

ST. CLOUD TECHNICAL & COMMUNITY COLLEGE



A member of Minnesota State



Annual Security Report

October 2023
For calendar year 2022

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Report Introduction

St. Cloud Technical & Community College (SCTCC) is a regional treasure located in the heart of Central Minnesota. Founded in 1948 as the second technical college in the state, SCTCC has committed to meeting the needs of our community through its 90+ programs of study that closely match the types of jobs available in the area.

St. Cloud Technical & Community College is one of the 37 members of [Minnesota State](#) and is accredited by the [Higher Learning Commission](#).

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

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

The Department of Safety & Security is recognized as the primary campus department responsible for providing security services for students, faculty, staff and campus visitors. The department is comprised of fulltime Director and a Campus Security Officer.

St. Cloud Technical & Community College (SCTCC) is committed to providing a safe work and learning environment for employees, students and visitors. To help maintain that commitment of safety, SCTCC has a Memorandum of Understanding (MOU) with the St. Cloud Police Department to provide investigatory and training services on campus.

St. Cloud Technical & Community College Safety & Security Department provide services on during the hours of 8:00a.m. – 6:30p.m. M-Th and 8:00a.m. – 4:00p.m. on Fridays. Security can be reached at **320-308-5700**. Security Officers provide numerous services on our campus such as vehicle and foot patrols and campus escorts. Campus Security Officers are **NOT** licensed police officers and do not possess the power of arrest as defined by Minnesota State Statute but have been granted the authority by the Institution's President to enforce institution policy, which is not inconsistent with federal, state or local law, and to make citizens arrests when necessary.

The St. Cloud Police Department provides fully licensed police protection to St. Cloud Technical & Community College. The Department of Safety & Security has developed a working relationship with the St. Cloud Police Department that allows for immediate response to all crimes, emergencies, or requests for service generated by the campus.

Campus Security Authorities

The St. Cloud Technical & Community College Department of Safety & Security compiles all required information and statistics for this report. Statistics are collected using incident reports and from other reporting authorities including, but not limited to, local law enforcement agencies and officials of St. Cloud Technical & Community College who have significant responsibility for student and campus activities. These college/university officials, known as Campus Security Authorities, include individuals in departments such as:

Group 1 CSAs (Those with campus security and disciplinary responsibilities)			
Office	Location	Phone	Comments/Hrs
Campus Security Officer	1-404	320-308-5174	
SCTCC Director of Safety & Security/Deputy Title IX Coordinator	2-407	320-308-6158	

Group 2 CSAs (Others responsible for security including students and employees)			
Office	Location	Phone	Comments/Hrs
Director of Facilities	1-404G	320-308-6012	Helps in Director of Security's absence
Building Maintenance Supervisor	MR-105	320-308-1542	
VP for Finance and Administration	1-404B	320-308-5026	

Group 3 CSAs (Those with significant responsibility for student and campus activities or disciplinary or judicial proceedings)			
Office	Location	Phone	Comments/Hrs
President	1-327	320-308-5017	
Administrative Assistant to the President	1-327	320-308-5017	

Director of Campus Life	DC-B024	320-308-5922	
VP of Student Affairs & Title IX Coordinator	1-401E	320-308-5580	
Administrative Assistant to VP of Student Affairs	1-401	320-308-5090	
VP of Human Resources	1-403	320-308-3227	
VP of Academic Affairs & Institutional Effectiveness	1-327	320-308-5382	
VP for Cultural Fluency, Equity & Inclusion	2-482	320-308-5998	
Dean of Business, IT & Online Learning	1-323	320-308-5538	
Dean of Health Sciences & Nursing	HSB 127B	320-308-5156	
Dean of Liberal Arts & Sciences	1-260	320-308-5565	
Dean of Skilled Trades & Industries	1-341	320-308-5353	
Director of Nursing	HSB 126C	320-308-6639	
Student Support Manager	1-401C	320-308-5096	
Accommodations Specialist	1-452	320-308-5757	
Accessibility Services Coordinator	1-454	320-308-5064	
Director of Accessibility & Academic Support Services/Conduct Coordinator	1-112	320-308-5920	
Director of Advising & Career Services	1-401	320-308-6021	

Director, Trio Support Services	1-131	320-308-5070	
TRIO Academic Advisor/Student Club Advisor	1-252	320-308-0977	
Recruitment & Outreach Specialist/PSEO	1-401G	320-308-6022	
Director of K-12 Initiatives	1-401H	320-308-5908	
Director of Recruitment & Admissions	1-401D	320-308-5087	
Recruitment & Outreach Specialist	1-401	320-308-5927	
Recruitment & Outreach Specialist	1-401	320-308-0979	
Recruitment & Outreach Specialist	1-401N	320-308-5406	
Registrar	1-401L	320-308-1595	
Career Center Coordinator	1-448	320-308-5486	
Financial Aid Director	1-401K	320-308-5936	
Financial Aid Assistant Director	1-401M	320-308-5959	
Director of Athletics	DC-B023	320-308-5009	
Head Baseball Coach	DC-B018	320-308-2199	
Assistant Baseball Coach X 3	DC-B018	320-308-2199	
Head Men's Basketball Coach	DC-B017	320-308-5315	
Assistant Men's Basketball Coach	DC-B017	320-308-5315	
Head Women's Basketball Coach	DC-B019	320-308-5419	
Assistant Women's Basketball Coach	DC-B019	320-308-5419	
Head Softball Coach	DC-B016	320-308-5917	

Assistant Softball Coach	DC-B016	320-308-5917	
Head Volleyball Coach	DC-B022	320-308-4803	
Assistant Volleyball Coach	DC-B022	320-308-4803	

It is the policy of St. Cloud Technical & Community College that all CSA's report all criminal activity to the St. Cloud Police Department by reporting incidents directly to their office or to the Department of Safety & Security. All crimes or potential crimes that are reported to the campus Department of Safety & Security will be forwarded to the St. Cloud Police Department. It is also St. Cloud Technical and Community College's position that all campus community members are responsible for reporting any criminal activity they become aware of to the Department of Safety & Security at 320-308-5700 or by visiting the security desk located inside 1-404, or the St. Cloud Police Department at 320-345-4444 or (emergency 911).

St. Cloud Technical & Community College urges all campus entities that are excluded from mandatory reporting, such as professional mental health counselors and pastoral counselors, to advise clients who are victims of crime to report those incidents to campus or local law enforcement authorities, and to report confidential information used strictly for statistical purposes to the Department of Safety & Security.

St. Cloud Technical & Community College publishes the Annual Security Report each year by October 1. The report is distributed to all potential students on the college online application and prospective employees on job postings via direct link to the report. All current students, faculty and staff are sent an email that briefly describes the report and also contains the exact Internet address where it can be found. The report can be viewed online at www.sctcc.edu/crime-log. Printed copies of the report are available, at no cost, upon request from the Director of Safety & Security located in 2-407, or Human Resources located in Northway 1-403.

Geography

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

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

Campus: The term “campus” means 1) any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and 2) property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

Residential Facilities: St. Cloud Technical & Community College is a two year school that does NOT have residential facilities.

Campus property includes:



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

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

St. Cloud Technical & Community College public property includes adjacent streets, parking lots, sidewalks, stairwells.

Types of Crimes required Under the Clery Act, – (See Appendix 1 for definitions)

Criminal homicide:

 Murder and non-negligent manslaughter

 Negligent Manslaughter

Sex Offenses:

 Rape

 Fondling

 Incest

 Statutory rape

Robbery

Aggravated assault

Burglary

Motor vehicle theft

Arson

Arrests and referrals for disciplinary actions, including:

 Arrests for liquor law violations, drug law violations, and illegal weapons possession.

 Persons who were referred to campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.

Hate crimes, including:

 The number of the following crimes that are determined to be hate crimes:

 Larceny-theft

 Simple assault

 Intimidation

 Destruction/damage/vandalism of property

For each hate crime recorded an institution must identify the category of bias that motivated the crime. For the purposes of this, the categories of bias include the victim’s actual or perceived:

 Race

 Gender

 Gender identity

 Religion

Sexual orientation
 Ethnicity
 National origin
 Disability

Dating violence
 Domestic violence
 Stalking

Statistics

Offense (Reported By Hierarchy)	Year	On Campus	Non- Campus	Public Property	Total	Residential Facilities
Murder/Non Negligent Manslaughter	2022	0	0	0	0	
	2021	0	0	0	0	
	2020	0	0	0	0	
Negligent Manslaughter	2022	0	0	0	0	
	2021	0	0	0	0	
	2020	0	0	0	0	
Sex Offenses, Rape						
	2022	0	0	0	0	
	2021	0	0	0	0	
	2020	0	0	0	0	

Sex Offenses, Fondling	2022	0	0	0	0	
	2021	0	0	0	0	
	2020	0	0	0	0	
Sex Offenses, Incest	2022	0	0	0	0	
	2021	0	0	0	0	
	2020	0	0	0	0	
Sex Offenses, Statutory Rape	2022	0	0	0	0	
	2021	0	0	0	0	
	2020	0	0	0	0	
Robbery	2022	0	0	0	0	
	2021	0	0	0	0	
	2020	0	0	0	0	

Aggravated Assault	2022	0	0	0	0	
	2021	1	0	0	1	
	2020	0	0	0	0	
Burglary	2022	0	0	0	0	
	2021	0	0	0	0	
	2020	1	0	0	1	
Motor Vehicle Theft	2022	0	0	0	0	
	2021	0	0	0	0	
	2020	0	0	0	0	

Liquor Law Arrests	2022	0	0	0	0	
	2021	0	0	0	0	
	2020	0	0	0	0	
Drug Law Arrests	2022	0	0	0	0	
	2021	0	1	1	2	
	2020	0	0	0	0	
Weapons Law Arrests	2022	0	0	0	0	
	2021	0	0	0	0	
	2020	0	0	0	0	
Liquor Law Violations Referred for Disciplinary Action	2022	0	0	0	0	
	2021	0	0	0	0	
	2020	0	0	0	0	
Drug law Violations Referred for Disciplinary Action	2022	0	0	0	0	
	2021	0	0	0	0	
	2020	0	0	0	0	
Arson	2022	0	0	0	0	
	2021	0	0	0	0	
	2020	0	0	0	0	

Domestic Violence	2022	0	0	0	0	
	2021	0	0	0	0	
	2020	0	0	0	0	
Dating Violence	2022	0	0	0	0	
	2021	0	0	0	0	
	2020	0	0	0	0	
Stalking	2022	0	0	0	0	
	2021	0	0	0	0	
	2020	0	0	0	0	

Bias Motivated Crimes

Year	Crime	Bias Motivation	Location
2022	0	0	0
2021	0	0	0
2020	0	0	0

Unfounded Crimes: There were 0 unfounded crimes in 2020, 0 unfounded crimes in 2021 and 0 unfounded crimes in 2022.

Emergency Response and Timely Warning

St. Cloud Technical & Community College is required by policy and fire code to have an evacuation and emergency operations plans in place. Evacuation plans and emergency procedures can be found posted in each classroom, or online at [emergency procedure](#). St. Cloud Technical & Community College also has a current Emergency Operations Plan based on the all-hazards concept, incorporating the National Incident Management System and coordinated with the system office and local emergency response agencies. This plan is used to respond to any level of emergency impacting St. Cloud Technical & Community College and

outlines the responsibilities and actions necessary to protect life, property and the environment. Some of the processes and procedures are included in this report.

In case of the need to evacuate your building, please exit the building through the closest marked exit.

Evacuation maps are posted in each classroom that show you the nearest evacuation route.

Emergency Response: St. Cloud Technical & Community College will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students, faculty or staff occurring on campus. St. Cloud Technical & Community College has numerous systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat. These methods of communication include but are not limited to:

Active messaging: St. Cloud Technical & Community College has the ability to address the campus through a public address system that covers some interior campus offices, classrooms and public spaces.

Passive messaging: St. Cloud Technical & Community College will provide emergency information via the main web page. The administration will use campus wide mass email to disseminate emergency notifications to students, faculty and staff. Twitter and Facebook social media will also be used to disseminate emergency notification either individually or through the Star Alert system.

Individual messaging: St. Cloud Technical & Community College utilizes an emergency notification system branded Star Alert, provided by Blackboard Connect, which disseminates emergency notification through SMS text, direct phone calls and email, at the selection of the recipient. This is an opt out system.

Upon enrollment or hiring students/faculty/staff are automatically enrolled in the system using the Star ID to associate them with St. Cloud Technical & Community College. Students, faculty and staff are sent an automatic email, activating their account and encouraging them to enter additional phone and/or cell numbers, email addresses and selecting other deliver options for receiving emergency notifications. The emergency notification system is updated daily.

To opt in to additional services: Please visit <http://www.sctcc.edu/star-alert> and follow the onscreen directions. You will be able to log in to your account and add additional contact information and methods you wish to receive emergency notifications. Email messages are sent throughout the academic year reminding students, staff, and faculty about our Star Alert system and encouraging them to sign up

Students, faculty and staff have the option of permanently opting out of Star Alert should they choose. For additional information on access, issues concerning individual accounts or other questions contact: IT Help Desk (320) 308-6445.

St. Cloud Technical & Community College, upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees occurring on campus:

1. A St. Cloud Technical & Community College official will verify that a legitimate emergency or dangerous situation exists, even if all of the pertinent details are not known or are available at the time.
2. St. Cloud Technical & Community College officials, in coordination with and at the advice of local first responders, will determine the appropriate segment(s) of the campus community to receive notification.
3. St. Cloud Technical & Community College will, without delay, and taking into account the safety of the community, determine the content of the notification, unless issuing a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Upon receiving confirmation of an emergency situation, the Director of Safety & Security will initiate the communication through the emergency notification system. The Chief Information Officer serves as the backup to send out messages in the absence of the Director of Safety & Security.

The following persons or organization(s) are responsible for emergency notification dissemination:

Position	Department
Director of Safety & Security	Safety & Security
VP for Administration	Business Office
College Chief Information Officer	IT
VP for Student Affairs	Student Affairs
VP for Academic Affairs	Academic Affairs
Marketing Specialist	Marketing & Communications

St. Cloud Technical & Community College after ensuring that local first responders are notified, will activate the active messaging system to provide emergency notification to the campus community. An immediate Star Alert containing pertinent emergency notification and information will be disseminated. Other passive and individual messaging will provide redundant and detailed emergency information as soon as reasonably possible. St. Cloud Technical & Community College will provide follow-up information to the community as needed.

St. Cloud Technical & Community College will test the emergency response and evacuation procedures annually in accordance with this policy and applicable state and federal regulations. Tests may be announced or unannounced and emergency response and evacuation procedures will be publicized in conjunction with at least one test per calendar year. Results of each test will be documented and include a description of the exercise, the date, time, and whether it was announced or unannounced. This information will be maintained by the Director of Safety & Security. Records for all Clery related requirements are maintained for seven years and available upon request.

Timely Warning: St. Cloud Technical & Community College will issue a timely warning for all Clery Act crimes reported to Campus Security Authorities or local police agencies and considered by St. Cloud Technical & Community College officials to represent a serious or continuing threat to students, faculty and staff. Timely warning will not be limited to violent crimes or crimes against persons, and may include crimes against property or other types of serious or continuing threats. Timely Warning Notices will withhold the name of victims as confidential.

Issuance of a Timely Warning is determined on a case-by-case basis. Factors included are the nature of the crime or threat, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts. St. Cloud Technical & Community College will consult with local law enforcement and other officials when determining the need and content of any Timely Warning.

The intent of a Timely Warning is to enable the campus community to protect themselves and will include all information that would promote safety and aid in the prevention of similar crimes or protection from specific threats. Timely Warnings will be disseminated using the Star Alert email feature, campus email system, or any other passive or individual method of notification to students, faculty and staff.

Campus Security Policies

Any St. Cloud Technical & Community College student, faculty or staff member should call 911 from campus phone or 911 from a cell phone to report an emergency or crime.

Crimes can also be reported directly to the Department of Safety & Security at 320-308-5700 or directly to the Director of Safety & Security at 320-308-6158. Please notify those listed above anytime 911 services are requested (fire, law enforcement, medical) on campus.

Safety & Security Hours of Operation

Academic Year/Summer Hours

Campus Security Officer

Monday through Thursday: 10am-6:30pm

Friday: 8:30am-5pm

Safety & Security Director

Monday through Friday: 8am-4:30pm

Saturday/Sunday: No coverage

All criminal activity occurring on campus should be reported immediately to St. Cloud Technical & Community College Department of Safety & Security or a Campus Security Authority listed on pages 4-7 above, in person or by telephone. If the victim chooses, an additional report can be filed with the appropriate local law enforcement agency. St. Cloud Technical & Community College Department of Safety & Security or others listed above can assist the complainant in completing reports. Internal reports may be shared with other departments on campus as necessary to complete an investigation and/ or to ensure the safety of the campus community. The Department of Safety & Security or others listed above will assist Police Department(s) with investigations as required. Depending on many factors St. Cloud Technical & Community College may or may not hold reports of crime in confidence and may be required by law to release information based on the events or nature of the crime. Whenever possible St. Cloud Technical & Community College will attempt to protect the identity of crime victims.

St. Cloud Technical & Community College offers a "Silent Witness" program on the safety/security page for victims and/or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual security report. St. Cloud Technical & Community College officials will share information as necessary to appropriately address a situation, but will make efforts to maintain confidentiality. **Absolute confidentiality of reports made to St. Cloud Technical & Community College officials cannot be promised.**

St. Cloud Technical & Community College is committed to eliminating sexual violence in all forms including rape and sexual assault. SCTCC will take appropriate remedial action against any individual found responsible for acts in violation with the College's *Sexual Violence Policy S1.3*.

To improve communication, SCTCC has implemented a new campus-wide reporting solution. It provides a direct line of communication across our entire campus for reporting sexual violence. To report an incident online, please visit *SCTCC Title IX Online Report* .

Incidents are instantly reported to the Deputy Title IX Coordinator of SCTCC so the appropriate departments can take immediate action and handle sexual violence issues as they arise. Multiple ways of reporting are available. **In case of an emergency, call 911.**

St. Cloud Technical & Community College is not required to report statistics for crimes reported to a pastoral or professional counselor. Pastoral and professional counselors, if and when they deem appropriate, are encouraged to inform the persons they are counseling, of any procedures to report crimes on a voluntary, confidential basis for including in the annual disclosure of crime statistics.

St. Cloud Technical & Community College security personnel and officials ARE NOT certified or sworn peace officers and do not possess law enforcement (arrest) authority. St. Cloud Technical & Community College personnel may utilize private person arrest authority pursuant to Minnesota State Statute 629.37 when appropriate.

St. Cloud Technical & Community College works closely with the St. Cloud Police Department, Stearns County Sheriff's Department, State Patrol, Bureau of Criminal Apprehension, and other state and federal law enforcement agencies as required. SCTCC currently has a memorandum of understanding (MOU) with the St. Cloud Police Department which addresses mutual assistance with incidents of sexual assault, sexual violence, domestic violence, stalking, collection of crime statistics, emergency notification and crime alerts, and training. SCTCC and SCPD will meet annually to discuss matters related to the MOU.

St. Cloud Technical & Community College encourages students, faculty and staff to accurately and promptly report all crimes to one of the above listed agencies and offices when the victim of a crime elects to, or is unable to make, such a report.

St. Cloud Technical & Community College continuously reviews the physical security infrastructure to ensure appropriate steps are taken to maintain and enhance the Safety & Security of the campus. Landscaping and lighting are checked continuously by facilities staff, security staff, and the outdoor facilities committee and discrepancies are addressed in a timely

fashion depending on severity and priority of corrections needed. The campus works closely and routinely with the system Emergency Preparedness and Security Specialist and the Facilities department to evaluate campus physical security and vulnerability, programming resources to address any potential threats, vulnerabilities, or contingencies.

The campus and all facilities are open during the following hours:

Building	Monday - Friday	Saturday	Sunday	Campus Holiday
Northway Building	6:00am-9:00pm	Closed	Closed	Closed
Heartland Building	8:00am-6:00pm M-Th 8:00am-4:30pm F	Closed	Closed	Closed
Administrative Building and Customized Training	7:00am-5:00pm	Determined on class schedule	Determined on class schedule	Closed
Health Science Building	6:00am-9:00pm	Determined on class schedule	Determined on class schedule	Closed

***Hours may be adjusted for emergencies and/or special circumstances**

Campus facilities, offices, classrooms and other spaces use a combination of keyless entry, keys issued to authorized personnel only, and manually operated locks. Typically, security and maintenance opens and/or grants access, and secures all facility access points after hours.

St. Cloud Technical & Community College provides the following programs at the frequency noted, to inform students, faculty and staff about campus security procedures and practices:

Program	Frequency/Dates	Audience
Safety Escort Service	During Security Hours	All
Fire Drill	Annually (Fire Prevention Week)	All
Evacuation Drill	Annually	All
Natural Disaster Drill	Annually (Severe Weather Awareness Week)	All

Personal Safety Responsibility

St. Cloud Technical & Community College Safety & Security are available to assist you in protecting yourself by providing regular foot and vehicle patrols. Additionally, SCTCC publishes and distributes security and safety related materials throughout campus. You can protect yourself by being aware of your surroundings and taking appropriate precautions to avoid being the victim of a crime. Call for an escort!

Cyclone Spin

Cyclone spin is a weekly newsletter put out by SCTCC marketing and communications department. The newsletter provides the campus with details about what is going on around campus. The Department of Safety & Security will periodically put personal safety tips in the newsletter, along with highlights of the resources the department provides the campus community.

Division Meetings and Student Group Meetings

The Department of Safety & Security is available to conduct department specific or student specific Safety & Security trainings upon request. Please contact the Director of Safety & Security at 320-308-6158 to request such training.

St. Cloud Technical & Community College encourages students, faculty and staff to be responsible for their own security and the security of others by following the tips provided:

Protect your room or apartment:

- Lock your door – even if you are only going out for a short time. It only takes 8 seconds to walk into an open room and steal your valuables.
- Always lock your door and windows when you are asleep. You are also encouraged to lock your door and windows when you are awake.
- Do not prop open locked exterior building doors. These doors are locked for your protection and protection of other residents.
- Never open exterior doors of the building for strangers or non-residents. Always escort your guests to and from the main entrance doors.
- Do not loan your keys or Student ID card swipe to anyone – even a classmate or friend. They may not be careful with them and may misplace them, giving the wrong person access.
- Do not put your name or address on key rings as they may be used to steal your property if found by the wrong person.
- Smoke detectors are provided in each housing unit for your safety. **AT NO TIME SHOULD THEY BE DISCONNECTED OR REMOVED** (or a fee may be imposed).

Protect your property:

- Personal property (purses, backpacks, calculators, cell phones, etc.) should never be left unattended. Take such items with you if you are leaving the office, classroom, or your residence.
- Take valuables home with you during vacations and school breaks.
- Park your bike where you can keep an eye on it if possible. Always lock your bike.

Protect your automobile:

- Always lock your car doors and never leave your keys or valuable items such as cameras, wallets, etc. in plain sight or on the seats in the vehicle.
- Try to park your car in a well-lit area.

Protect yourself at night:

- Avoid walking alone at night.
 - Refrain from taking shortcuts; walk where there is plenty of light and traffic. ☒ Call for an escort in advance
- Protect yourself walking and jogging:**
- Avoid walking and jogging alone after dark. If you must travel alone at night, call for someone to escort you to your on-campus destination.
 - Walk along well-lit routes.
 - Be alert to your surroundings. If you suspect you are being followed, run in a different direction, go to the other side of the street and yell for help, or head quickly for a lighted area or a group of people.
 - Have your keys ready when returning to your residence or apartment, and keep your personal or valuable items concealed and close to your body.

Help us protect you:

- Watch for suspicious persons in and around college buildings and in parking lots. Do not pursue them. Call 911 first and then
 1. Suspicious activity:
 - i If you see any suspicious activity or people on or near campus, call law enforcement. Do not assume that what you observe is an innocent activity or that it has already been reported.
 - ii Do not assume the person is a visitor or college staff member that you have not seen before.
 2. Suspicious people may be:
 - (a) Loitering about at unusual hours and locations; running, especially if something of value is being carried.
 - (b) Exhibiting unusual mental or physical symptoms. Person(s) could be under the influence of drugs or otherwise needing medical or psychiatric assistance.
 - (c) Carrying property that might be suspicious, depending on the circumstances, going from room to room trying door handles.
- Report all thefts and property loss immediately to Public Safety at 320-308-3333.
- Be security conscious at all times.

Daily Crime Log

St. Cloud Technical & Community College has a Department of Safety & Security, and therefore maintains a written daily crime log. The crime log records by date the crime was reported, any crime that occurred within the institutions designated Clery geography and that is reported to the Department of Safety & Security. The crime log discloses specific information about criminal incidents, not crime statistics. The information in the crime log contains the nature, date, time and general location of each crime and disposition of the complaint, if known. The log has a more specific location focus than the statistical disclosure and designed to disclose crime information on a more timely basis. St. Cloud Technical & Community College MUST make an entry or an addition to an entry to the log within two business days of the report of the information to the Department of Safety & Security, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.

The institution may withhold information required if there is clear and convincing information that the release of the information would:

- 1) Jeopardize an ongoing criminal investigation or the safety of an individual,
- 2) Cause a suspect to flee or evade detection, or
- 3) Result in the destruction of evidence.

St. Cloud Technical & Community College may disclose any information withheld once the adverse effect described above is no longer likely to occur. The institution can withhold only that information that would cause the adverse effect.

The Department of Safety & Security makes the crime log for the most recent 60-day period open to public inspection during normal business hours. St. Cloud Technical & Community College must also make any portion of the crime log, older than 60 days available within two business days or a request for inspection. Such a request can be made to the Director of Safety & Security by calling 320-308-6158.

Sexual Assault and Related Offenses

St. Cloud Technical & Community College does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Sexual violence includes a continuum of conduct that includes sexual assault, non-forcible sex acts, dating and relationship violence, stalking, as well as aiding acts of sexual violence. Sexual assault and related offenses are governed and adjudicated under Minnesota State Board Policy 1B.3 Sexual Violence Policy, the Violence Against Women Act as amended and the Clery Act as amended. As a result, St. Cloud Technical &

Community College issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a St. Cloud Technical & Community College official. In this context, St. Cloud Technical & Community College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the College community.

For a complete copy of Minnesota State Board Policy 1B.3 Sexual Violence Policy, visit

<http://www.minnstate.edu/board/policy/1b03.html> . For a complete copy of St. Cloud Technical & Community College's policy governing sexual misconduct, visit https://www.sctcc.edu/sites/default/files/policies/S1_3_Sexual_Violence_Policy.pdf .

Definitions: The following definitions apply:

Affirmative Consent: Consent is informed, freely given, and mutually understood willingness to participate in sexual activity that is expressed by clear, unambiguous, and affirmative words or actions. It is the responsibility of the person who wants to engage in sexual activity to ensure that the other person has consented to engage in the sexual activity. Consent must be present throughout the entire sexual activity and can be revoked at any time. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. A lack of protest, absence of resistance, or silence alone does not constitute consent, and past consent to sexual activities does not imply ongoing future consent. The existence of a dating relationship between the people involved or the existence of a past sexual relationship does not prove the presence of, or otherwise provide the basis for, an assumption of consent. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

Sexual Assault: an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. An actual, attempted, or threatened sexual act with another person without that person's consent. Sexual assault is often a criminal act that can be prosecuted under Minnesota law, as well as form the basis for

discipline under Minnesota State student conduct codes and employee disciplinary standards. Sexual assault includes but is not limited to:

1. Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as "date rape" or "acquaintance rape." This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.
2. Involvement in any sexual act when the victim is unable to give consent.
3. Intentional and unwelcome touching, or coercing, forcing, or attempting to coerce or force another to touch a person's intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast).
4. Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

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

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

Domestic Violence: The term "domestic violence" means felony or misdemeanor crimes of violence committed—

1. By a current or former spouse or intimate partner of the victim;
2. By a person with whom the victim shares a child in common;
3. By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
4. 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

5. 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.

Dating Violence: The term "dating violence" means violence committed by a person – who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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

1. Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
2. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
3. Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

St. Cloud Technical & Community College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking. St. Cloud Technical & Community College has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students and participating in and presenting information and materials during new employee orientation. Primary prevention and awareness programs are culturally relevant, inclusive of diverse

communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome. Environmental risk and protective factors are considered as they occur on the individual, relationship, institutional, community and societal levels.

Name of Program	Date Held	Location Held	Prohibited Behavior Covered
Workplace Violence: Managing Anger to Prevent Violence (MN State) (E260000PPD_wumbmapv_vod)	Continuous, offered annually	ELM, online for state employees	Workplace violence with emphasis on managing anger behavior to prevent violence in work areas
Violence: Workplace Violence: The Myths and The Mysteries (MN State) (E260000PPD_wumbwvmm_vod)	Continuous, offered annually	ELM, online for state employees	Workplace violence, FAQs and facts relating to incidents
Sexual Harassment Prevention training for Minnesota State (MN State) (E260000CLR0007)	Continuous, offered annually	ELM , online for state employees	Sexual Harassment prevention training
MnSCU 1B.3 Sexual Violence Investigator Training (E260000CLR0001)	Continuous, resident courses offered annually	Systems Office	Sexual Assault, Sexual Violence training
Prohibition of Sexual Harassment Policy Review and Acknowledgement (G10ETDHR1392)	Continuous, offered annually	ELM , online for state employees	Sexual Harassment Policy and provisions for conduct
Micro-aggression	Classroom or zoom	All Campuses	Interpersonal communication
Life Matters, Cycle of Life My lifematters.com	Counselors on demand; continuous, open for suicide awareness	Referral 24/7;	Stress, Family difficulties, depression/anxiety, chemical dependency, crisis situations
Employee Code of Conduct	Once for all New Employees;	ELM & Online (D2L)	Alcohol & Drug use, harassment violations, improper conduct
Personal empowerment through Self Awareness	Once for all New Employees	Online (D2L)	Personal violence such as sexual assault, rape, dating & relationship violence

Coming Storm	Optional training	Online (D2L)	FBI school violence video
Awareness 360	Optional training	Online (D2L)	Personal security and enhancing your Security Awareness/vigilance
Respect in the Workplace	Required annually for all staff	ELM	Respectful workplace training for Minnesota State employees
Understanding Racial Oppression and Systemic Change	Required annually for all staff	ELM	Understanding Racial Oppression and Systemic Change

Procedures for Reporting a Complaint: St. Cloud Technical & Community College has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working protective measures, if reasonably available. St. Cloud Technical & Community College will make such protective measures, if the complainant requests them and if they are reasonably available, regardless of whether the complainant chooses to report the crime to the St. Cloud Technical & Community College Department of Safety & Security or local law enforcement. Students and employees should contact the Director of Safety & Security/Deputy Title IX Coordinator at (320) 308-6158 or Title IX Coordinator at (320) 308-5580.

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

St. Cloud Hospital Emergency Trauma Center 320-255-5656

In Minnesota, evidence may be collected even if you chose not to make a report to law enforcement. Evidence collected during a medical forensic exam will only be tested if a report is made to law enforcement. Under Minnesota law, the county in which the sexual assault or rape occurred is responsible for the cost of collecting evidence during your medical forensic examination. The county must pay regardless of whether or not you report to law enforcement. After your medical forensic examination has been performed, the county may be reimbursed from your insurance with your permission. Counties must obtain your approval prior to billing your insurance. Whether or not the county uses your insurance is your choice. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in

proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to St. Cloud Technical & Community College investigators or police. Although St. Cloud Technical & Community College strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. St. Cloud Technical & Community College will assist any victim with notifying local police if they so desire.

The St. Cloud Police Department may also be reached directly by calling (320-345-4444), or in person at 101 11th Ave N, St Cloud, MN 56303

Additional information about the St. Cloud Police Department may be found online at:

<http://ci.stcloud.mn.us/694/Police> .

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator or Deputy Title IX Coordinator

Title IX Coordinator

Andrew Pflipsen
Northway 1-401
Andrew.pflipsen@sctcc.edu
(320)308-5580

Deputy Title IX Coordinator

Carol Brewer
Northway 2-407
Carol.brewer@sctcc.edu
(320)308-6158

Reports can be made in person, by email, by telephone or by contacting the St. Cloud Technical & Community College Department of Safety & Security at (320)308-5700, if the victim so desires. St. Cloud Technical & Community College will provide resources, on campus, off campus or both, to include medical or mental health, to persons who have

been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy.

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

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with St. Cloud Technical & Community College Department of Safety & Security (if applicable) or other law enforcement to preserve evidence if the victim changes her/his mind at a later date.

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

St. Cloud Technical & Community College's Title IX Coordinator, when informed of an alleged incident of sexual violence, shall promptly assist the complainant, as requested. St. Cloud Technical & Community College may:

1. Provide complainant with written information to access medical care, depending on when reported (immediate vs. delayed report).
2. Assess immediate safety needs of complainant.
3. Assist complainant with contacting local police if complainant requests and provide contact information for local police department.
4. Provide complainant with referrals to on and off campus mental health providers.
5. Assess need to implement interim or long-term protective measures, such as, change in class schedule, "No Contact" directive between both parties
6. Provide a "No Trespass" directive to accused party if deemed appropriate
7. Provide written instructions on how to apply for an Order of Protection
8. Provide a copy of the Sexual Violence Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution
9. Inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is
10. Enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.

When appropriate, St. Cloud Technical & Community College may pursue legal action against a respondent, including, but not limited to, trespass or restraining orders, in addition to disciplinary action under the applicable student or employee conduct standard.

Assistance for Victims - Rights and Options: Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, St. Cloud Technical & Community College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. In Minnesota, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

1. Be informed of prosecutor's decision to decline prosecution or dismiss the case along with information about seeking a protective or harassment order at no fee
2. Protection against employer retaliation for victims to take reasonable time off to attend order for protection or harassment restraining order proceedings
3. Domestic abuse victims have the ability to terminate a lease without penalty
4. Sexual assault victims can make a confidential request for HIV testing of a convicted offender
5. Sexual assault victims do not have to pay the cost of a sexual assault examination
6. Sexual assault victims may not be required to undergo a polygraph examination in order for an investigation or prosecution to proceed.

Further, St. Cloud Technical & Community College complies with Minnesota law in recognizing Orders of Protection and Harassment Restraining Orders. Any person who obtains an order of protection from Minnesota or any reciprocal state (Under VAWA's full faith and credit provision, every state must recognize and enforce protection orders issued in other states, as if issued in the enforcing state) should provide a copy to St. Cloud Technical & Community College Department of Safety & Security and the Office of the Title IX Coordinator. A complainant may then meet with St. Cloud Technical & Community College Department of Safety & Security, as well as the Title IX Coordinator, to develop a plan, which is a plan for campus officials and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.) St. Cloud Technical & Community College cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services. Protection from abuse orders may be available through the local county court at no cost. St. Cloud Technical & Community College may issue an institutional no contact order if deemed appropriate or at the request of the victim and accused.

Type of Order	Who Can File For One	Where to go for assistance	Criteria for Order
<p>Order for Protection (OFP)</p> <p>Domestic Abuse</p>	<ul style="list-style-type: none"> • Spouses • Former Spouses • Parents and Children • Persons related by blood • Persons who live together or who have lived together in the past • Persons who have a child in common, even if they have not been married or lived together • Persons who have an unborn child in common • Persons involved in a significant romantic or sexual relationship 	<p>Visit the Stearns County Courthouse (725 Courthouse Square, St. Cloud). District Court staff will help you complete the paperwork (Affidavit and Petition) needed to ask for a temporary "ex parte" Order for Protection. You are called the "Petitioner" and the person you are filing against is called the "Respondent."</p> <p>The Title IX Coordinator can assist students in completing and filing OFP's and harassment orders.</p>	<ul style="list-style-type: none"> • physical harm, bodily injury, or assault; • the infliction of fear of imminent physical harm, bodily injury, or assault; or • terroristic threats, within the meaning of section 609.713, subdivision 1; criminal sexual conduct, within the meaning of section 609.342, 609.343, 609.344, 609.345, or 609.3451; or interference with an emergency call within the meaning of section 609.78, subdivision 2.
<p>Harassment Restraining Order (HRO)</p>	<p>Anybody who does not fall under the criteria for the Order for Protection.</p>	<p>To file a Harassment Restraining Order, you must first fill out a Court</p>	<p>A single incident of physical or sexual assault or repeated</p>

		<p>Administration form titled "Petitioner's Affidavit and Petition for Harassment Restraining Order."</p> <p>You may pick up a copy of this form from the Stearns County Service Center (3301 Co Rd 138, Waite Park), or download it from the Minnesota Court System's web site. Provide as many details as possible on the form, and return it to Court Administration.</p>	<p>incidents of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless of the relationship between the actor and the intended target.</p>
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*Criteria for Order reflects Minnesota Statutes

To the extent of the victim's cooperation and consent, St. Cloud Technical & Community College offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal investigation of the complaint. The victim **will** be provided written notification about options for or available assistance in, and how to request changes to academic or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/ adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Further, St. Cloud Technical & Community College will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The institution does not publish the name of crime victims nor house identifiable information regarding victims in the Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by notifying the Records and Registration Office in writing.

Resources for victims (On-Campus)

Service	Name of Person/Office to Contact	Contact Information
Counseling	Jeanna Franklin	Jeanna.franklin@sctcc.edu
Mental Health	Jeanna Franklin	Jeanna.franklin@sctcc.edu
Victim Advocacy	Jeanna Franklin	Jeanna.franklin@sctcc.edu
Financial-aid Assistance	Anita Baugh	320-308-5961
Student Support Manager	Carly Reyes	320-308-5096

Off Campus Resources

Service	Name of Person/Office to Contact	Contact Information
Counseling	The Center for Family Counseling	320-253-3540
Health	St. Cloud Hospital	320-251-2700
	St. Cloud VA Healthcare System	320-252-1670
	Central MN Health Center	320-252-5010
Mental Health	SCSU Counseling and Psychological Services	320-308-3171
Victim Advocacy	Central MN Sexual Assault Center	320-251-4357
	SCSU Women's Center	320-308-4958
	MN Coalition Against Sexual	651.209.9993
	OutFront Minnesota	800-800-0350
	MN Day One Emergency Shelter and Crisis Hotline	866-223-1111
Legal Assistance	Mid-Minnesota Legal Aid	320-253-0121
Visa and Immigration Assistance	Mid-Minnesota Legal Aid	320-253-0121

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

[RAINN](#) – Rape, Abuse and Incest National Network

[Office on Violence Against Women](#) - Department of Justice

[Office of Civil Rights](#) - Department of Education

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

1. 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.
2. Confront people who seclude, hit on, and/or try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in the Annual Security Report or other resources for support in health, counseling, or with legal assistance.

Reducing the Risk of Sexual Assault: You can reduce the chances of sexual assault by doing the following:

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas, it is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. Try not to load yourself down with packages or bags as this can appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cash money.
7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you find a way out of a bad situation.

10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (call 911)
11. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink unattended, just get a new one.
12. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they have had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - b. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come and get you or make up an excuse for you to leave.
 - d. Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave that to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgement before doing anything you may regret later.

Complainants' rights: are as follows:

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

Investigation and Disciplinary Procedures: Investigations and disciplinary procedures will be initiated by St. Cloud Technical & Community College officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. St. Cloud Technical & Community College officials who conduct investigations and disciplinary procedures will not have any bias or conflict of interest toward either the accuser or the accused. If deemed necessary, a properly trained external investigator may be hired at St. Cloud Technical & Community College's expense.

Procedures used in response to a complaint of sexual violence complainants should avoid requiring complainants to follow any plan of action, to prevent the possibility of re-victimization. The process will be respectful of the needs and rights of individuals involved and they will be treated with dignity. It is never assumed or suggested that the complainant or victim was at fault for the sexual assault or should have behaved differently to prevent the assault. All proceedings will be acted on promptly and conducted within reasonable timeframes. The process will allow for extensions of those timeframes for good cause with written notice to the complainant and the respondent of the delay and the reason for the delay. The process will be consistent with these policies and transparent to the complainant and the respondent. Student complainants and respondents will have the same opportunity to have an appropriate support person or advisor present at any interview or hearing, in a manner consistent with the governing procedures and applicable data practices law. Employees have the right to representation consistent with the appropriate collective bargaining agreement or personnel plan. All procedures will be conducted in accordance with applicable due process standards and privacy laws. The complainant and respondent will simultaneously be informed, in writing, of the outcome in a timely manner, as permitted by applicable privacy law. Outcomes will be based on a preponderance of evidence standard, meaning that it is more likely than not that the policy, procedure, or code has been violated.

Immediate action. St. Cloud Technical & Community College may, at any time during the report/complaint process, reassign or place on administrative leave an employee alleged to have violated this policy, in accordance with the procedures in System Procedure 1B.1.1. Such action must be consistent with the applicable collective bargaining agreement or personnel plan. St. Cloud Technical & Community College may summarily suspend or take other temporary measures against a student alleged to have committed a violation of this policy, in accordance with System Procedure 1B.1.1 or Board Policy 3.6.

General principles. St. Cloud Technical & Community College and the Minnesota State system office shall use system procedure 1B.1.1 Report/Complaint of Discrimination/Harassment Investigations and Resolution when investigating complaints of sexual violence. Procedures used in response to a complaint of sexual violence should avoid requiring complainants to follow any plan of action, to prevent the possibility of re-victimization. St. Cloud Technical & Community College investigation and disciplinary procedures concerning allegations of sexual violence against employees or students shall:

- I. Be respectful of the needs and rights of individuals involved;
- II. Proceed as promptly as possible;
- III. Permit a student complainant and a student respondent to have the same opportunity to have an appropriate support person or advisor present at any interview or hearing, in a manner consistent with the governing procedures and applicable data practices law;

- IV. Employees shall have the right to representation consistent with the appropriate collective bargaining agreement or personnel plan;
- V. Be conducted in accordance with applicable due process standards and privacy laws;
- VI. Simultaneously inform both the complainant and respondent of the outcome in a timely manner, as permitted by applicable privacy law.
- VII. Be based on a preponderance of evidence standard, meaning that it is more likely than not that the policy or code has been violated.

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

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

Relationship to parallel proceedings. In general, St. Cloud Technical & Community College investigation and disciplinary procedures for allegations of sexual violence will proceed independent of any action taken in criminal or civil courts. St. Cloud Technical & Community College need not, and in most cases should not, delay its proceedings while a parallel legal action is on-going. If St. Cloud Technical & Community College is aware of a criminal proceeding involving the alleged incident, they may contact the prosecuting authority to coordinate when feasible. Criminal or civil court proceedings are not a substitute for St. Cloud Technical & Community College procedures.

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

Withdrawn complaint. If a complainant no longer desires to pursue a complaint through the College, St. Cloud Technical & Community College reserves the right to investigate and resolve the complaint as it deems appropriate.

St. Cloud Technical & Community College discretion to pursue certain allegations. St. Cloud Technical & Community College reserves discretion whether to pursue alleged violations of policy under appropriate circumstances, including, but not limited to, a determination that an effective investigation is not feasible because of the passage of time, the alleged incident

did not occur on campus or as part of a College program, or because the respondent is no longer a student or employee of the college or university.

St. Cloud Technical & Community College discretion to deal with policy violations disclosed in investigation. St. Cloud Technical & Community College reserves the right to determine whether to pursue violations of policy by students or employees other than the respondent, including a complainant or witness, that come to light during the investigation of an incident of sexual violence. In order to encourage reporting of sexual violence, under appropriate circumstances St. Cloud Technical & Community College administrators may choose to deal with violations of Minnesota State Colleges and Universities and/or St. Cloud Technical & Community College's policy in a manner other than disciplinary action.

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

The institution will, upon written request, disclose to the alleged victim of a crime of violence or a nonforcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for the purposes of this paragraph.

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

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

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

Witnesses or victims who report in good faith an incident of sexual violence will not be sanctioned by St. Cloud Technical & Community College for admitting in the report to a violation of the student conduct policy on the use of alcohol or drugs.

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

The Minnesota Level 3 Sex Offender Registry is available via Internet. **Information regarding Level 3 sex offenders can be found at [Public Registrant Search](#) and information regarding Level 2 offenders is available at the (Local Law Enforcement) Police Department.**

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

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

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

complainant's and respondents administrative remedies under this procedure except as provided herein.

Drug and Alcohol Policies:

St. Cloud Technical & Community College prohibits the unlawful possession, consumption (use), sale, or distribution of alcohol by all students and employees and enforces all applicable drinking/liquor laws and policies on campus, including Federal law, Minnesota State law, City of St. Cloud Ordinances, and institution policy.

The possession or consumption of alcohol is prohibited in all St. Cloud Technical & Community College campus buildings, and applies regardless of age. Consuming alcohol and loitering with an open container of alcohol is a violation of the law in accordance with Minnesota Statute § 169A.35 subd. 1(4). The only exception is for special events authorized by the Minnesota State Colleges and Universities Board of Trustees.

Students are subject to the Student Code of Conduct while participating in school sponsored activities at off campus locations- any violations of the Student Code of Conduct while participating in any such activities will be investigated by St. Cloud Technical & Community College Department of Safety & Security and the Office of Student Conduct.

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

Employees who are found to be in possession of an open container or consuming alcohol while on campus will be subject to disciplinary action.

Non-students/ non-employees who are found to be in possession of an open container or consuming alcohol while on campus may be asked to leave campus, may be prohibited from returning for one year, if uncooperative the St. Cloud Police Department may be called to assist, and the individual may be subject to citation or arrest.

Students who are believed to be under the influence of alcohol may be subject to disciplinary action for violating the Student Code of Conduct.

Employees who are believed to be under the influence of alcohol may be subject to disciplinary action.

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

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

Students who are in possession of or believed to be under the influence of a controlled substance may be subject to disciplinary action for violating the Student Code of Conduct. If students are not cooperative the St. Cloud Police Department may be called to assist, and the student may be subject to citation or arrest.

Employees who are in possession of or believed to be under the influence of a controlled substance may be subject to disciplinary action.

Non-students/ nonemployees who are in violation of the law or believed to be under the influence of a controlled substance may be asked to leave campus, may be prohibited from returning for one year, and if uncooperative the St. Cloud Police Department may be called to assist, and the individual may be subject to citation or arrest.

Drug and Alcohol Abuse Education Programs: St. Cloud Technical & Community College recognizes the reality of chemical dependency and is aware of its occasional presence in the higher education community. St. Cloud Technical & Community College encourages and provides reasonable assistance to any student, faculty or staff member who seeks information on chemical dependency or treatment for chemical dependency. Various offices, including Wellness Services and Human Resources, provide information and referral to prevention programs for those seeking help with substance abuse.

Programs run by SCTCC:

“Recovery Corner” bulletin board providing local resources on drug and alcohol addiction.

Tabling at various events promoting alcohol and substance abuse reduction

- Brewlash (Spring 2023)
- Cyclone Alley (Fall 2022 & 2023)

Current Drug Trends in Central Minnesota – February 2023, presented by Sgt. Jay Salzer of the Central Minnesota Violent Offender Task Force.

March 22, 2023 – Social media campaign for entire week with facts, statistics, education and resources regarding drugs & alcohol

Firearms Policy: Board Policy 5.21 Possession or Carry of Firearms

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

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

Definitions.

Employee. "Employee" means any individual employed by St. Cloud Technical & Community College, its colleges and universities and the system office, including student employees.

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

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

Student. "Student" means an individual who is:

1. registered to take or is taking one or more courses, classes, or seminars, credit or noncredit, at any system college or university; or
2. between terms of a continuing course of study at the college or university, such as summer break between spring and fall academic terms; or
3. expelled or suspended from enrollment as a student at the college or university, during the pendency of any adjudication of the student disciplinary action.

Campus property. "Campus property" means the facilities and land owned, leased, or under the primary control of St. Cloud Technical & Community College, Minnesota State, its Board of Trustees, and system office.

Visitor. "Visitor" means any person who is on campus property, but does not include (1) an employee of the St. Cloud Technical & Community College acting in the course and scope of their employment; or (2) a student, when that student is on campus property.

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

Employees.

1. Prohibition. Employees are prohibited from possessing or carrying a firearm while acting in the course and scope of their employment, either on or off campus property, regardless of whether the employee has a permit to carry a firearm, except as otherwise provided in this policy.
2. Employee reporting responsibility. An employee with a reasonable basis for believing an individual is in possession of or carrying a firearm in violation of this policy has a responsibility to report the suspected act in a timely manner, unless doing so would subject the employee or others to physical harm. Reports should be made to the official designated in the applicable policy included in this report. This policy shall not prohibit prompt notification to appropriate law enforcement authorities when an immediate threat to personal safety exists. Employees shall not make reports of a suspected violation knowing they are false or in reckless disregard of the truth.

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

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

Exceptions. The following are exceptions to this policy:

Parking areas. This policy does not prohibit the lawful possession or carry of firearms in a parking area or parking facility.

Authorized uses. This policy does not prohibit:

1. Lawful possession or carry related to an academic use or use at a campus shooting range, such as law enforcement programs, approved in writing by the college or university president; or
2. Transport of an unloaded firearm directly between a parking area or parking facility and the location authorized for its use, or transport of an unloaded firearm directly between a parking area or parking facility and a storage facility provided by the college or university.

3. Possession or carry of a pistol by a visitor who has a lawful permit to carry a pistol pursuant to Minnesota Statutes section 624.714, subd. 1a (see related documents below).
4. Possession or carry of a firearm by a licensed peace officer under Minnesota Statutes section 626.84, subd.1(c) or by a qualified law enforcement officer pursuant to 18 United States Code section 926B (see related documents below), when possession or carry is otherwise authorized by law.

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

Referral to Law Enforcement. St. Cloud Technical and Community College may refer suspected violations of weapons law to appropriate law enforcement authorities, and provide access to investigative or other data as permitted by law.

Appendix 1

Terms and Definitions

Aggravated Assault

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

Arson

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

Burglary

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

Affirmative Consent

Consent is informed, freely given, and mutually understood willingness to participate in sexual activity that is expressed by clear, unambiguous, and affirmative words or actions. It is the responsibility of the person who wants to engage in sexual activity to ensure that the other person has consented to engage in the sexual activity. Consent must be present throughout the entire sexual activity and can be revoked at any time. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. A lack of protest, absence of resistance, or silence alone does not constitute consent, and past consent to sexual activities does not imply ongoing future consent. The existence of a dating relationship between the people involved or the existence of a past sexual relationship does not prove the presence of, or otherwise provide the basis for, an assumption of consent. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

Criminal Homicide – Negligent Manslaughter

The killing of another person through gross negligence.

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

Dating and Relationship Violence

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

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

Drug law violations

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

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

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

Liquor law violations

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

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle.

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

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

Murder and Non-negligent Manslaughter

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

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

Robbery

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

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

Sexual Assault

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

1. Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as “date rape” or “acquaintance rape.” This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.
2. Involvement in any sexual act when the victim is unable to give consent.
3. The intentional touching or coercing, forcing, or attempting to coerce or force another to touch an unwilling person’s intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast).
4. Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

Simple Assault - An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Sex Offenses – Defined

Forcible Sex Offenses.

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

Reported offenses may include:

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

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

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

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

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

Sex Offenses, Non-forcible.

Unlawful, non-forcible sexual intercourse.

Reported offenses may include:

- **Incest** - non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** - non-forcible sexual intercourse with a person who is under the statutory age of consent.

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

Sexual Violence

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

Stalking

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

Weapons law violations

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

Resources: 2016 Handbook for Campus Safety & Security Reporting
 Title 34: Education [PART 668—STUDENT ASSISTANCE GENERAL PROVISIONS](#)
[Subpart D—Institutional and Financial Assistance Information for Students](#)
 Bystander intervention strategies Stanford University's Office of Sexual Assault & Relationship Abuse

Appendix 2
College Drug Free Schools and Communities
Act
Biennial Review



Drug Free Schools and Communities Act (DFSCA):
Drug Free Schools and Campuses Regulations Biennial Review
July 1, 2017 through June 30, 2019

Introduction

The Drug-Free Schools and Communities Act of 1989 Amendments requires institutions of higher education to design and implement alcohol and illicit drug programs on their campuses. As a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education has to certify that it has adopted and implemented a program to prevent "the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees" on campus property or as part of any campus activity.

This legislation directed Colleges/Universities to:

1. To develop a written policy on alcohol and other drugs
2. To develop a process that ensures policy distribution to all students, staff, and faculty
3. To enumerate federal, state, or local sanctions for unlawful possession or distribution of illicit drugs and alcohol
4. To describe health risks associated with alcohol abuse or illicit drug use
5. To describe College drug and alcohol programs available for students and employees
6. To specify disciplinary sanctions imposed on students and employees for policy violations
7. To conduct biennial reviews to assess the effectiveness of its alcohol and drug programs.

The law further requires an institution of higher education to review its program to:

1. To determine its effectiveness and implement changes if they are needed, and
2. To ensure that the sanctions developed are consistently enforced

In compliance with federal legislation, the Drug Free Schools and Communities Committee of St. Cloud Technical & Community College has prepared this biennial review.

Biennial Review Process

A committee was convened and oriented to the requirements of the Drug Free Schools Act and the completion of a Biennial Review to comply with the act. Areas represented: Campus Safety & Security, Financial Aid, Student Life, and Student Support Center.

The committee reviewed components essential to the College's drug and alcohol program: policy statements, publications, services, data collection, campus life, and data on student and employee conduct.

General Conclusion

St. Cloud Technical & Community College appears to be in full compliance with federal legislation. The College has developed and maintains a drug prevention policy. The College distributes the drug-free policy to all staff, faculty and students annually. The College provides services and activities to promote a strong drug-free campus environment. The College tracks the number of drug and alcohol related offenses, sanctions, and referrals.

College Compliance with Federal Legislation

College Policy

4.6 Drug and Alcohol-Free Campus and Worksite Policy

Part 1. Scope of Policy

The St. Cloud Technical & Community College Drug-and Alcohol-Free Campus Policy is for Students and Employees of the (College/University) and includes all campus locations.

Part 2. Purpose

St. Cloud Technical & Community College, along with all Minnesota State (MinnState), is committed to ensuring an educational and employment environment where students and employees can work, learn and develop to their full potential. Because the use and abuse of alcohol and controlled substances negatively impacts the ability of students and employees to work, learn and develop to their full potential, and to comply with federal and state laws, St. Cloud Technical & Community College has adopted and will implement the following drug-and alcohol-free campus policy.

Part 3. Drugs, Alcohol Prohibited

The unlawful manufacture, growing, possession, use, dispensation, sale or distribution of controlled substances and the manufacture, use, sale, distribution or possession of alcoholic beverages by St.

Cloud Technical & Community College students and employees is strictly prohibited: 1) on St. Cloud Technical & Community College property; 2) while participating in a student activity, activities sponsored by officially recognized student organizations, or an event or activity sponsored or sanctioned by St. Cloud Technical & Community College or Minnesota State Colleges and Universities, including off-site activities; and 3) while performing work, including overtime work and rest breaks.

Subpart A. Exceptions

The use of alcoholic beverages may be permitted only:

1. for St. Cloud Technical & Community College or Minnesota State educational/awareness programs; or
2. for a specific event or circumstance authorized by the above. However, in no case may students or employees violate Liquor Laws.

Subpart B. Employees

No St. Cloud Technical & Community College employee may:

1. report to work under the influence of alcohol, controlled substances or other drugs which affect her/his alertness, coordination, reaction, response, judgment, decision-making or safety; or
2. operate, use or drive any St. Cloud Technical & Community College or Minnesota state Institution or state equipment, machinery or vehicle while under the influence of alcohol, controlled substances or mind-altering drugs.

An employee who is under the influence of alcohol, controlled substances or other mind-altering drugs, or who is taking medically authorized drugs or other substances which may affect job performance, has an affirmative duty to immediately notify the appropriate supervisor that the employee's mental or physical condition precludes her/his ability to operate, use or drive St. Cloud Technical & Community College or state equipment.

Employees are discouraged from consuming alcoholic beverages off-site during lunch or dinner meals when returning to perform work on behalf of (Minnesota State Institution). In any situation subsequent to the intake of alcohol, an employee whose behavior or condition adversely affects her/his performance is subject to discipline.

Since engaging in off-duty sale, purchase, transfer, use or possession of controlled substances may have a negative effect on an employee's ability to perform his/her work, and St. Cloud Technical & Community College employee involved in such circumstances is subject to discipline.

Employees working on federal grants or contracts who are convicted of a criminal drug statute violation occurring in the workplace are required to notify St. Cloud Technical & Community College or Minnesota State within five (5) working days of such a conviction.

Part 4. Penalties for Policy Violations

St. Cloud Technical & Community College employees and students who violate this policy are subject to St. Cloud Technical & Community College and system sanctions and may be subject to legal sanctions under local, state or federal law.

St. Cloud Technical & Community College students will be disciplined according to the Student Code of Conduct. Disciplinary sanctions include, but are not limited to, warning, confiscation, restitution, dismissal, suspension, expulsion and referral for prosecution.

St. Cloud Technical & Community College employees covered by a Collective Bargaining Agreement will be disciplined according to the process delineated in the appropriate agreement. Other employees will be disciplined according to the Excluded Administrators Plan or the Commissioner's Plan. Discipline may include, but is not limited to, oral and written reprimand, suspension, termination, and referral for prosecution.

Part 5. Information

St. Cloud Technical & Community College provides voluntary educational programs designed to inform students and staff about the health risks associated with drug and alcohol use, community resources available to provide assistance to individuals dealing with drug and/or alcohol abuse issues, the legal ramifications associated with illegal use of drugs and/or alcohol, and penalties for policy violations under Minnesota Law.

St. Cloud Technical & Community College Student Code of Conduct

Unauthorized use, sale, possession, or presence on campus or at College/University-sponsored events of alcoholic beverages or controlled substances and/or drug paraphernalia. The state of being under the influence of alcohol or controlled substances on College/University-controlled property, or at College/University-sponsored events. A complete copy of the Drug and Alcohol-Free Campus Policy is available for students and employees in the Counseling Office (or wherever this is located) and the Human Resources Office.

Distribution of Written Policy

College drug and alcohol policies are found in the Annual Campus Crime Report published by the Campus Public Safety Department, College Website, and Human Resources. One or more of these publications is sent or given to every student and employee annually.

The information is also found on the following websites:

College Policies: <https://www.sctcc.edu/policies>

Campus Security Department: <https://www.sctcc.edu/safety>

Legal Penalties Minnesota State Law

Under Minnesota law, it is a crime for any person to drive, operate, or be in physical control of any motor vehicle when the person is under the influence of alcohol or a controlled substance.

A person who commits first-degree driving while impaired is guilty of a felony and may be sentenced to imprisonment for not more than seven years, or to payment of a fine of not more than \$14,000, or both.

Other penalties for violating state laws prohibiting driving under the influence include:

- driver's license suspension or revocation;
- impounding motor vehicles;
- further criminal prosecution

Under Minnesota law, it is also a crime for a person under the age of 21 years to consume, possess or purchase any alcoholic beverages.

- Underage consumption: \$100 fine.
- Possession by persons under 21: \$100 fine.
- Use of false identification for alcohol purchase: \$100 fine.
- Furnishing alcohol to persons under 21: \$3,000 fine and/or 1 year in jail

Guidelines for the sentencing of any person convicted of drug and alcohol-related criminal offenses are established by the Minnesota Sentencing Guidelines Commission. The actual length of a sentence depends upon the individual's criminal and driving history.

Possession or sale of controlled substances, including but not limited to, narcotics, depressants, stimulants, Hallucinogens, and cannabis, is prohibited by Minnesota law. Penalties for controlled substance crimes include:

First Degree

Sale: 10+ grams of cocaine, 50+ grams of other narcotic drug, 200+ doses hallucinogen, 50 kilos marijuana, or 25+ kilos marijuana in a school zone, park zone, or public housing zone.

Possession: 25+ grams cocaine, 500+ grams of other narcotic drug, 500+ doses hallucinogen, 110+ kilos marijuana.

Penalty: 0 to 30 years, 4 year mandatory minimum if prior drug felony; up to \$1,000,000 fine. 0 to 40 years, 2nd offense.

Second Degree

Sale: 3+ grams cocaine, 10+ grams of other narcotic drug, 50+ doses hallucinogen, 25+ kilos marijuana, or sale of a Schedule I or II narcotic drug of 5+ doses hallucinogen or methamphetamine either to a person under 18 or in a school zone, park zone, or public housing zone.

Possession: 6+ grams cocaine, 50+ grams of other narcotic drug, 100+ doses hallucinogen, 50+ kilos marijuana.

Penalty: 0 to 25 years, 3 year mandatory minimum if prior drug felony; up to \$500,000 fine.

Third Degree

Sale: Narcotic drug, 10+ doses hallucinogen, 5+ kilos marijuana, or sale of any Schedule I, II, or III drug (except a Schedule I or II narcotic drug or marijuana) to a person under 18 or employment of person under 18 to sell the same.

Possession: 3+ grams cocaine, 10+ grams of other narcotic drug, 10+ kilos marijuana, and any amount of a Schedule I or II narcotic drug or LSD or methamphetamine or 5+ kilos marijuana in a school zone, park zone, or public housing zone.

Penalty: 0 to 20 years, up to \$250,000 fine.

Fourth Degree

Sale: Any Schedule I, II or III drug (except marijuana), or sale of marijuana in a school zone, park zone, or public housing zone or any Schedule IV or V drug to a person under 18 or conspiracy for the same.

Possession: 10 doses hallucinogen, any amount of a Schedule I, II or III drug (except marijuana) with the intent to sell it.

Penalty: 0 to 15 years, up to \$100,000 fine.

Fifth Degree

Sale: Marijuana, or any Schedule IV drug.

Possession: All Schedule I, II, III, IV drugs except 42.5 grams or less of marijuana. Any prescription drugs obtained through false pretenses or forgery.

Penalty: 0 to 5 years, up to \$10,000 fine.

Federal Law

Schedule I Drugs (Penalty for possession)

First Offense: 10 years to life, 10 year mandatory minimum; if death or serious injury, 20 year minimum; up to \$4 million fine individual, \$10 million other than individual.

Second Offense: 20 years to life, 20 year mandatory minimum; if death or serious injury, not less than life; up to \$8 million fine individual, \$20 million other than individual.

Schedule II Drugs (Penalty for possession)

First Offense: 5 to 40 years, 5 year mandatory minimum; if death or serious injury, 20 year minimum; up to \$2 million fine individual, \$5 million other than individual.

Second Offense: 10 years to life, 10 year mandatory minimum; if death or serious injury, not less than life; up to \$4 million fine individual, \$10 million other than individual.

Schedule I or Schedule II Controlled Drugs (Penalty for possession)

First Offense: 0 to 20 years, if death or serious injury, 20 year minimum, not more than life; up to \$1 million fine individual, \$5 million other than individual.

Second Offense: 0 to 30 years, if death or serious injury, not less than life; up to \$2 million fine individual, \$10 million other than individual.

Schedule III Drugs (Penalty for possession)

First Offense: 0 to 5 years, up to \$250,000 fine individual, \$1 million other than individual. Second Offense: 0 to 10 years; up to \$500,000 fine individual, \$2 million other than individual.

Schedule IV Drugs (Penalty for possession)

First Offense: 0 to 3 years, up to \$250,000 fine individual, \$1 million other than individual. Second Offense: 0 to 6 years, up to \$500,000 fine individual, \$2 million other than individual.

Schedule V Drugs (Penalty for possession)

First Offense: 0 to 1 year, up to \$100,000 fine individual, \$250,000 other than individual. Second Offense: 0 to 2 years, up to \$200,000 fine individual, \$500,000 other than individual.

Health Risks

The health risks associated with alcohol and illicit drug use and abuse can be significant and can have an impact on physical, mental, social and financial health as well as impact academic success.

Alcohol Use and Abuse:

Alcohol use and abuse can lead to many health consequences which include, but are not limited to: cardiovascular disease, insomnia, compromised immune system, memory loss, diabetes, accidents/trauma/injury, violence, dementia, organ failure (liver cirrhosis), financial difficulties, and depression.

Drinking problems can negatively impact mental health as “alcohol abuse and alcoholism can also worsen existing conditions such as depression or anxiety”. Furthermore, alcohol problems often extend beyond the drinker to his/her spouse and children as well.

Campus Resources

Alcohol

- [Go Ask Alice! Alcohol and Other Drugs](#)
- [Online Blood Alcohol Content Calculator](#)
- [College Drinking - Changing the Culture](#)
- [Alcohol Screening](#)
- [Addiction Center](#)

Club Drugs

- [Club Drug Facts](#)
- [Medline Plus Club Drug FAQ](#)
- [Project GHB](#)

Cocaine/Crack

- [Cocaine Anonymous](#)
- [InfoFacts: Crack & Cocaine](#)
- [MedLine Plus: Cocaine Abuse](#)
- [Cocaine Drug Facts](#)

Ecstasy (MDMA)

- [InfoFacts: Ecstasy](#)
- [DanceSafe](#)
- [Partnership for a Drug Free America: Ecstasy](#)

Inhalants

- [Inhalant Use](#)
- [National Inhalant Prevention Coalition](#)

Marijuana

- [Marijuana Addiction](#)
- [Marijuana Facts](#)

Methamphetamine

- [Meth: Abuse & Addiction](#)
- [Meth Facts](#)

Prescription Drugs

- [Prescription Drug Facts](#)
- [Using Prescription Medications Safely](#)

Smoking

- [CDC: Smoking & Tobacco Use](#)
- [American Lung Association](#)
- [Joe Chemo](#)
- [Tobacco Free](#)

Steroids

- [NIDA: Steroids](#)
- [Steroids Facts & Figures](#)
- [SteroidAbuse.com](#)

Substance Abuse

- [Drug Net](#)
- [Parents. The Anti-Drug](#)
- [Partnership for a Drug Free America](#)
- [Addiction Recovery Guide](#)
- [Addiction Center](#)

Other Campus Efforts

Student Life Efforts <https://www.sctcc.edu/health-wellness>

Cyclones Care Team

The Cyclones Care team is here to help with concerns about the safety and wellbeing of you or someone you know. SCTCC has knowledgeable staff who are ready to help.



We appreciate the interconnectedness and interdependence of all our lives, as well as the personal and global environment in which we live. Our wellbeing programs and resources are driven mostly by SCTCC Ambassadors, who are student volunteers providing outreach and education to the campus community. Ambassadors create opportunities for students to become more engaged in their wellbeing, and together, they support an ecosystem that encourages greater academic success and healthier lifestyles.

To learn more about health and wellness and how to keep the balance between them, life, and school, we've put together resources that cover:

- [Brain & Addiction Drug Facts](#)
- [Substance Abuse & Mental Health](#)
- [National Alliance on Mental Health](#)
- [Tips & Tricks to Manage Stress](#)
- [Menstrual & Reproductive Health](#)
- [Exercise & Nutrition](#)
- [Healthy & Unhealthy Relationships](#)
- [Sexual Health](#)
- [Sleep & General Health](#)
- [Money & Budgeting](#)

AOD Prevention Activities

1. Continue measuring and analyzing SCTCC student drug and alcohol use.
2. Continue efforts to raise awareness of college-student use and the consequences of illegal drug and alcohol use.
3. Coordinate alcohol information/prevention activities with tobacco cessation and other college wellness initiatives.
4. Grow the on-campus initiatives related to alcohol, drug, and tobacco use.

Office of Student Conduct

The Office of Student Conduct provides disciplinary sanctions to those students whose behavior has not met the standards of the student code of conduct. Students may be assigned appropriate sanctioning or be referred to appropriate professionals.

We do have students who may reside at St. Cloud State University residence halls. Incidents that may have occurred on the St. Cloud State University campus are reported with St. Cloud State University statistics.

Student Support Services

St. Cloud Technical & Community College provides consultation to promote personal development and well-being. These services include individual referrals for students who are currently dealing with or recovering from substance use. To schedule an appointment call Student Support Manager at (320)308-5096, email wellness@sctcc.edu, or visit room 1-401, to schedule an appointment in person. TTY users dial MN Relay at 711 to contact the college.

Distribution of Annual Notification

The College annually provides the alcohol and drug policies, resources, programs, and health risks to all employees and students through the Annual Compliance and Security Act. Employees and students receive the document via e-mail. A copy of the annual report is located at:

<https://www.sctcc.edu/crime-log>