actor is the other person's parent, guardian or is otherwise responsible for general supervision of the other person's welfare; or
6. The other person is a minor, 15 years of age or older, and the actor is an adult.

**12.1-20-11. INCEST:** A person who intermarries, cohabits, or engages in a sexual act with another person related to him within a degree of consanguinity within which marriages are declared incestuous and void by section 14-03-03, knowing such other person to be within said degree of relationship, is guilty of a class C felony. 14-03-03 Void marriages. This section applies to illegitimate as well as legitimate children and relatives. These marriages are incestuous and void.

**DOMESTIC VIOLENCE: The term "domestic violence" means**

1. Felony or misdemeanor crimes of violence committed—
  - a. By a current or former spouse or intimate partner of the victim.
  - b. By a person with whom the victim shares a child in common.
  - c. By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner.
  - d. 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
  - e. 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.

2. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting. The State of North Dakota Defines Domestic Violence in North Dakota Century Code 14-07.1-01 as physical harm, bodily injury, sexual activity compelled by physical force, assault, or the infliction of fear of imminent physical harm, bodily injury, sexual activity compelled by physical force, or assault, not committed in self-defense, on the complaining family or household members. The code defines family or household member as a spouse, family member, former spouse, parent, child, persons related by blood or marriage, persons who are in a dating relationship, persons who are presently residing together or who have resided together in the past, persons who have a child in common regardless of whether they are or have been married or have lived together at any time, and, for the purpose of the issuance of a domestic violence protection order, any other person with a sufficient relationship to the abusing person as determined by the court.

**DATING VIOLENCE:** The term “dating violence” means violence committed by a person

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim and
2. The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition:

- Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting. As the State of North Dakota includes persons who are in a dating relationship under the state’s domestic violence laws, any violence committed by dating parties would fall under domestic violence, not dating violence.

**STALKING: The term “stalking” means**

1. engaging in a course of conduct directed at a specific person that would cause a reasonable person to
  - a. fear for the person’s safety or the safety of others.
  - b. Suffer substantial emotional distress
2. For the purposes of this definition.
  - a. Course of conduct means two or more acts, including, but not limited to, acts which the 18 stalker directly, indirectly, or through third parties, by any action, method, device or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
  - b. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

C. Reasonable persons mean a reasonable person under similar circumstances and with similar identities to the victim.

3. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

The State of North Dakota Century Code 12.1-17-07.1 states that no person may intentionally stalk another person. The state defines stalk as engaging in an intentional course of conduct directed at a specific person which frightens, intimidates, or harasses that person, and that serves no legitimate purpose. The course of conduct may be directed toward that person or a member of that person’s immediate family and must cause a reasonable person to experience fear, intimidation, or harassment. The state defines course of conduct as a pattern of conduct consisting of two or more acts evidencing a continuity of purpose. The term does not include constitutionally protected activity. The state defines immediate family as a spouse, parent, child, or sibling. The term also includes any other individual who regularly resides in the household or who within the prior six months regularly resided in the household.

**ARSON:** Unlawfully and intentionally damage or attempt to damage real or personal property by fire or incendiary device.

**AGGRAVATED ASSAULT:** An unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**BURGLARY:** The unlawful entry into a building or other structure with the intent to commit a felony or a theft.

**MURDER AND NON-NEGLIGENT MANSLAUGHTER:** The willful (non-negligent) killing of one human being by another.

**MANSLAUGHTER BY NEGLIGENCE:** The killing of another person through negligence.

**MOTOR VEHICLE THEFT:** The theft of a motor vehicle. **ROBBERY:** The taking or attempting to take anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm.

**HATE CRIMES:** A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude, actual or perceived, toward a group of persons based on their real or perceived race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or nation of origin.

For Clery purposes, hate crimes include any offense in the following categories that is motivated by bias:

- Murder and non-negligent manslaughter
- All sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Larceny-theft
- Simple assault
- Intimidation
- Destruction/damage/vandalism of property

**WEAPONS LAW VIOLATIONS:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons, or other weapons used in a deadly manner Except as otherwise stated in this policy, the University of Mary prohibits the use, possession, display or storage of any weapons, ammunition, explosives, or fireworks on university property or at university events, including all buildings, housing, facilities, or property owned or leased and operated by the university. This policy applies to all persons, including faculty, staff, students, spouses, dependents, and visitors. This policy shall not apply to law enforcement personnel authorized to carry weapons by their governmental agency and /or university employees who have completed training prescribed by the university and authorized by the Executive Vice President.

Consistent with N.D.C.C. section 62.1-02-13, possession of a legally owned and secured firearm in a private vehicle by a person lawfully in the area is permitted. For a weapon to be properly secured it needs to be out of sight and locked. This policy does not prohibit an employee, student, customer, or invitee who is lawfully in the area from possessing a legally owned firearm that is locked inside or locked to a private motor vehicle in a parking lot, or while the employee, student, customer, or invitee is driving directly to or from a public highway or street and a university parking lot.

Weapons are permitted for purposes of law enforcement or as authorized in writing for purposes of instruction, research, service, or other specifically approved purposes. To obtain written authorization for activities related to instruction, research, service, or other specific purposes, contact the executive vice president prior to the event. In the event the use, possession, display or storage of the weapon or fireworks will take place in a residence hall, written authorization must also be obtained from the executive vice president. Always obtain written authorization if there is any doubt of violation of this policy.

An exception to the general ban on fireworks established by this policy is a firework display that has the prior written approval of the executive vice president as a part of a university approved event or celebration. Appropriate tools, such as saws, knives, and other such implements, necessary for the performance of job duties or schoolwork are the only exception to the policy. Bow hunting is allowed on property adjacent to campus for specific service operations, but only with a written exemption from the executive vice president. Individuals in possession of unauthorized weapons, ammunition, explosive devices, or fireworks on campus may, depending on the circumstances, be subject to disciplinary action up to and including expulsion from the University of Mary or termination of employment. In addition, the individual may also be subject to criminal prosecution. Anyone granted written exemption by the executive vice president for one of the conditions above must fill out the attached liability release form prior to the use, possession, display or storage of the weapon or firework.

**DRUG ABUSE VIOLATIONS:** Violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/ or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

**LIQUOR LAW VIOLATIONS:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

## **TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE, AND PROCESS**

### ***Purpose and General Statement of Policy:***

The University of Mary (the "University") does not discriminate on the basis of sex in its education programs or activities, and it is required by Title IX of the Education Amendments Act of 1972 and its implementing regulations not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The University is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

The University prohibits sexual harassment that occurs within its education programs and activities. When the University has actual knowledge of sexual harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

This policy applies to sexual harassment that occurs within the University's education programs and activities and that is committed by a university employee, student, or other member of the university community. This policy does not apply to sexual harassment that occurs in a private setting or outside the scope of the University's education programs and activities. This policy does not apply to sexual harassment that occurs outside the geographic boundaries of the United States, even if the sexual harassment occurs in the University's education programs or activities.

Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy and grievance process should discuss them with the Title IX Coordinator. The University's Title IX Coordinator is:

Christi Schaeftbauer (as vice president supervising human resources)  
Benedictine Center for Servant Leadership, Room L403,  
7500 University Drive  
Bismarck, ND 58504  
(701) 355-3794  
[titleix@umary.edu](mailto:titleix@umary.edu)

In the event the Title IX Coordinator is a party to a complaint, the University's General Counsel shall serve as the alternate Title IX Coordinator for the oversight of that specific complaint.

Questions relating solely to Title IX and its regulations may be referred to the Title IX Coordinator. Inquiries about Title IX and its implementing regulations may be referred to:

Office for Civil Rights  
U.S. Department of Education (Chicago Office)  
Citigroup Center  
500 W. Madison St., Suite 1475  
Chicago, IL 60661-7204  
(312) 730-1560  
OCR-Chicago@ed.gov

Individuals always have the option to notify law enforcement. The University will assist in contacting the police or other agency if requested. Filing a police report is not required in order for the University to investigate a formal complaint. The criminal process is separate from action that occurs through the University. An individual may report an incident with the University and not with law enforcement and vice versa. The effective date of this policy is the date the policy was approved or revised at the end of this document and applies to alleged violations of this policy occurring on or after that date.

### ***Definitions***

“Actual knowledge” means notice of sexual harassment or allegations of sexual harassment to the University’s Title IX Coordinator or to any employee of the University. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the University with actual knowledge is the respondent.

“Complainant” means a person who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. A Title IX Coordinator who signs a formal complaint is not a complainant unless the Title IX Coordinator is alleged to be the victim of the conduct described in the formal complaint.

“Consent” means the mutual understanding of words or actions freely and actively given by two informed people that a reasonable person would interpret as a willingness to participate in mutually agreed upon sexual activity.

“Day” or “days” means, unless expressly stated otherwise, business days (i.e., day(s) that the university office is open for normal operating hours, Monday–Friday, excluding state-recognized holidays).

“Deliberately indifferent” means clearly unreasonable in light of the known circumstances. The University is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

“Education program or activity” means locations, events, or circumstances for which the University exercises substantial control over both the respondent and the context in which the sexual harassment occurs and includes university education programs or activities that occur on or off of university property.

“Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the University investigate the allegation of sexual harassment.

a. A formal complaint filed by a complainant must be a physical document or an electronic submission. The formal complaint must contain the complainant’s physical or digital signature or otherwise indicate that the complainant is the person filing the formal complaint, and it must be submitted to the Title IX Coordinator in person, by mail, or by email.

b. A formal complaint shall state that, at the time of filing the formal complaint, the complainant was participating in or attempting to participate in an education program or activity of the University with which the formal complaint is filed.

“Incapacitation” means the physical and/or mental inability to make informed, rational judgments. A person is incapacitated if they lack the necessary judgment to give consent to sexual activity. Being intoxicated or under the influence of any substance at the time of sexual contact is never an excuse for sexual harassment.

“Informal resolution” means options for resolving a formal complaint that do not involve a full investigation and adjudication. Informal resolution may encompass a broad range of conflict resolution strategies, including mediation or restorative justice.

“Relevant questions” and “relevant evidence” are questions, documents, statements, or information that are related to the allegations raised in a formal complaint. Relevant evidence includes evidence that is both inculpatory and exculpatory. Questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.

“Remedies” mean actions designed to restore or preserve the complainant’s equal access to education after a respondent is found responsible. Remedies may include the same individualized services that constitute supportive measures but need not be non-punitive or non-disciplinary, nor must they avoid burdening the respondent.

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under Title IX.

“Sexual harassment” means any of three types of misconduct on the basis of sex that occurs in a university education program or activity and is committed against a person in the United States:

a. *Quid pro quo* harassment by a university employee (conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct).

b. Unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; or

c. Any instance of sexual assault (as defined in the Clery Act, 20 U.S.C. §1092(f)(6)A(v)), dating violence, domestic violence, or stalking (as defined in the Violence Against Women Act, 34 U.S.C. §12291).

“Supportive measures” mean individualized services provided to the complainant or respondent without fee or charge that are reasonably available, non-punitive, non-disciplinary, not unreasonably burdensome to the other party, and designed to ensure equal educational access, protect safety, and deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, alternative educational services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the university buildings or property, and other similar measures.

“Title IX Personnel” means any person who addresses, works on, or assists with the University’s response to a report of sexual harassment or formal complaint and includes persons who facilitate informal resolutions. The following are considered Title IX Personnel:

a. “Title IX Coordinator” means an employee of the University that coordinates the University’s efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator is responsible for acting as the primary contact for the parties and ensuring that the parties are provided with all notices, evidence, reports, and written determinations to which they are entitled under this policy and grievance process. The Title IX Coordinator is also responsible for effective implementation of any supportive measures or remedies. The Title IX Coordinator must be free from conflicts of interest and bias when administering the grievance process.

b. “Investigator” means a person who investigates a formal complaint. The investigator of a formal complaint may not be the same person as the Decision-maker or the Appellate Decision-maker. The Investigator may be a university employee, university official, or a third party designated by the University.

c. “Decision-maker” means a person who decides regarding responsibility after the investigation has concluded. The Decision-maker cannot be the same person as the Title IX Coordinator, the Investigator, or the Appellate Decision-maker.

d. “Appellate Decision-maker” means a person who considers and decides appeals of determinations regarding responsibility and dismissals of formal complaints. The Appellate Decision-maker cannot be the same person as the Title IX Coordinator, Investigator, or Decision-maker. The Appellate Decision-maker may be a university employee, or a third party designated by the University.

e. The President of the University may delegate functions assigned to a specific university employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes to any suitably qualified individual, and such delegation may be rescinded by the President at any time. The University may also, at its discretion, appoint suitably qualified persons who are not university employees to fulfill any function under this policy, including but not limited to Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes.

f. In such case that the respondent is the Chair of the Board of Trustees, the President of the Board of Trustees shall serve as the Decision-maker. In such case that the respondent is the President of the Board of Trustees, a member of the Board of Trustees, or the President of the University, the Chair of the Board of Trustees shall serve as the Decision-maker. In all such cases, the Executive Committee of the Board of Trustees shall serve as the Appellate Decision-maker. A majority of the members of the Executive Committee (excluding a respondent and any member who served as the Decision-maker in a given process) shall constitute a quorum for the decision, and each member shall have one vote.

## ***Basic Requirements for Grievance Process***

### ***Equitable Treatment***

The University shall treat complainants and respondents equitably. However, equality or parity with respect to supportive measures provided to complainants and respondents is not required.

The University will not impose any disciplinary sanctions or take any other actions against a respondent that do not constitute supportive measures until it has completed this grievance process and the respondent has been found responsible. (Notwithstanding, there is provision for “Emergency Removal of a Student,” below).

The University will provide appropriate remedies to the complainant any time a respondent is found responsible.

### ***Objective and Unbiased Evaluation of Complaints***

Title IX Personnel, including the Title IX Coordinator, Investigator, Decision-maker, and Appellate Decision-maker, shall be free from conflicts of interest or bias for or against complainants or respondents generally or a specific complainant or respondent.

Throughout the grievance process, Title IX Personnel will objectively evaluate all relevant evidence, inculpatory and exculpatory, and shall avoid credibility determinations based solely on a person’s status as a complainant, respondent, or witness.

Title IX Personnel will presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

### ***Confidentiality***

The University will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, or FERPA’s regulations, or as required by law, or to carry out the purposes of 34 C.F.R. §106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the University’s obligation to maintain confidentiality shall not impair or otherwise affect the complainants and respondents’ receipt of the information to which they are entitled with respect to the investigative record and determination of responsibility).

### ***Right to an Advisor; Right to a Support Person***

Complainants and respondents have the right, at their own expense, to be assisted by an advisor of their choice during all stages of any grievance proceeding, including all meetings and investigative interviews. The advisor may be, but need not be, an attorney. In general, an advisor is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

A complainant or respondent with a disability may be assisted by a support person throughout the grievance process, including all meetings and investigative interviews, if such accommodation is necessary. A support person may be a friend, family member, or any individual who is not otherwise a potential witness. The support person is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

### ***Notice***

The University will send written notice of any investigative interviews or meetings to any party whose participation is invited or expected. The written notice will include the date, time, location, participants, and purpose of the meeting or interview, and will be provided to allow sufficient time for the party to prepare to participate.



### *Consolidation*

The University may, in its discretion, consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

### *Evidence*

During the grievance process, the University will not require, allow, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

The University shall not access, consider, disclose, or otherwise use a party's medical, psychological, and similar treatment records unless the University obtains the party's voluntary, written consent.

### *Burden of Proof*

The burden of gathering evidence and the burden of proof shall remain upon the University and not upon the parties. The grievance process shall use a clear and convincing evidence standard (i.e., it is highly or substantially likely that the allegations in the complaint are true) for all formal complaints under Title IX.

### *Timelines*

Any informal resolution process must be completed within thirty (30) calendar days following the parties' agreement to participate in such informal process.

An appeal of a determination of responsibility or of a decision dismissing a formal complaint must be received by the University within five (5) days of the date the determination of responsibility or dismissal was provided to the parties.

Any appeal of a determination of responsibility or of a dismissal will be decided within thirty (30) calendar days of the day the appeal was received by the University.

The University will seek to conclude the grievance process, including any appeal, within 120 calendar days of the date the formal complaint was received by the University.

Although the University strives to adhere to the timelines described above, in each case the University may extend the time frames for good cause. Good cause may include, without limitation: the complexity of the allegations; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening university holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances.

### *Potential Remedies and Disciplinary Sanctions*

The following is the range of possible remedies that the University may provide a complainant and disciplinary sanctions that the University might impose upon a respondent, following determination of responsibility: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, changes in work locations, leaves of absence, monitoring of certain areas of the university buildings or property, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge.

If the Decision-maker determines an employee-respondent is responsible for violating this policy, the Decision-maker will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Executive Vice President of the recommended remedies, such that an authorized administrator can consider the recommendation(s) and implement appropriate remedies.

If the Decision-maker determines a student-respondent is responsible for violating this policy, the Decision-maker will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Vice President for Student Development of the recommended remedies, such that an authorized administrator can consider the recommendation(s) and implement appropriate remedies.

### *Reporting Prohibited Conduct*

Any student who believes they have been the victim of unlawful sex discrimination or sexual harassment, or any person (including the parent of a student) with actual knowledge of conduct which may constitute unlawful sex discrimination or sexual harassment toward a student, should report the alleged acts as soon as possible to the Title IX Coordinator. Any employee of the University who has experienced, has actual knowledge of, or has witnessed unlawful sex discrimination, including sexual harassment, or who otherwise becomes aware of unlawful sex discrimination, including sexual harassment, must promptly report the allegations to the Title IX Coordinator without screening or investigating the report or allegations.

A report of unlawful sex discrimination or sexual harassment may be made at any time, including during non-business hours, and may be made in person, by mail, by telephone, or by email using the Title IX Coordinator's contact information or by filling out the form available online.

Sexual harassment may constitute both a violation of this policy and criminal law. To the extent the alleged conduct constitutes a crime, the University shall report the alleged conduct to law enforcement authorities. The University encourages complainants to report criminal behavior to the police immediately.

### *Initial Response and Assessment by the Title IX Coordinator*

When the Title IX Coordinator receives a report, the Title IX Coordinator shall promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

The University will offer supportive measures to the complainant regardless of whether the complainant decides to make a formal complaint. The University must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the University's ability to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

If the complainant does not wish to file a formal complaint, the allegations will not be investigated by the University unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the complainant's wishes is not clearly unreasonable in light of the known circumstances.

Upon receipt of a formal complaint, the University must provide written notice of the formal complaint to the known parties with sufficient time to prepare a response before any initial interview. This written notice must contain:

1. The allegations of sexual harassment, including sufficient details known at the time, the identities of the parties involved in the incident (if known), the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.
2. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process.
3. A statement explaining that the parties may have an advisor of their choice, who may be but need not be an attorney.
4. A statement that the parties may inspect, and review evidence gathered pursuant to this policy.
5. A listing of supportive measures available, enclosed in the notice both to the complainant and the respondent.
6. A statement informing the parties that the University prohibits knowingly making false statements or knowingly submitting false information.
7. A statement referring the parties to the "Retaliation Prohibited" section of this policy; and
8. A copy of this policy.

### *Status of Respondent during Pendency of Formal Complaint Emergency Removal of a Student*

The University may remove a student-respondent from campus residency or an education program or activity of the University on an emergency basis before a determination regarding responsibility is made if:

1. The University undertakes an individualized safety and risk analysis; and
2. The University determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal of the student-respondent.

a. If the University determines the student-respondent poses such a threat, it will so notify the student-respondent and the student-respondent will have an opportunity to challenge the decision immediately following the removal. In determining whether to impose emergency removal measures, the Title IX Coordinator shall consult related university policies.

#### *Employee Administrative Leave*

The University may place a non-student employee on administrative leave during the pendency of the grievance process of a formal complaint. Such leave will typically be paid leave unless circumstances justify unpaid leave in compliance with legal requirements. The University must take into consideration applicable requirements of Section 504 of the Rehabilitation Act of 1973

and the Americans with Disabilities Act prior to removing an individual with a qualifying disability.

#### *Informal Resolution of a Formal Complaint*

At any time prior to reaching a determination of responsibility, informal resolution may be offered and facilitated by the University at the University's discretion, but only after a formal complaint has been received by the University.

The University may not require as a condition of enrollment or continued enrollment, or of employment or continued employment, or enjoyment of any other right, the waiving of the right to a formal investigation and adjudication of formal complaints of sexual harassment.

The informal resolution process may not be used to resolve allegations that a university employee sexually harassed a student.

The University will not facilitate an informal resolution process without both parties' agreement and will obtain their voluntary, written consent. The University will provide to the parties a written notice disclosing the allegations; the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; the parties' right to withdraw from the informal resolution process; and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

At any time prior to agreeing to a resolution through the informal resolution process, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

#### *Dismissal of a Formal Complaint*

Under federal law, the University must dismiss a Title IX complaint, or a portion thereof, if the conduct alleged in a formal complaint or a portion thereof:

1. Would not meet the definition of sexual harassment, even if proven.
2. Did not occur in the University's education program or activity; or
3. Did not occur against a person in the United States.

*A complaint that would otherwise qualify under Title IX but for the conduct taking place outside the United States will be treated by the University under the same procedure and process of a Title IX complaint, although it would not technically be under the jurisdiction of Title IX.*

The University may, in its discretion, dismiss a formal complaint or allegations therein if:

1. The complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein.
2. The respondent is no longer enrolled or employed by the University; or
3. Specific circumstances prevent the University from gathering sufficient evidence to reach a determination.

The University shall provide written notice to both parties of a dismissal. The notice must include the reasons for the dismissal.

Dismissal of a formal complaint or a portion thereof does not preclude the University from addressing the underlying conduct in any manner that the University deems appropriate.

#### *Investigation of a Formal Complaint*

If a formal complaint is received by the University, the University will assign or designate an Investigator to investigate the allegations set forth in the formal complaint.

If during the course of the investigation the University decides to investigate any allegations about the complainant or respondent that were not included in the written notice of a formal complaint provided to the parties, the University must provide notice of the additional allegations to the known parties.

When a party's participation is invited or expected in an investigative interview, the Investigator will coordinate with the Title IX Coordinator to provide written notice to the party of the date, time, location, participants, and purposes of the investigative interview with sufficient time for the party to prepare.

During the investigation, the Investigator must provide the parties with an equal opportunity to present witnesses for interviews, including fact witnesses and expert witnesses, and other inculpatory and exculpatory evidence.

Prior to the completion of the investigative report, the Investigator, through the Title IX Coordinator, will provide the parties and their advisors (if any) with an equal opportunity to inspect and review any evidence directly related to the allegations. The evidence shall be provided in electronic format or hard copy and shall include all relevant evidence, evidence upon which the University does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence, whether obtained from a party or another source. The parties will have ten (10) days to submit a written response, which the Investigator will consider prior to completion of the investigative report. The Investigator will prepare a written investigative report that fairly summarizes the relevant evidence. The investigative report may include credibility determinations that are not based on a person's status as a complainant, respondent, or witness. The University will send the parties and their advisors (if requested) a copy of the report in electronic format or hard copy for their review and written response at least ten (10) days prior to a hearing scheduled by the University.

### *Determination Regarding Responsibility*

#### 1. Informal Resolution

Upon receipt of the final investigative report, the Decision-maker may opt to provide the parties with a proposed informal resolution. If both parties agree in writing to the proposed informal resolution, the grievance process ends. If either party does not agree to the proposed informal resolution, the matter will proceed to a hearing.

#### 2. Hearing

The purpose of the hearing is for the Decision-maker objectively to evaluate relevant evidence to determine whether or not the respondent is responsible for engaging in sexual harassment. If the Decision-maker determines that the respondent has committed sexual harassment, he or she is also responsible for determining appropriate sanctions.

##### a. Preparation for the Hearing

The Title IX Coordinator or a designee will arrange the administrative details for the hearing, including: (1) arranging a time and place for the hearing, (2) making the investigative report and evidence that is directly related to the allegations raised in the formal complaint available at the hearing so that both complainant and respondent will have equal opportunity to refer to such evidence during the hearing, and (3) arranging for a complainant or respondent who does not have an advisor to be appointed one.

The hearing will occur with the complainant and respondent located in separate rooms, if requested by either party, with technology enabling the Decision-maker, complainant, respondent, and any advisor(s) simultaneously to see and hear any party or witness answering questions.

##### b. Conduct of the Hearing

The Decision-maker is responsible for managing the conduct of the hearing and ensuring that procedures are followed. The Decision-maker facilitates all phases of the hearing and resolves all questions that arise during the hearing, including but not limited to procedural issues and issues regarding the propriety or relevance of specific questions, arguments and information presented. The Decision-maker will also seek to ensure an orderly and fair exchange of information during the hearing and may ask questions of any party or witness. If anyone attending the hearing acts without appropriate respect for decorum, including failure to comply with the Decision-maker's instructions, the Decision-maker may take appropriate action, including requiring that person to leave the hearing.

At the hearing both the complainant's advisor and the respondent's advisor will have the opportunity to ask the other party and any witness relevant questions and follow-up questions. Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a question, the Decision-maker will determine whether the question is relevant. If the Decision-maker excludes a question as not relevant, they will orally explain their decision to do so.

Questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant questions unless: (1) they are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or (2) they concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

If a complainant, respondent, or witness does not submit to cross-examination at the hearing, the Decision-maker will not rely on any statement of that party or witness in reaching a determination regarding responsibility, nor will the Decision-maker draw on inference about the determination regarding responsibility based solely on a party or witness's absence from the hearing or refusal to answer cross-examination or other questions.

An audio recording, audiovisual recording, or a transcription of the hearing will be made and provided to the complainant and respondent for review after the hearing.

### 3. Determination and Sanctions

Following the presentation of information at the hearing, the Decision-maker will determine whether the respondent engaged in sexual harassment. The Decision-maker will deliberate in private.

If the Decision-maker determines that the respondent engaged in sexual harassment, he or she will deliberate further to determine appropriate sanctions. The University may implement supportive measures at any time prior or subsequent to any finding of responsibility. However, disciplinary sanctions and remedies may only be implemented following a determination of responsibility. Such sanctions and remedies may range from a warning to expulsion or exclusion from the University to termination of employment. Other possible sanctions include required education or training, restrictions on participation in campus activities, change in work schedule or location, disciplinary probation, administrative leave, suspension with or without pay or with or without conditions for return, reassignment of duties, no-contact or limited-contact orders, chemical health assessments, restrictions on campus access, including housing or course enrollment, change of housing, and/or withdrawal or non-conferral of degree. Sanctions may be combined. In determining appropriate disciplinary sanctions, the Decision-maker should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incident occurred.

The Decision-maker must issue a written determination regarding responsibility that applies the clear and convincing standard to the facts and circumstances of the formal complaint. The written determination of responsibility must include the following:

1. Identification of the allegations potentially constituting sexual harassment.
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence.
3. Findings of fact supporting the determination.
4. Conclusions regarding the application of the University's code of conduct to the facts.
5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the University imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the University to the complainant; and
6. The University's procedures and permissible bases for the complainant and respondent to appeal and the date by which an appeal must be made.

The written determination of responsibility must be provided to the parties simultaneously.

The Title IX Coordinator is responsible for the effective implementation of any remedies.

The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

## *Appeals*

The University shall offer the parties an opportunity to appeal a determination regarding responsibility or the University's dismissal of a formal complaint or any allegations therein on the following bases:

1. A procedural irregularity that affected the outcome of the matter (e.g., a material deviation from established procedures).
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; and
3. The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

If notice of an appeal is timely received by the University, the University will notify the parties in writing of the receipt of the appeal, assign or designate the Appellate Decision-maker, and give the parties a reasonable, equal opportunity to submit a written statement in support of or challenging the outcome.

After reviewing the parties' written statements, the Appellate Decision-maker must issue a written decision describing the result of the appeal and the rationale for the result.

The written decision describing the result of the appeal must be provided simultaneously to the parties.

The decision of the Appellate Decision-maker is final. No further review beyond the appeal is permitted.

### *Retaliation Prohibited*

Neither the University nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitute retaliation. Retaliation against a person for making a report of sexual harassment, filing a formal complaint, or participating in an investigation constitutes a violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Any person may submit a report or formal complaint alleging retaliation in the manner described in this policy, and it will be addressed in the same manner as other complaints of sexual harassment or sex discrimination.

Charging an individual with violation of university policies for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

## *Training*

The University shall ensure that Title IX Personnel receive appropriate training. The training shall include instruction on:

1. The Title IX definition of sexual harassment.
2. The scope of the University's education program or activity.
3. How to investigate and grievance process, appeals, and informal resolution processes, as applicable.
4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
5. For Decision-makers, training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's prior sexual behavior are not relevant; and
6. For Investigators, training on issues of relevance, including the creation of an investigative report that fairly summarizes relevant evidence.

If the University chooses to appoint a third party to serve as Title IX Personnel for any case, that person is presumed to have been adequately trained and appointed for their expertise.

The training materials will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints.

Resources used to train Title IX Personnel shall be listed on the University's website.

## *Integrity of Mission*

The University qualifies as “an educational institution controlled by a religious organization” as specified in 34 C.F.R. § 106.12. No provision of this policy, or of Title IX of the Education Amendments of 1972 or its implementing regulations, shall be applied in a way that is inconsistent with the University’s beliefs, including, but not limited to those points specified in the University’s *Statement of Mission and Identity* and the teachings of the Catholic Church as set forth by the magisterium.

### *Dissemination of Policy*

This policy shall be made available to all students, parents/guardians of students, and employees.

The University shall conspicuously post the name of the Title IX Coordinator, including office address, telephone number, and Title IX email address on its website and in the student and employee handbooks.

Furthermore, in the same section of its website, referenced in student and employee handbooks, and on the applications for admission and employment, the University shall provide the following information to applicants for admission and employment, employees, students, and parents or legal guardians:

1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator.
2. Notice that the University does not discriminate on the basis of sex in the education program or activity that it operates and that it is required by Title IX not to discriminate in such a manner.
3. A statement that the requirement not to discriminate in the education program or activity extends to admission and employment and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the United States Department of Education, or both; and
4. Notice of the University’s grievance procedures and grievance process contained in this policy, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the University will respond.

### *Recordkeeping*

All records created and maintained pursuant to the Title IX Sex Nondiscrimination Policy, Grievance Procedure, and Process shall be retained indefinitely by the Title IX Office [in database, digital, and/or paper form] unless destruction or expungement is authorized by the Title IX Coordinator, who may act under his or her own discretion, in accordance with a duly executed and binding settlement of claim, and/or by court order.

## **Sexual Misconduct Policy**

The University has a Sexual Misconduct Policy in order to address any sexual misconduct that would fall outside the jurisdiction of Title IX by reason of mandatory dismissal. The policy is as follows:

### **Purpose**

Sexual misconduct is immoral and contrary to the Christian, Catholic, and Benedictine mission, and philosophy of the University. It is also often illegal. Students, faculty, staff, and administrators of the University shall comply with all applicable laws regarding sexual misconduct and with the procedures outlined in this policy.

### **Statement of Policy**

#### *Definitions*

For the purpose of this policy, sexual misconduct includes a range of behaviors used to obtain sexual contact against a person's will.

- Sexual misconduct includes all sex offenses prohibited under North Dakota or federal law.
- Sexual misconduct includes, but is not limited to, date rape, stranger rape, indecent exposure, and attempted sexual acts by use of verbal or non-verbal threats.
- Sexual misconduct includes sexual contact without consent by an acquaintance or a stranger and includes:
  1. intentional touching without consent, either of the victim or when the victim is forced to touch, directly or through clothing, another person's genitals, breast, groin, thighs, or buttocks.
  2. rape (sexual intercourse without consent, whether by an acquaintance or stranger).
  3. attempted rape.
  4. sodomy (oral or anal intercourse) without consent; or
  5. sexual penetration with an object without consent.

To constitute lack of consent, the act must be committed either:



1. by threat, force, or intimidation.
2. through the use of the victim's mental or physical inability, such as when the victim is physically or mentally incapacitated by alcohol or other drugs, or when the victim suffers from a mental state which renders him or her incapable of understanding the nature of the contact; or
3. when the victim is less than eighteen years of age.

#### *Distinction from Title IX:*

While the majority of conduct constituting a violation under this policy also falls under Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681), there are scenarios wherein conduct may not fall under the jurisdiction of Title IX. A member of the university community who has been a victim or witness to sexual misconduct under the jurisdiction of Title IX is encouraged to file a report in accord with the University's Title IX policy. Reports of sexual misconduct filed under this policy instead of Title IX will be evaluated by the University to determine if the misconduct falls under Title IX and will be addressed accordingly.

#### *What to Do If You Are Sexually Assaulted*

Go to a safe place. Call Campus Safety and Security, (701) 355-8000, or the Burleigh County Sheriff's Department, (701) 222-6651, or, in the case of an emergency, call 911, even if you do not want to press charges. You will be assisted in getting immediate and critical medical attention. Even if you choose not to contact authorities, you are encouraged to seek medical assistance.

Contact with the Abused Adult Resource Center at (701) 222-8370, or use their hot line, (866) 341-7009.

Consider talking with someone you trust – a relative, a Resident Assistant, a Residence Director, a good friend, a pastor – for the much-needed support you deserve.

Do not shower or douche. While at the hospital, you will be checked for physical injuries, and evidence will be collected in case you decide to press charges. Going to the hospital does not mean that you will need to press charges. You can decide that later.

Explore legal avenues for criminal and/or civil action as well as utilizing on-campus reporting procedures, including the University's disciplinary system.

Allow yourself time to heal. Seek counseling services from licensed mental health professionals through CHI St. Alexius Health by calling (701) 530-7195 or (800) 327-7195.

#### *Reporting*

Anyone who is the subject of sexual misconduct should promptly report such matters to one of the following university officials: the Director of Student Life, the Director of Human Resources, or the Assistant Vice President for Academic Affairs. Their contact information is:

##### **Director of Student Life**

**Benedictine Center, Room 1501**

**7500 University Drive**

**Bismarck, ND 58504**

**(701) 355-8126**

##### **Director of Human Resources**

**Benedictine Center, Room L210**

**7500 University Drive**

**Bismarck, ND 58504**

**(701) 355-8245**

##### **Christi Schaeftbauer, Title IX Coordinator**

**(vice president supervising human resources)**

**Benedictine Center for Servant Leadership, Room L403**

**7500 University Drive**

**Bismarck, ND 58504**

**(701) 355-3794**

**titleix@umary.edu**

All reports of sexual misconduct are treated with respect to the privacy of the involved individuals. Incidents are reported as statistics without identifying information in the University's annual security report and daily crime log. The University shall advise the victim of his or her legal right to pursue criminal charges against the perpetrators. The individual receiving the report shall advise the victim of his or her legal right to pursue criminal charges against the perpetrators.

### *Victim Assistance*

The following are guidelines for university officials responding to a report of sexual misconduct:

1. If a medical emergency exists, appropriate action will be taken.
2. The victim will be informed of his or her right to make a report to appropriate law enforcement officials. Victims should be advised that the University is willing to assist and support them in reporting the incident to law enforcement officials. It is acknowledged that a victim may be undecided in reporting the misconduct to law enforcement authorities. In any case, the victim should be informed of the importance of evidence and encouraged to not destroy evidence. At the direction of criminal investigators, the University will assist in obtaining, securing, and maintaining evidence.
3. Regardless of whether a victim wishes to seek law enforcement officials, he or she should be encouraged to seek medical consultation to address physical problems, fear of injury, and sexually transmitted disease. a. If a female victim of sexual assault believes or has reason to believe she may be pregnant, she is encouraged to reach out to the Women's Care Center by calling (701) 751-4575 or (877) 908-3241.
4. The University of Mary community actively supports sexual misconduct victims. Individuals who report being the victim of sexual misconduct will be notified of counseling and other services available. Employee assistance programs are also available for employees of the University.
5. A student who has been the victim of sexual misconduct will be notified of options to request changes in academic schedules and on-campus residence assignments to avoid further contact with the perpetrator or alleged perpetrator.

### *Investigation and Response*

All reports of sexual misconduct will be addressed according to the policies and procedures set forth in the University's Conduct Grievance Procedure or Title IX Sex Nondiscrimination Policy, Grievance Procedure, and Process.

### *Educational Programs*

The University conducts several programs to prevent sexual misconduct and to make the university community aware of the potential for such crimes.

Residence Life staff provides the programming on this issue, and campus-wide programs are available through Student Development and as part of new student orientation. Additionally, Residence Life staff and the Student Health Clinic periodically provide educational programs concerning sexual misconduct awareness.

### **Legal Sanctions Regarding Drugs and Alcohol**

University of Mary Campus Safety and Security along with Local Law Enforcement Department enforces all federal and state laws and local ordinances. The Drug and Alcohol Policy defines substances as alcohol of any form, controlled or illegal drugs or substances (including hallucinogens, barbiturates, depressants, stimulants, cannabinoids, opioids, club drugs, dissociative drugs and any other compounds or drugs whose use, possession, or transfer is restricted or prohibited by law), any substance that influences a person in a way that jeopardizes the safety of person or other persons or hinders the person's ability or any other person's ability to perform work responsibilities The University falls within federal and state Drug-Free School Zone laws.

Violations of drug and alcohol laws will be reported under the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act as well as Michigan law.

By federal law, students convicted of drug offenses committed while receiving Title IV federal financial aid may be ineligible for aid for one or more years from the date of conviction. For additional information, visit the Financial Assistance website.

**State** - Please be advised that this is not intended to be an all-inclusive list and is subject to change. Relevant and up to date information can be found at:

[www.legis.nd.gov/general-information/north-dakota-century-code](http://www.legis.nd.gov/general-information/north-dakota-century-code)

**Federal** Please be advised that this is not intended to be an all-inclusive list and is subject to change. Relevant and up-to-date information can be found at

[www.usa.gov/laws-and-regulations](http://www.usa.gov/laws-and-regulations)

**Local** -Burleigh County ordinances include but are not limited to consumption in public places, possession and use of alcohol by minors, uncapped liquor in passenger compartments of vehicles, and all substance abuse ordinances. Sanctions could range from a civil infraction with attached fines to probation, rehabilitation, or even imprisonment.

University of Mary will impose sanctions on students and employees for violation of University's policies and standards of conduct (consistent with federal, state, and local laws) up to and including reprimands, expulsion, termination, and referral for prosecution.

### **Sexual Offender Registration Law:**

#### **Registered sex offenders in the State of North Dakota:**

The North Dakota Sex Offenders Registration Act requires the registration and change of address for persons convicted of certain sexual offenses or who are under the supervision of the North Dakota Department of Corrections for these offenses, including juveniles. Addresses must be registered with local law enforcement. It also requires sex offenders to provide information to local law enforcement if the offender is working, volunteering, or attending an institution of higher learning. Through the 1996 "Megan's Law," certain information gathered by the State of North Dakota sex offender registration program can be disclosed. The Public Sex Offender Registry is available on the internet in compliance with the Campus Sex Crimes Prevention Act of 2000 (CSCPA), the location where information on where registered sex offenders may be obtained at: <http://www.sexoffender.nd.gov/>

### **How to be an Active Bystander:**

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it."

1. Bystander Intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situation of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

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

### **Bystander Intervention:**

Bystanders are people who witness or see a specific action or event, and choose to intervene, speak up, or do something to stop the act.

#### **Who are Bystanders?**

You are a potential bystander. Everyone is a potential bystander. This includes your friends, your classmates, and your family.

#### **What is Bystander Intervention?**

Bystander intervention, or being an active bystander, is part of being a member of the University of Mary family.

We all have an important role in preventing bullying, sexual violence, and harassment when we are confronted with problematic situations. Being an active bystander can include:

- Speaking out against statements, attitudes, or behaviors that may perpetuate a culture of endorsing violence as acceptable or inevitable
- Naming and stopping situations that could lead to sexual assault.
- Stepping in during high-risk incidents, whether by disruption, distraction, speaking up, or calling for help so others can step in.
- Supporting and believing others when they feel uncomfortable or hurt.
- Helping others respond to problematic situations.

**We all have a responsibility to interrupt violence-condoning attitudes on our campus. Research shows that bystander intervention is a promising practice to help prevent the National Public Health problem of sexual assault and harassment on college campuses**

#### **Effective Bystander**

“Individuals’ who observe violence or witness the conditions that perpetuate violence.” This includes jokes, conversation, media, or an actual potential assault. Although they may not be directly involved in the situation, they choose to intervene, speak up, or do something to stop an act sexual harassment or sexual violence.

#### **Tips for Intervening**

- Approach everyone as a friend.
- Do not be antagonistic.
- Avoid using violence
- Be honest and direct whenever possible
- Recruit help if necessary.
- Keep yourself safe.
- If things get out of hand or become too serious, contact Law Enforcement

University of Mary has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students, participating in and presenting information and materials during new employee orientation.

**Education and Prevention Programs:** The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, alcohol, drug abuse and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

1. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct.
2. Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking.
3. Defines what behavior and actions constitute consent to sexual activity in the State of North Dakota and using the definition of consent found in the Student Code of Conduct and the purposes of that definition: Consent as noted in the Title IX Policy is affirmative, conscious, voluntary, and revocable. Consent to sexual activity requires of all persons involved an affirmative, conscious, and voluntary agreement to engage in sexual activity.
4. Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.
5. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
6. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.
  - a. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in "Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs" elsewhere in this document)
  - b. how the institution will protect the confidentiality of victims and other necessary parties (as described in "Assistance for Victims: Rights and Options" elsewhere in this document).
  - c. existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in "Assistance for Victims: Rights and Options" elsewhere in this document); and
  - d. options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in "Assistance for Victims: Rights and Options" elsewhere in this document).
  - e. procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in "Adjudication of Violations" elsewhere in this document).

#### **Public Safety Flyers & Pamphlets**

The Department of Campus Safety and Security produces pamphlets and brochures about safety, security, and crime prevention that can be obtained at the main office. Informational safety materials are passed out the first week of the fall and winter semesters at Campus Safety and Security table located in the Benedictine Center lower-level Room #209.

#### **Campus Personal Safety Escort Program:**

If, at any time of the day or night, you feel unsafe, the Campus Safety and Security personal safety escort program provide a safe, reliable way to travel throughout the campus, by calling (701)355-8000 anytime day or night.

The University of Mary Campus Safety and Security Department will escort service is available 24 hours a day, seven days a week on the main campus.

#### **Camera Surveillance:**

University of Mary has digital surveillance cameras located throughout the main campus, areas. These cameras are monitored in the Campus Safety and Security office to assist in maintaining a safe and secure campus environment.

### **Additional Security Policies & Information:**

Public Safety is responsible for ensuring that all University of Mary property and facilities, including satellite locations, are safe and secured when the college is closed after business hours, holidays, inclement weather, or other events.

University of Mary's campus and satellite locations are open to students, parents employees, contractors, guests, and invitees. During non-business hours access to all University's facilities are by key, if issued. All other admittance of faculty, staff and certain tenants can be obtained through the Department of Physical Plant. Access by students during non-business hours is not permitted. In the case of periods of extended closing University will admit only those with prior written approval. Physical Plant along with Campus Safety and Security Department maintains the right to decline a request for building access when conditions are deemed unsafe

Campus Safety and Security is on duty 24/7. Providing patrol throughout the campus. Locking all buildings at night and reopen in the morning. Resident Halls are always locked and require card access. Prospective students are notified of the availability of the report in the university's primary admission publication and on the prospective student section of the university webpage. Prospective employees are notified of the availability of the report in the form of an electronic link on the university's webpage where job openings are listed. Students enrolled in the University of Mary Worldwide program who attend classes at the Butler Center, Physical Therapy on Rosser or on the main campus are provided with the information on how to access the report during their orientation session. Prospective students are notified of the availability of the report in admission materials and via the University of Mary Worldwide webpage. Materials for teaching Faculty for the University of Mary Worldwide program are available at the Butler Center, the Physical Therapy Center or on the main campus. New employees are provided materials when they are hired. University of Mary has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students, participating in and presenting information and materials during new employee orientation.

### **TYPES OF ORDERS IN THE STATE OF NORTH DAKOTA**

TYPE OF ORDER	WHO CAN FILE FOR ONE	COURT	BASED ON
Domestic Violence Protection Order May be issued for one month, one year, or indefinitely	Family or household members including: -Spouse or former spouse -Parent -Child -Other family member -Person related by blood or marriage -A person you are dating -A person who is living with you or has lived with you before -Your child's other parent, even if you were never married or lived together -Any other person with a "sufficient relationship" to the abusing person as determined by the court	The ND District Court where the victim lives, where the abuser lives, or where the incident(s) occurred. In Bismarck, that is District Court located in the Burleigh County Courthouse at 514 East Thayer Ave Bismarck ND District Courts can be found at: <a href="http://nd.court.gov/court/districts.htm">nd.court.gov/court/districts.htm</a>	Actual or imminent domestic violence. This includes physical harm, bodily injury, sexual activity compelled by physical force, assault, or the infliction of fear of imminent physical harm, bodily injury, sexual activity compelled by force, or assault, not committed in self-defense, on the complaining family or household members.
Disorderly Conduct Restraining Order May be issued up to two years	Anyone who is a victim of disorderly conduct can file for a disorderly conduct restraining order. You do not need to have a specific relationship with the abuser. It may be a neighbor, acquaintance, intimate partner, family member, etc.	The ND District Court where the victim lives, where the abuser lives, or where the incident(s) occurred. In Bismarck, District Court located in the Burleigh County Courthouse at, 514 East Thayer Ave Bismarck ND has is the Central District Court located in the Burleigh County. <a href="http://nd.court.gov/court/districts.htm">nd.court.gov/court/districts.htm</a>	The order offers protection for someone who is the victim of disorderly conduct, which is defined as intrusive or unwanted acts, words, or gestures that are intended to adversely affect the safety, security, or privacy of another person. Disorderly conduct does not include constitutionally protected activity.



Order Prohibiting Contact May be issued up to one year	The victim of a crime of violence or threat of violence, stalking, harassment, or a sex offense, if an individual who is charged with or arrested for the crime is released from custody before arraignment or trial.	The court authorizing the release of the individual may issue, if there is an outstanding restraining or protection order prohibiting the individual from having contact with the victim, an order prohibiting contact with the victim.	Court discretion.
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The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or respondent. If the University receives a report that such an institutional no contact order has been violated, the University will initiate disciplinary proceedings appropriate to the status of the respondent (student, employee, etc. and will impose sanctions if the respondent is found responsible for violating the no contact order.

## RESOURCES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING

### Emergency Management Resources

#### Emergency Contacts:

##### Main Campus

From any Campus Phone or Cell Phone	911
Campus Safety and Security	701-355-8000
Burleigh County Sheriff's Department	701-222-6651
Bismarck Rural Fire Department	701-258-5792
Bismarck Police Department	701- 223-1212

• Abused Adult Resource Center	701-222-8370
• Bismarck Police Non- Emergency	701-2231212
• Bismarck Rural Fire non- emergency	701-258-5792
• Burleigh County Sheriff's non- emergency	701-222-6651
• CHI St. Alexius Emergency	701-530-7001
• Crime Stoppers	701-224-8477
• CHI/ St. Alexius Counseling Service	701-530-7195
• National Suicide Prevention Lifeline	1-800-273-8255
• <b>National Weather Service</b>	<b>701-223-3700</b>
• ND Emergency Assistance, State Radio	1-800-773-3259
• ND Highway Patrol	701-328-9921
• National Poison Control	1-800-222-1212
• Bismarck- Burleigh Health Department	701-355-1540
• <b>Rape Crisis</b>	<b>701-222-8370</b>
• Sanford Emergency	701-323-6150
• Student Health Clinic	701-355-8288
• <b>Suicide/ Crisis Prevention Center</b>	<b>701-328-8888</b>

#### Contact Information for University of Mary Locations:

##### Billings Campus:

<b>Emergency</b>	<b>911</b>
<b>University Campus Safety and Security</b>	<b>701-355-8000</b>
Billings Police Department-	1-406-657-8200
Billings Clinic Hospital -	1-406-238-2500
Billings Fire Department	1-406-657-8423

##### Bismarck Butler Center Campus:

<b>Emergency from any Campus Phone or Cell Phone</b>	<b>911</b>
<b>Campus Safety and Security</b>	<b>701-355-8000</b>
Burleigh County Sheriff's Department	701-222-6651

Bismarck Rural Fire Department	701-258-5792
Bismarck Police Department	701-223-1212

**Fargo Butler Center Campus:**

<b>Emergency from any Campus Phone or Cell Phone</b>	<b>911</b>
<b>University Campus Safety and Security</b>	<b>701-355-8000</b>
Fargo Police Department	701-235-4493
Fargo Fire Department	701-241-1540

**Watford City Campus:**

<b>Emergency</b>	<b>911</b>
<b>University Campus Safety and Security</b>	<b>701-355-8000</b>
Watford City Police Department	701-842-2280
Watford City Fire Department	701-444-2934

**Grand Forks Air Force Base Campus:**

<b>Emergency</b>	<b>911</b>
<b>University Campus Safety and Security</b>	<b>701-355-8000</b>
Grand Forks Police Department	701-787-8000
Grand Forks Fire Department	701-746-2563

**Bismarck Physical Therapy Campus:**

<b>Emergency from any Campus Phone or Cell Phone</b>	<b>911</b>
<b>Campus Safety and Security</b>	<b>701-355-8000</b>
Burleigh County Sheriff's Department	701-222-6651
Bismarck Rural Fire Department	701-258-5792
Bismarck Police Department	701-223-1212

**Fort Riley 211 Custer Ave Room #110 Fort Riley, Kansas**

<b>Emergency from any Campus Phone or Cell Phone</b>	<b>911</b>
<b>University Campus Safety and Security</b>	<b>701-355-8000</b>
Fort Riley Police Department	1-785-239-6767
Fort Riley Fire Department	1-785-239-4257

**Tempe Arizona Campus:**

<b>Emergency from any Campus Phone or Cell Phone</b>	<b>911</b>
<b>Campus Safety and Security</b>	<b>701-355-8000</b>
Tempe Police Department	480-35-8311
Tempe Fire Department	480-858-7200

**Rome Campus:**

<b>Emergency from any Campus Phone or Cell Phone</b>	<b>911</b>
<b>Campus Safety and Security</b>	<b>701-355-8000</b>

Rome Police department

The main police station, or Questura Centrale, is located at Piazza del Collegio Romano 3 (off Via del Corso). The telephone number is 06 4686.

Director, Michael Lombardo-	342-715-6866
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**Front Street Campus:**

<b>Emergency from any Campus Phone or Cell Phone</b>	<b>911</b>
<b>Campus Safety and Security</b>	<b>701-355-8000</b>
Burleigh County Sheriff's Department	701-222-6651
Bismarck Rural Fire Department	701-258-5792
Bismarck Police Department	701-223-1212

## **Fire and Life Safety Information Higher Education Opportunity Act of 2008:**

On August 14, 2008, President George W. Bush signed the Higher Education Opportunity Act of 2008. This law requires any institution maintaining on-campus student housing to issue an annual fire safety report. The report is to include statistics regarding the number and causes of fires, number of fire injuries and deaths and value of property damage. It must also include information on each on-campus student housing fire safety system, the number of regular mandatory fire drills, fire safety policies, education programs, and plans for any needed fire safety improvements.

The University developed this report to comply with this act and to better inform the University of Mary community - students, prospective students, parents, faculty, and staff - on how fires affect the University's residential facilities. It includes all of the required information on fires, preventative actions, campus guidelines, and training that is conducted to reduce the likelihood and impact of campus fires.

In the case of fire/emergency, all inquiries from the media shall be referred to the Marketing and Community Relations.

**Fire Incident Report:** All fires (active or extinguished) and false alarms must be reported to the Campus Safety and Security at 701-355-8000. Campus Safety and Security, Burleigh County Sheriff's Department, and Bismarck Rural Fire Department will be dispatched; The Fire Department will assure that everything has been properly extinguished; The Campus Safety officer on duty will contact the Residence Life Coordinator immediately following a fire alarm; Reports are completed and returned by the responding staff member and submitted to the Residence Life Coordinator within 24 hours of the incident.

**Fire Drills:** Fire Drills are conducted in University residence halls twice per year. The first drill is scheduled early in the fall semester and the second drill is conducted during the spring semester. All fire drills are unannounced.

**Fire Training:** All Resident Life Professional Staff and Resident Assistants (RA's) are provided with training at the beginning of the academic year that will enable them to prevent, escape, report or handle any fire emergency within the residence halls. This training is provided by the Bismarck Rural Fire Department.

Training consists of fire alarm systems, evacuation procedures, extinguisher locations, types of extinguishers, classes of fires and hands on experience with portable extinguishers. Training is conducted by Residence Life. Residence Life covers procedures/policies on the following:

Required fire drills for residence halls and off campus housing.

Hall staff responsibilities.

- Individual student responsibilities.
- Sanctions for not evacuating.
- Steps for reporting a fire.
- Fire extinguisher use.
- Fire incident reporting.
- Fire safety.
- Fire alarm and sprinkler policies.
- Fire evacuation assembly areas.

**Specific Emergency Procedures:** Fire: Know the location of the nearest fire extinguishers, fire exits, and alarm system pulls in your area and how to use them. In the event of a fire, here are the steps to follow:

- Attempt to extinguish the fire with an extinguisher
- An employee or student discovering a fire, or other emergency necessitating a general alarm, they shall activate the fire or necessary alarm and call Campus Safety. If the fire is severe and threatening, dial 911 and give appropriate information
- Everyone must leave the building immediately, in an orderly fashion, by the closest possible exit. Exit from emergency stairwells where indicated. Do not use elevators
  - The first person to reach any exit door should touch it to determine if it is hot. If the door feels hot, direct evacuating persons to an alternate exit route
- In smoke areas, stay low (out of highest concentration of smoke)
- Maintain a single file and keep to the right on stairways so that persons entering the stairwell from lower floors can merge safely into the line and 51 emergency response personnel can use the opposite side

- Once outside report to the designated assembly area or move far away from the building. Do not obstruct the exit doors at street level. Clear the area
- Remain in the assigned assembly area until instructed by the appropriate authority to return to the building or to move to a safer location.
- Do not re-enter the building until the Bismarck Rural Fire Department or Campus Safety and Security give an “All Clear” signal
- Obey the directions of Campus Safety and Security Officers

Should you become trapped inside a building during a fire and a window is available, place an article of clothing (shirt, a coat, etc.) outside the window as a marker for rescue crews. If the space has no window, stay near the floor where the air will be less toxic. Shout at regular intervals to alert emergency crews of your location, DO NOT PANIC!

**Accidents and Thefts:** All accidents, thefts or offenses that occur on campus must be reported to the Coordinator of Campus Safety and Security located in the lower level of the Benedictine Center room 209. Keep records of all serial numbers of valuables. Mark your vehicle accessories so that they can be identified. Write your name in all textbooks. Do not leave valuables in plain sight in your vehicle. Always keep your vehicle locked.

If you are a witness or victim of an accident or theft that happened on campus, you should use your good judgement about the need to call for emergency personnel (911) but must contact the Coordinator of Campus Safety and Security to report the incident. The University has no responsibility for personal vehicles but will assist in the exchange of driver information and the investigation of an accident. If you are involved in an accident off campus in a University vehicle, follow normal vehicle accident procedures. Exchange information for police reports. Insurance information is located in the glove box of each vehicle. If the accident is of a serious nature and injuries are involved or the University vehicle is disabled, contact the Executive Vice President if students are involved, Vice President of Student Affairs.

**Maintenance Emergency:** Any maintenance emergency or any spillage of hazardous chemical or gas leak should be reported immediately to the Physical Plant by calling (701) 355-8310 during business hours. After hours, contact the emergency number (701) 355—8310 press 9.

Examples of a maintenance emergency:

- Power (electrical) outages, electrical problems
- Water leaks, ruptured water lines
- Chemical Spills
- Gas leaks
- Sewage problems

Warning! Never touch live wires. Do not attempt to rescue a person experiencing electrical shock. Shut off the power where applicable.

**Gas Leaks:** Natural gas leaks, with an odor in the building, may occur and may bring danger of an explosion. Natural gas rises and will often be outside because most gas lines are outside of a building. Natural gas is mixed with Tertiary Butyl Mercaptan to give it an odor. The gas goes up and the odor goes down.

**If an odor is detected in a building, do the following:**

- Call 911
- Evacuate the building immediately, following the local building evacuation plan. Get students a safe distance up wind, at least 300 feet from the building.
  - Do not return to an evacuated building unless told to do so by a University or law enforcement official Do not touch any lighting and/or electrical switches.

**Bomb Threats or Potential Explosive Device:** In the event of a threatening call, do not panic and do not hang up the phone. Try to keep the caller talking and attempt to gather as much information as possible. Attempt to learn the following:

Remain calm. Call 911 and Campus Safety and Security at (701) 355-8000 for assistance. Do NOT evacuate the building unless directed to do so by emergency/law enforcement officials.

**No phone calls are permitted to be made on the phone that received the bomb threat. If there is a**

**bomb threat is received by phone, ask:**

- Where is the bomb located?
- When is the bomb going to explode?
- What kind of bomb is it?
  - What does it look like?
  - Why did you place the bomb and where are you calling from?

**Write down the following information:**

- Time and date of the call.
- Exact words the caller used.
- Speech pattern, accent, background noises, etc.

• **If a suspicious package is discovered:**

- Call 911 and Campus Safety and Security at (701) 355-8000 immediately for assistance.
- Do NOT attempt to touch or move the suspicious package.
- Evacuate the immediate area surrounding the suspicious package.

Notify someone nearby that you are talking to a threatening individual and have that person call the Campus Safety and Security and then immediately call 911.

Stay on campus! You will be the first person the police will want to interview. The Campus Safety and Security should be notified and they, along with police, will determine what action to be taken. The Emergency Command Center will be the Benedictine Center. If the threat is in Benedictine Center, the command center will be in the Lumen Vitae Center.

**Suspicious Mail or Packages: If you see or are holding a suspicious piece of mail or a package:**

- Do not open it
- Call 911. Do not use a cell phone as it can trigger an explosive device
- Give the dispatcher the description and location of the package and where you are
- Follow the instructions by the dispatcher or the police
- Do not shake any of the suspicious mail or package
- Do not carry the mail or package, show it to others or allow others to examine it
- Gently set the item down on a solid surface or on the floor. If there is powder or liquid, try to set the item down in a container, for example, a trash can
- Alert others in the area about the suspicious envelope or package. Leave the immediate area
- Wash hands with soap and water to prevent spreading potentially infectious material to face, skin, or others
- Evacuate the building if told to do so by emergency response officials

**If an emergency exists,** activate the manual pull station building alarm system and call 911. When the building alarm is sounded, an emergency exists. Walk quickly to the nearest marked exit and alert others to do the same. When reporting, be specific about the nature of the involved material and exact location. Emergency 911 Personnel will contact the necessary specialized authorities. The instructor or supervisor should supervise the evacuation of the affected area at once and seal it off to prevent further contamination of other areas until the arrival of the emergency personnel. Anyone who may be contaminated by the spill is to avoid contact with others as much as possible, remain in the vicinity and give their names to the emergency personnel. Required first aid and clean up by specialized authorities should be started at once.

Assist the disabled in exiting the building. Do not use elevators, instead use the stairs in case of a fire. Do not panic or cause others to panic. Once outside, move to a clear area, upwind, if possible, at least 300 feet away from the affected building(s). Keep streets, fire lanes, hydrants and walkways clear for emergency vehicles and crews.

Do not return to an evacuated building unless told to do so by a University of law enforcement official.

**Natural gas leaks**, with an odor in the building, may occur and may bring danger of an explosion. Natural gas rises and will often be outside because most gas lines are outside of a building. Natural gas is mixed with Tertiary Butyl Mercaptan to give it an odor. The gas goes up and the odor goes down.

If an odor is detected in a building, do the following:

- Call 911
- Evacuate the building immediately, following the local building evacuation plan. Get students a safe distance up wind, at least 300 feet from the building. Do not return to an evacuated building unless told to do so by a University or law enforcement official
- Do not touch any lighting and/or electrical switches

**Campus Evacuation:** The Task Team in consultation with the President and the appropriate authorities will determine if an evacuation is necessary. The Office Campus Safety and Security will notify the campus via the campus emergency text message system, e-mail alerts and the University of Mary Web page that a controlled evacuation will begin as outlined by the Task Team. At the time of the evacuation, all students, faculty, and staff will exit the building/campus (if instructed to do so) in a safe and orderly manner. There will be only one class at a time from each floor released in order to reduce traffic congestion. At the time of the release, students will be directed to a Task Team designated safe place. Stay calm and don't panic.

#### **Building Evacuation and Re-Entry**

- Activate the fire alarm system in your building. Go to designated evacuation area for your building
- Look around your area (quickly) and take note of anything out of the ordinary. Take nothing with you except personal items such as purse, coat, car keys or briefcase
- As you leave the building at the nearest exit, take note of anything unusual in the hallways/stairs
- Remain in the designated area of your building until you are notified by a University or law enforcement official to return.

**Fire Exit Drills and Facilities Evaluation:** Each hall has an evacuation plan that is specific for that hall and location. Upon completion of each fire drill, a written evaluation will be prepared by the Director of Campus Safety or designee. The fire drill evaluation will address:

1. Evacuation time and efficiency
2. Student, faculty, and staff safety
3. Response time from Bismarck Rural Fire Department and Campus Safety and Security
4. Effectiveness of evacuation procedures, training, routes and exits
5. Procedural deficiencies
6. Recommendations for improvement in procedures
7. Recommendations for alterations in the facility

**Evacuation Procedures:** In the event that an emergency situation requires the complete evacuation of the floor or building, the following procedures will apply to all departments, employees, students, and visitors: • Attempt to extinguish the fire with an extinguisher.

- An employee or student discovering a fire, or other emergency necessitating a general alarm, they shall activate the fire or necessary alarm and call Campus Safety and Security. If the fire is severe and threatening, dial 911 and give appropriate information.
- Everyone must leave the building immediately, in an orderly fashion, by the closest possible exit. Exit from emergency stairwells where indicated. Do not use elevators.
- The first person to reach any exit door should touch it to determine if it is hot. If the door feels hot, direct evacuating persons to an alternate exit route.
- In smoke areas, stay low (out of highest concentration of smoke).
- Maintain a single file and keep to the right on stairways so that persons entering the stairwell from lower floors can merge safely into the line and emergency response personnel can use the opposite side.
- Once outside report to the designated assembly area or move far away from the building. Do not obstruct the exit doors



at street level. Clear the area.

- Remain in the assigned assembly area until instructed by the appropriate authority to return to the building or to move to a safer location.
- Do not re-enter the building until the Bismarck Rural Fire Department or Campus Safety and Security give an “All Clear” signal.
- Obey the directions of Campus Safety and Security Officers.

Should you become trapped inside of a building during a fire and a window is available, place an article of clothing outside the window as a marker for rescue crews. If the space has no window, stay near the floor where the air will be less toxic. Shout at regular intervals to alert emergency crews for your location. DO NOT PANIC!

#### **Steps for Reporting an Extinguished Fire:**

1. If you have already extinguished a fire, you must still contact the Director of Housing, Coordinator of Campus Safety and Security and/or the Dean of Students
2. They will come and get a statement from you regarding the fire and may take pictures of any damage
3. They will report this fire in the Daily Crime Log and the annual statistics.

#### **Steps for Reporting an Active Fire**

1. Activate the fire alarm/pull station
  2. Evacuate the building
  3. Call Campus Safety and Security and/or 911 and provide your name, your building, location of fire and nature of the fire. The Bismarck Rural Fire Department will be dispatched to the location
  4. Inform officials of any students unable to evacuate
  5. Go to your evacuation area so Residence Life staff will know you evacuated
  6. Wait for further instructions from emergency personnel or Residence Life staff
- Fire Extinguisher Use** At no time should you risk your own safety by attempting to extinguish a fire or to return to a burning building. Be familiar with the location and proper methods for using the extinguishers in your building. Check all fire extinguishers periodically and report any problems. Fire extinguishers are located throughout the residence halls. Fire Safety Students and employees should be thoroughly familiar with your building, the fire lanes around your building, fire safety equipment, and emergency procedures. Your attitude and knowledge towards fire safety helps create a safety-conscious student body. Each residence hall is equipped with a range of fire and safety equipment. The University takes fire safety seriously and has established fire safety programs for students living in campus residence halls. A door can be the first line of defense against the spread of smoke or fire from one area to another. Some doors, such as fire doors in corridors or stairwells of residence halls, are designed to stand up to fire longer than those of an individual room. It is important that these doors are closed for them to work. Additionally, if a door has a device that automatically closes the door, it should NOT be propped open. Sprinklers are 98% effective in preventing the spread of fire when operating properly. DO NOT obstruct the sprinkler heads with materials like clothing hanging from the piping. Smoke detectors cannot do their job if they are disabled or covered by the occupant, which is a violation of university policy. Smoking is NOT PERMITTED in any University of Mary building or premises. Fire evacuation plans have been developed for each residence hall and copies of these plans can be found in the hallways.

#### **Student Responsibilities**

- Wear shoes and clothes appropriate for weather
- Close all windows/doors and exit quietly and orderly
- Leave through the pre-assigned exit or alternate and report to the determined evacuation area

**Reviewers of the policy** Reviewers of this policy include Campus Safety and Security, Director of Residence Life, Physical Plant Manager, and Bismarck Fire Marshall.

**Plans for Improvement to Fire Safety** The University does not have any planned improvements in fire safety at this time. Plans for Improvement to Fire Safety The University will update systems as necessary we newly built buildings and improvements in others.

With an increase in new cooking appliances and devices, this list is not all-inclusive. Please use the above as

guidelines. If you approved cooking appliances and electrical devices must have self-contained, thermostatically controlled heating units and be equipped with automatic shut off. Appliances must not have frayed cords, bent prongs, or be plugged into multiple (octopus) outlets. It is required that students use a UL approved power strip with its own fuse or circuit breakers. It will protect sensitive electronic equipment from damage due to power outages or surges.

### **Fire Safety:**

University of Mary strives to maintain a safe environment that is free from potential fire hazards. The fire safety policy enjoins the entire University community to cooperate with our fire protection programs which are designed to save lives and protect property. The Campus Safety and Security officers increase campus fire safety awareness of both students and employees by conducting periodic training on essential fire safety elements. Both fire safety officers, public safety officers and resident life staff conduct frequent fire safety inspections in several University buildings. They are trained to recognize hazardous conditions and take appropriate action before such conditions result in a fire emergency. All fires (active or extinguished) and false alarms must be reported to the Campus Safety and Security at 701-355-8000. Campus Safety and the Burleigh County Sheriff's Department and Rural Fire Department will be dispatched; The Fire Department will assure that everything has been properly extinguished; The Campus Safety and Security officer on duty will contact the Residence Life Coordinator immediately following a fire alarm; Reports are completed and returned by the responding staff member and submitted to the Residence Life Coordinator within 24 hours of the incident.

Fire Safety Students and employees should be thoroughly familiar with your building, the fire lanes around your building, fire safety equipment, and emergency procedures. Your attitude and knowledge towards fire safety helps create a safety-conscious student body. Each residence hall is equipped with a range of fire and safety equipment. The University takes fire safety seriously and has established fire safety programs for students living in campus residence halls. A door can be the first line of defense against the spread of smoke or fire from one area to another. Some doors, such as fire doors in corridors or stairwells of residence halls, are designed to stand up to fire longer than those of an individual room. It is important that these doors are closed for them to work. Additionally, if a door has a device that automatically closes the door, it should NOT be propped open. Sprinklers are 98% effective in preventing the spread of fire when operating properly. DO NOT obstruct the sprinkler heads with materials like clothing hanging from the piping. Smoke detectors cannot do their job if they are disabled or covered by the occupant, which is a violation of university policy. Smoking is NOT PERMITTED in any University of Mary building or premises. Fire evacuation plans have been developed for each residence hall and copies of these plans can be found in the hallways.

In the event you hear a fire alarm, call 911 and then Campus Safety and Security. Direct students to the nearest safe exit and immediately evacuate the building. If needed, help the evacuation of individuals needing assistance. Staff should also assist with escorting students to a designated safe rally point.

After a fire evacuation, assemble with your students at least 50 feet from the building and take attendance. If someone is missing, immediately report the missing person to the nearest Fire Department or University Campus Safety and Security.

### **Fire Alarm and Sprinkler Policies:**

False fire alarms or tampering with fire alarms or sprinkler equipment is an offense under the state of North Dakota criminal law. It shall be unlawful for any person or persons to wantonly and willfully give or cause to be given, or to advise, counsel, or aid and abet anyone in giving a false alarm of fire, or to break the glass key protector, or to pull the side arm, or lever of any station or signal box of any fire station, or willfully, misuse or damage a portable fire extinguisher or in any way to willfully interfere with, damage, deface, molest, or injure any part or portion of any fire alarm, fire detection, smoke detection, or fire extinguishing system. Any person violating this statute or any of the provisions of this section shall be guilty of a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500), imprisonment for not more than six months, or both and is punishable under University of Mary policy. Students should take special precautions to avoid tampering with, molesting, or accidentally activating the building sprinkler or smoke detection system. For example, sprinkler heads should not be used as a way to hang items in the room. Students may be held liable for damages that occur in rooms/common areas and may be cited by the Bismarck Rural Fire Department.

**People with Disabilities:**

At the beginning of each semester, the Disability Services Office shall provide the Campus Safety Division a comprehensive list of all disabled students and the type of disability to enable the department plan for eventual evacuation. Faculty, staff, and students are encouraged to communicate to Campus Safety and Security or Fire Officials, as they exit, the location of any disabled person within the building.

Disabled persons are to be evacuated by the stairwells with the assistance of Campus Safety or Bismarck Rural Fire Department. Generally, wheelchairs should not be carried down the stairs. A person who, for reasons of personal health or safety, may not be removed from his or her wheelchair must so inform the fire or police officials. Evacuation chairs, if available, should be brought to assist the non-ambulatory.

**Notes:** We urge members of the University community to use this report as a guide for safe practices on and off-campus. The Campus Safety Department sends an e-mail to every enrolled student and current employee on an annual basis to notify that the report is available to be viewed.

The e-mail includes a brief summary of the contents of this report and the web address for the Campus Safety and Security website and where the Annual Security and Fire Safety Report can be found at: <https://www.umary.edu/> a copy of the report will be mailed to anyone requesting a copy. Anyone may obtain a copy in Student Development or the Campus Safety and Security Department.

Details of the University's Main Campus fire calls can be found on the following page.

## University of Mary Main Campus Fire Calls:

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
311 - Medical assist, assist EMS crew	7	30.43%
321 - EMS call, excluding vehicle accident with injury	3	13.04%
445 - Arcing, shorted electrical equipment	1	4.35%
735 - Alarm system sounded due to malfunction	4	17.39%
743 - Smoke detector activation, no fire - unintentional	2	8.7%
744 - Detector activation, no fire - unintentional	1	4.35%
745 - Alarm system activation, no fire - unintentional	5	21.74%
<b>TOTAL INCIDENTS:</b>	<b>23</b>	<b>100%</b>

### Fire statistics for on-campus student housing facilities:

	Fires			Deaths related to fire			Injuries related to fire			Property damage			Fire Drills conducted		
	2018	2019	2020	2017	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Boniface Hall	0	0	0	0	0	0	0	0	0	0	0	0	2	2	1
Boyle Hall	0	0	0	0	0	0	0	0	0	0	0	0	2	2	1
Deichert Hall	0	0	0	0	0	0	0	0	0	0	0	0	2	2	1
Greg Butler Hall	0	0	0	0	0	0	0	0	0	0	0	0	2	2	1
Hillside Hall	0	0	0	0	0	0	0	0	0	0	0	0	2	2	1
North Hall	0	0	0	0	0	0	0	0	0	0	0	0	2	2	1
Boniface West	0	0	0	0	0	0	0	0	0	0	0	0	2	2	1
Saint Joseph's Hall	0	0	0	0	0	0	0	0	0	0	0	0	2	2	1
Roers Hall	0	0	0	0	0	0	0	0	0	0	0	0	2	2	1
Saint Scholastica Hall	0	0	0	0	0	0	0	0	0	0	0	0	2	2	1
Subiaco Apartments	0	0	0	0	0	0	0	0	0	0	0	0	2	2	1
Monte Casino Apartments	0	0	0	0	0	0	0	0	0	0	0	0	2	2	1
Rome Campus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0