

CENTURY  
COLLEGE



# 2023 Annual Security Report

Policy Statements for the 2023-24 Academic Year  
Statistical Reporting for 2020, 2021, & 2022 Calendar Year  
Prepared by the Department of Public Safety



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## Letter from the Director - Annual Security Report

Century College is a two-year community and technical college located in White Bear Lake, Minnesota. As one of the largest two-year colleges in Minnesota, we serve over 10,000 credit and non-credit students every year.

The Public Safety Department is responsible for policy enforcement, security, and emergency response on the campus. The Public Safety Department is guided by the College's mission and vision statements as well as the strategic plan. The Department is under the leadership of the Director of Public Safety who reports to the Vice President of Finance and Administration. Institutional Clery compliance initiatives are managed by the Director, as well as the Clery Compliance Officer. The Department's Lead Officer, who reports to the Director, is responsible for coordinating the daily patrol and security operations and activities of the Department. The Department's Safety Administrator is responsible for Life Safety, OSHA compliance and environmental, health, and safety concerns. The Department is open and staffed during posted building hours.

The Department also has approximately five full-time and one part-time public safety officers who supplement patrol, life safety operations, parking enforcement operations, and work campus special events, as well as other pertinent security related operations. The Public Safety Department additionally employs a small contingent of student workers (typically ranges from 3 to 5) as student dispatch who supplements the communication center operations. The Department patrols the campus and provides public safety services through the deployment of vehicle and foot patrols.

To be successful in providing the highest degree of public safety services on the campus, it is important that community members follow good safety practices and understand that safety is the responsibility of all community members, not just those officially and formally charged with enforcing the laws, policies, and rules. This includes using the escort service, locking your valuables, and reporting suspicious/criminal activities. The Public Safety Department takes a leadership role in this area. This includes educational programs on campus safety, preventative patrols, incident investigation, and crime reporting and crime prevention. Public Safety Officers receive training in security, law enforcement, and emergency care. The Century College Department of Public Safety Department is located on the East Campus, room number E1411.

This publication is intended to provide you with information on educational programs, safety practices, crime statistics, and policies regarding the reporting of emergencies and campus crime rates. It is the primary objective of the Public Safety Department to work collaboratively with campus community members in our collective efforts to continually enhance the safety of the campus environment, thereby affording opportunities for community members to work, live, study, and personally and professionally develop both intellectually and socially. Should you have questions, comments, or suggestions regarding the information contained within this publication or any related public safety policies, procedures, or operations, please feel free to contact the Director of Public Safety at (651) 779-5834

Sincerely,



Jason Philipp  
Director of Public Safety

# **Campus Safety and Security Report - Introduction**

## **Welcome**

Century College is committed to the well-being of our campus community including students, employees, and visitors. The college has taken numerous steps to maintain a safe learning environment for all. The college encourages students, employees, and visitors to take appropriate steps to ensure their own personal safety.

## **History**

In 1990, Congress enacted the Crime Awareness and Campus Security Act (Title II of Public Law 101-542), which amended the Higher Education Act of 1965 (HEA). This act required all postsecondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998 and 2000. 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.

The Higher Education Opportunity Act Amendments of 2008 added additional requirements for crime reporting, including expansion of hate crimes which must be reported and the requirement of a written campus policy for coordination with local law enforcement.

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

To comply with Clery Act regulations, an institution has several obligations. These requirements fall into three main categories: 1) policy disclosure; 2) records collection and retention; and 3) information dissemination.

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.

## **Department of Public Safety**

Century College encourages all students and college community members to be fully aware of safety issues on campus and to take action to prevent and to report illegal and inappropriate activities. Personal awareness and applying personal safety practices are the foundation of a safe community.

The Century College Department of Public Safety is recognized as the primary campus department responsible for providing security services for students, faculty, staff, and campus visitors. Public Safety personnel are employees of Century College; they are not certified or sworn peace officers. Public Safety staff are authorized, when appropriate, to make a citizen's arrest. Typically, such arrests are made only to detain individual(s) for serious offense(s) until the arrival of local law enforcement representatives.



The Department of Public Safety has no jurisdiction or enforcement authority outside of its identified Clery geography. The Department of Public Safety's jurisdiction encompasses on campus property that includes campus buildings and/or facilities, designated non-campus properties and facilities, public property adjacent to and immediately accessible from campus property and leased, rented or otherwise recognized and/or controlled buildings, spaces, and/or facilities.

The White Bear Lake Police Department and Washington County Sheriff's Office provide fully licensed police protection for Century College. The Department of Public Safety has developed a working relationship with these departments that allows for immediate response to all crimes, emergencies, or requests for service generated by the campus.

The Department of Public Safety will work closely with local state and federal law enforcement agencies to track and respond to campus criminal activity. The Director of Public Safety serves as the primary liaison for Century College with all law enforcement and emergency response agencies.

Pursuant to the Student Right to Know and Campus Security Act, Century College monitors criminal activity, publishes this report, and maintains a three-year statistical history of crime reports. Century College posts this report on the college web <https://www.century.edu/sites/default/files/publicsafety-annualecurityreport.pdf> and sends a link to the annual report to students and employees via email by October 1<sup>st</sup> of each year. Anyone seeking a paper copy of the report may request one at no charge from the Department of Public Safety 651-747-4000. Prospective students and employees are notified of its availability during the application process and will be provided with a copy of the report upon request at no charge.

Century College has a variety of policies, procedures, and plans relating to campus safety and security. These provide the framework for providing a safe campus. They are frequently updated. Such changes may appear in successive issues of this report. Questions on campus safety and security concerns may be submitted to the Director of Public Safety.

Century College is a member of the Minnesota State system. We are an affirmative action, equal opportunity employer, and educator. This document can be available in alternative formats to individuals with disabilities by calling 651-779-3354 or 1-800-228-1978 x3354.

### **Department of Public Safety Training**

The Director of Public Safety and Lead Public Safety Officer are primarily responsible for conducting training for campus public safety officers. Training subjects may include criminal law, civil law, federal law, the Clery Act and campus security authority, Title IX, sexual assault and gender violence response and investigation, trauma informed investigation, public relations, race relations, interpersonal communications, crisis intervention, critical incident response and incident command system, emergency operations, first responder medical training, and all facets of protection of persons and property.

## Collection of Crime Statistics

[Century College Policy: 6.15 Crime Statistics & Reporting](#)

### Daily Crime Log

The Century College Public Safety Department maintains a Public Crime Log to keep the campus community informed about alleged criminal incidents reported to our department. This log is maintained in compliance with the Clery Act, which mandates that the College publish information about reported crime within Century College Public Safety's patrol jurisdiction and on Century College's on-campus, non-campus, and public property, as defined by the Act within two business days of Public Safety receiving a crime report. The crimes are published in the log based on when they were reported to our department, which may not coincide with the date the crime occurred.

Crime data for the log is gathered from multiple sources including calls for service to Century College Public Safety. Information is gathered from a student disciplinary database; statistical crime reports filed by campus security authorities, and alerts from local law enforcement including but not limited to the White Bear Lake Police Department, Washington County Sheriff's Office, Ramsey County Sheriff's Office, Minnesota State Patrol, and the Metro Transit Police Department.

The Clery Act requires that the Log contain the following information about each alleged incident:

1. the nature of the crime;
2. the date the crime was reported to Century College Public Safety;
3. the date and time the crime allegedly occurred;
4. the general location of the crime; and
5. the disposition of the complaint, if known.

Century College's Crime Log also includes a column for case numbers, which is not required by law, but which aids in recording and tracking a crime report.

Note that Century College Public Safety may withhold information otherwise required by the Clery Act from the Log if there is clear and convincing evidence that the release of the information would:

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

The Log is to be updated with the withheld information if and when the Century College Public Safety Department determines that the justification for withholding the information no longer exists. See 34 CFR 668.46(f).

A copy of the Log, which is maintained for 60 days from when a crime was reported, can be viewed in person at the Century College Public Safety Office, located at East Campus Room E1411, 3300 Century Ave N, White Bear Lake, MN 55110 during normal business hours (Monday through Friday 9am-5pm). Additionally, any portion of the crime logs that is older than 60 days are made available for public inspection within two business days of a request.

Faculty, staff, and students are encouraged to review these logs periodically to become more familiar with the types and locations of criminal incidents, which may affect the College's campus community.

## **Campus Security Authorities**

Campus Security Authorities are directed to report all crimes that have been reported to them immediately to the Department of Public Safety. Additionally, A written request for statistical information will be made near the conclusion of each semester to all Campus Security Authorities or CSAs. CSAs will also be informed in writing and/or through training to report crimes to the Department of Public Safety in a timely manner so those crimes can be evaluated for timely warning purposes.

Public Safety is the department responsible for identifying positions that are classified as a CSA. A Campus Security Authority or CSA is a Clery-specific term that encompasses four groups of individuals and organizations associated with an institution:

- A campus police department or a campus security department of an institution
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into an institutional property)
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Anonymous Statistical information is requested from, and at times shared by, Licensed Counselors of the Counseling Center. Licensed Counselors are not required by law to provide statistics for this compliance document. Licensed Counselors, as defined by the Federal law, who act in such capacities, have been advised that, while they are not obligated to report crimes for the purpose of compiling these statistics, they are encouraged, when they deem it appropriate, to inform the persons they are counseling of their ability to report any crimes to the Department of Public Safety for inclusion in the annual statistics. The Counseling Center facilitates anonymous reporting.

All statistics will be gathered, compiled, and reported to the college community via the "Annual Security Report," which is published by the Department of Public Safety. Public Safety submits the annual crime statistics published to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.

## **Preparation of Annual Disclosure of Crime Statistics**

The annual security report is completed to help empower the campus community with the information they need to make informed decisions about their safety.

The Century College Department of Public Safety is the Department primarily responsible for preparing the Annual Security Report. This responsibility is specifically designated to the Director of Public Safety and the Clery Compliance Officer. The procedures for preparing the annual disclosure of crime statistics include the collection and reporting statistics to the College community obtained primarily from following sources:

- Century College Department of Public Safety
- White Bear Lake Police Department
- Ramsey County Sherriff's Office
- Metro Transit Police Department
- Washington County Sherriff's Office
- Minnesota State Patrol

- Minnesota Department of Natural Resources

Additionally, statistics are collected from other law enforcement agencies as well as non-police or public safety personnel who have been designated as Campus Security Authorities or CSAs.

The Office of Student Affairs, Diversity & Inclusion Office, Title IX Office, and Human Resources Department are key offices from which hate crime information, in addition to drug, liquor, and weapon offense referral data is obtained as well as other crime statistics. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported.

Final report preparation is coordinated by the Director of Public Safety and Clery Compliance Officer with Human Resources, Student Affairs, and the Title IX Coordinator.

### **Specific Information about Classifying Crime Statistics**

Clery crime statistics are gathered in accordance with the standards and guidelines used by the FBI Uniform Crime Reporting Handbook, National Incident-Based reporting System (NIBRS), and relevant federal law (the Clery Act).

## **Crime Reporting Policies & Procedures**

[College Policy: 6.15 Crime Statistics & Reporting](#)

### **Reporting Policies**

The Public Safety Office, located in room E1411 (651-747-4000), is the office to which criminal reports should be made. Everyone on campus (including students, faculty, staff, and visitors) are encouraged to report **immediately** any and all potentially criminal activity to the Public Safety Office and/or the White Bear Lake Police Department, phone number 651-429-8511 (West Campus) or Washington County Sheriff's Office, phone number 651-439-9381 (East Campus) or 911 for emergency calls. Individuals reporting incidents to the Century College Public Safety Office who also wish to file a complaint with the police will be provided assistance if requested, or if they are unable to make such a request.

The Department of Public Safety urges all campus entities that are excluded from mandatory reporting, such as licensed mental health counselors, to advise clients who are victims of crime to report those incidents to the Department of Public Safety or local law enforcement authorities, and to report confidential information used strictly for statistical purposes to the Department of Public Safety.

The Department of Public Safety normally requires a written complaint to begin the investigation process. Century also normally requires the assistance of the complainant in the disciplinary process against the accused. Century will make exceptions when necessary, including cases presenting clear danger to the victim and/or the college community.

The Department of Public Safety encourages accurate and prompt reporting of all crimes to the appropriate police agencies, when the victim of a crime elects to, or is unable to make such a report.

### **Reporting Procedures**

All criminal activity occurring on campus should be reported **immediately** to Public Safety, phone number 651-747-4000 and/or to the White Bear Lake Police Department, phone number 651-429-8511 (West Campus) or Washington County Sheriff's Office, phone number 651-439-9381 (East Campus) or 911 for emergency calls. Public Safety will assist the complainant in completing criminal reports if requested, or if the victim is unable to make such requests. These reports will also be forwarded to the appropriate law enforcement agency. In appropriate cases, reports will also be shared with the Campus Student Conduct Office. Public Safety will assist local law enforcement agencies with investigations.

The following people with significant responsibility for student and campus activities must report potential criminal activity of which they are aware to Public Safety:

- Director of Access Services,
- Admissions Associate Director,
- Advisors,
- Athletic Director,
- Bookstore Supervisor,
- Career and Placement Services Director,
- Associate Vice President of Diversity, Equity and Inclusion
- Coaches,
- Counselors,
- Deans,
- Financial Aid Director,
- Health Services Director,
- Nurses,
- Associate Vice President of Human Resources,
- President,
- Registrar,
- Student Affairs Deans,
- Student Life Director,
- Provost/Vice President of Academic & Student Affairs
- Vice Presidents, as well as any of their assistants,
- As well as any other college employee with supervisory responsibility.

These individuals should not attempt to investigate but should instead report and allow Public Safety to investigate and/or refer to local law enforcement agencies for investigation.

#### **Mandatory reporting of abuse or neglect of children or vulnerable adults**

Minnesota law provides special protection for children under 18 and vulnerable adults. These laws, Minnesota Statutes sections 626.556 and 626.557, identify those who are mandated to report neglect or abuse of children under 18 and maltreatment of vulnerable adults. Faculty, student teachers or clinical participants, day care personnel, and others involved in education or services to children or vulnerable adults may be considered mandated reporters under both of these laws. Reports of abuse or neglect of a child or vulnerable adult, must be made to law enforcement or state or county social service agencies.

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

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

1. Call Public Safety, phone number 651-747-4000 or the White Bear Lake Police Department, phone number 651-429-8511 (West Campus) or Washington County Sheriff's Office, phone number 651-439-9381 (East Campus) or 911 for emergency calls including medical assistance, fires, suspicious people or activities, crime reports, traffic accidents, or other illegal activities;
2. If you do not feel comfortable making a report to Public Safety, you may make a report to any of the Campus Security authorities listed above, or by using the confidential or anonymous reporting procedures listed below this section.

3. Obtain a description of the offender(s), including gender, age, race, hair, clothing, and other distinguishable features. Attempt to obtain a description and license number of any vehicle involved. Note the direction taken by offenders or vehicles and report the direction to Public Safety or law enforcement agencies;
4. Preserve the crime scene: Do not touch any items involved in the incident. Close off the area of the incident and do not allow anyone in the crime area until Public Safety and/or police arrive.

Public Safety will accept third-party reports in cases of sexual assault in order to protect the victim's identity.

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

All persons in the Century College community are encouraged to assist anyone in reporting alleged criminal activity by contacting Public Safety, 651-747-4000 and/or the White Bear Lake Police Department, phone number 651-429-8511 (West Campus) or Washington County Sheriff's Office, phone number 651-439-9381 (East Campus) or 911 for emergency calls.

For medical emergencies, call 911 in the event of a life-threatening situation. Contact Public Safety (651-747-4000) after calling 911 and for assistance with non-life-threatening situations.

Student organizations with control of any facility are encouraged to report safety and security concerns to Public Safety (651-747-4000).

### **Voluntary Confidential Reporting**

Century College does not provide a confidential reporting option to Campus Security Authorities (CSA) and does not allow for voluntary confidential reporting.

### **Confidential Reporting**

Students may make confidential reports to Pastoral or Licensed Counselors. Century College does not have any Pastoral Counselors, but a Licensed Counselor is available in the Advising and Counseling Center. Licensed Counselors in their capacity and function do not make identifiable reports of incidents to the Official On-Campus Resources unless the student specifically makes this request. However, the College encourages counsellors, if and when they deem it appropriate, to inform students they can report incidents of crime to the Department of Public Safety, which can be done directly or anonymously through the facilitated anonymous reporting process as outlined below.

### **Anonymous Reporting**

The Century College Department of Public Safety, unless otherwise prescribed by law, does not take anonymous incident reports. The only exceptions to this policy are addressed below:

#### **1. Facilitated Anonymous Reporting**

Students may request a Licensed Counselor in the Counseling Center to facilitate anonymous reporting using an internal form designed to capture general details about the incident (date, time, location, and brief description of the incident type) for inclusion in the college's Annual Security Report.

#### **2. Anonymous Report for Sexual Misconduct, Dating/Relationship Violence, Stalking**

A student who has experienced sexual misconduct, who has received a report from someone who has experienced sexual misconduct, or anyone who witnessed sexual misconduct may make anonymous reports using the [Incident Reporting Form](#)

#### **3. Anonymous Report for Bias Incident**

A bias incident is an act of bigotry, harassment, or intimidation that is motivated in whole or in part by bias based on an individual's or group's actual or perceived race, color, creed, religion, national origin, gender, age, marital status, disability, public assistance status, veteran status, sexual orientation, gender identity, or gender expression. Bias often stems from fear, misunderstanding, hatred, and stereotypes and may be intentional or unintentional. A community member who has experienced a bias incident, who has received a report from someone who has experienced bias incident, or anyone who witnessed a bias incident may make anonymous reports utilizing the [Bias Incident Reporting Form](#) or by visiting <https://www.century.edu/about/bias-incident-response/>.

While anonymous reporting is available by these limited means, the College's ability to investigate and appropriately address allegations of misconduct will be significantly limited. Crimes reported confidentially to the counseling center are not disclosed in the College's crime statistics or reporting processes, unless those crimes are reported to the Department of Public Safety through the facilitated anonymous reporting process.

## **Off-Campus Crime**

Century College does not have any officially recognized student organizations that have housing facilities on or off campus. All Century College recognized organizations that are off campus would be monitored by local law enforcement agencies. Just because a facility or organization is located off-campus, (i.e., conference or class) does not mean activity at that location is not monitored. Such activity is monitored by local law enforcement agencies, who may share information with Century College. Century College includes off-campus student organizations' crime statistics in its annual report when available from local law enforcement agencies.

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

The Department of Public Safety Dispatch, when available, will transfer all calls for service to an available Public Safety Officer. When Public Safety Dispatch is unavailable an Officer will directly take calls for service. All calls for service regarding allegations of criminal activity or other emergency situations will be recorded in a records management system or otherwise documented.

All allegations will be investigated. These investigations may be made in conjunction with the appropriate law enforcement agencies.

Cases of arson with minor damage will be investigated by the Director of Public Safety or Lead Public Safety Officer. Cases of arson involving major damage (generally greater than \$1000) will be forwarded to the appropriate fire department, based on the location of the incident.

The Department of Public Safety Officers are required to document in a written report any allegations of crimes that are reported to the department without exception, even if the department chooses not to pursue disciplinary action or criminal charges.

- All written reports will contain the following information when available
  - Names of all parties involved
  - Type of crime/incident alleged
  - Date and time the crime/incident alleged occurred and date and time of report
  - Disposition of the crime/incident alleged
  - Written narrative documenting the elements of the alleged crime/incident and the actions taken by the officer
  - External agency documentation including responding officers and or case numbers
  - Digital media will be attached to all reports when applicable

- All reports are reviewed by the Clery Compliance Officer for statistical purposes

Reports will be classified by the Director of Public Safety or Lead Public Safety Officer in conjunction with the appropriate law enforcement agency according to the FBI Uniform Crime Reporting Definitions.

When alleged perpetrators are identified as students, the case will be forwarded to the College Student Conduct Officer for investigation and appropriate action. Employee alleged perpetrators will be referred to Human Resources for investigation and appropriate action. Criminal investigation, arrest, and prosecution can occur independently, before, during, or after the student judicial or employee disciplinary process.

The College will issue a timely warning, immediate and emergency notification to members of the campus community in cases where it is determined that an ongoing threat to students and employees continues to exist.

## **Records Retention**

The Department of Public Safety will maintain all Clery related records for 7 calendar years. These records will include, but are not limited to the following:

- A list of all Campus Security Authorities
- Comprehensive list of all buildings and land owned or controlled by the College including leased property.
- A copy of the biennial review of the College's alcohol and drug abuse prevention programs
- An audit trail that includes a list of all incidents of crimes reported to the Department of Public Safety or other campus security authorities that were included in the statistical disclosures contained in the annual security report.
- An audit trail that includes a list of all arrests and disciplinary referrals to the College's student disciplinary process for violations of laws involving alcohol, drugs and weapons that were included in the statistical disclosures contained in the annual security report.
- A copy of the annual security report

## **Crime of Violence – Notification of Final Results**

Century College will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible 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 purposes of this paragraph.

## **Memorandum of Understanding**

There is a written agreement or Memorandum of Understanding (MOU) between Century College and the White Bear Lake Police Department and the Washington County Sheriff's Office. Current agreements specifically address the response and investigation of alleged incidents of sexual assault and relationship violence. These Memorandums provide guidance regarding Title IX/Civil Rights investigation requirements. There are no current MOU's or other type of written agreements with any law enforcement agencies, for the investigation of alleged criminal offenses beyond incidents of sexual assault and relationship violence as described above.



# Timely Warning & Immediate and Emergency Notifications

[Century College Policy: 6.17 Timely Warnings, Immediate and Emergency Notifications](#)

## Immediate and Emergency Notifications

### Purpose

Immediate and Emergency Notification must be issued to the campus community upon confirmation of a significant emergency or dangerous situation occurring on campus that involves an immediate threat to the health and safety of students and employees. This policy is designed to assist the College in determining the content of the emergency notification and define the situations for initiating the notification system.

### Responsibility

The Director of Public Safety or Lead Public Safety Officer, in coordination with Public Safety Officers, will initiate the College's emergency mass notification processes during confirmed significant emergency or dangerous incidents that pose an immediate threat to the health and safety of campus community members. Wherein, Public Safety personnel need to notify campus community members immediately in order to reduce the likelihood of casualties or injuries. In situations where an imminent threat is present, the Director of Public Safety or Lead Public Safety Officer and all other Public Safety Officers, have the ability and authority to issue an alert immediately and without further consultation with any other College official.

Although activation of the emergency notification system will generally be performed by the members of the Department of Public Safety. Any member of the Emergency Operations Team is authorized to prepare and send emergency notification messages. The following personnel will be trained, have the credentials, and authorization to prepare and send emergency messages via the emergency notification systems:

- Vice President of Finance and Administration
- Vice President of Information and Technology
- Public Safety Director
- Lead Security Officer
- Safety Administrator
- Campus Security Officers
- Physical Plant Manager
- Director of Marketing and Communications

### Evaluation of Emergency Situation

As part of its Emergency Operations Plan, the College has adopted a formalized procedure for issuing emergency alerts to the campus community. The College, based on the judgments of members of the Department of Public Safety will endeavor to immediately notify the campus community (or appropriate segments separately and distinctly impacted) upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of the campus community occurring on or near the campus. A threat is imminent when the need for action is instant, overwhelming, and leaves no moment for deliberation.

## Confirmation & Activation

When on-duty Public Safety officers become aware of a situation that may warrant the issuing of an emergency alert they will:

1. **Confirm that there is a significant emergency.** Confirmation typically involves the response and assessment, based on this policy, by Public Safety Officers, college officials, local law enforcement, or emergency responders, who quickly evaluate the situation to determine if an alert is warranted. Confirmation means that a College Official or Public Safety Officer has verified that a legitimate emergency or dangerous situation exists. Confirmation does not necessarily mean that all of the pertinent details are known.
2. **Immediately, without delay, taking into account the safety of the campus community, activate the campus immediate emergency notification process and systems upon confirmation of a seriously violent or extremely hazardous incident or dangerous situation involving an immediate threat to the health and/or safety of students or employees is occurring on the campus or near the campus.** Immediate notification to the campus is required when a confirmed significant emergency or dangerous situation involving an immediate threat to the health and/or safety of students or employees is occurring on the campus or near the campus. Notification will occur for all confirmed seriously violent or extremely hazardous situations including but not limited to those outlined below unless the notification, in the professional judgment of responsible authorities, will compromise efforts to assist a victim(s) or to contain, respond to, or otherwise mitigate the emergency.

### a. Fire

All confirmed fires contained in or around campus buildings will be considered an immediate threat to the campus community if they are:

1. Actively burning in or on a campus building; or
2. Actively approaching within one mile of the campus boundary, and uncontrolled and/or uncontained.

In the event of a fire the Evacuations Procedures outlined in *Century College Policy 6.16 Safety, Education and Crime Reporting* will be followed.

### b. Outbreak of meningitis, norovirus, or other serious illness

If a local, state or federal health officials or organization declares an outbreak, epidemic, or pandemic situation involving meningitis, norovirus, or serious communicable illness, which is affecting the local campus area the college will:

1. Provide students and employees a single notification informing them about the illness and necessary health and safety precautions, as well as encouraging them to obtain information from health care providers, state health authorities, and or the CDC's website. This message will also indicate the steps the college is taking to protect the safety of the campus community. These steps may include additional cleaning and decontamination, closing of areas, or other procedures as recommended by the local health authorities.; or
2. Create a banner at the top of the Century.edu homepage containing that same information, including a statement about the outbreak, epidemic, or pandemic and a link to the state health authorities, and or the CDC's website.

Additional Messages regarding the pandemic will be provided if there is a situation change to the outbreak on campus. For example, if substantial outbreak has reoccurred on campus or if procedures regarding the pandemic have changed (or) As directed by local health officials.

Outbreaks of meningitis, norovirus, or other serious illness, evaluated based on following criteria, will be considered an immediate threat to the campus community if:

1. local health officials have declared an outbreak of meningitis, norovirus, or serious communicable illness in the local area or
2. Meningitis, norovirus, or serious communicable illness has been confirmed based on medical diagnosis or symptoms when such diagnosis is not available or possible and
3. Outbreak of 2 or more linked case of the same illness and at least one of the infected individuals(s) has/have been on campus within the last 14 days.

Additional Messages regarding the outbreak will be provided if there is a situation change to the outbreak on campus. For example, if substantial outbreak has reoccurred on campus or if procedures regarding the outbreak have changed (or) As directed by local health officials.

**c. Approaching tornado or other extreme weather conditions**

In our area, the most dangerous conditions generally consist of severe thunderstorms and tornados. National Weather Service warnings are normally issued by geographic county and occasionally at the city level. Minnesota storms may develop or change quickly with little or no warning. Immediate notification will be issued whenever:

1. A severe thunderstorm warning has been issued for the immediate area of White Bear Lake/ Mahtomedi or the projected storm path specifically includes either of these cities, and the warning indicates the storm poses a risk of danger to the campus community.
2. A Tornado warning has been issued for the immediate area of White Bear Lake/ Mahtomedi or when information indicates a tornado cell includes either of these cities, and the warning indicates the storm poses a risk of danger to the campus community.

In the event of approaching tornado or other extreme weather conditions the Severe Weather/ Tornado Warning Procedures outlined in *Century College Policy 6.16 Safety, Education and Crime Reporting* will be followed.

**d. Earthquake**

Minnesota is not a very tectonically active state; however, there is at least one fault zone. A confirmed earthquake will be considered a threat to the campus community if:

1. the magnitude of such earthquake is over 5.4 measured within one mile of campus.; or
2. There is damage to campus or surrounding buildings.

In the event of an earthquake the evacuations procedures outlined in *Century College Policy 6.16 Safety, Education and Crime Reporting* will be followed.

**e. Gas Leak**

All confirmed gas leaks will be considered an immediate threat to the campus community if they are:

1. inside or directly outside of a campus building.; or
2. within a one-mile radius of Century College and determined to be a risk to the campus community by local officials.

In the event of a gas leak inside or directly outside of campus buildings the Evacuations Procedures outlined in *Century College Policy 6.16 Safety, Education and Crime Reporting* will be followed.

In the event of a gas leak in the campus area the Shelter in Place procedures outlined in *Century College Policy 6.16 Safety, Education and Crime Reporting* will be followed.

**f. Terrorist Incident**

All confirmed terrorist incidents affecting the campus, or within one mile of the campus will be considered an immediate threat to the campus community. The approach to such incidences will be evaluated on a case-by-case basis, but may include activating the evacuation, active shooter, or shelter in place procedures outlined in *Century College Policy 6.16 Safety, Education and Crime Reporting*, or recommendations from local officials.

**g. Armed intruder**

All armed intruder incidents occurring on campus or in campus buildings will be considered an immediate threat to the campus community. The approach to such incidences will include activating the active shooter procedures outlined in *Century College Policy 6.16 Safety, Education and Crime Reporting*.

**h. Bomb Threat**

All confirmed bomb threat incidents affecting the campus will be considered an immediate threat to the campus community. The approach to such incidences will be evaluated on a case-by-case basis, but may include activating the evacuation, active shooter, or shelter in place procedures outlined in *Century College Policy 6.16 Safety, Education and Crime Reporting*, or recommendations from local officials.

**i. Civil Unrest or Rioting**

All confirmed Civil Unrest or Rioting incidents affecting the campus, or within one mile of campus will be considered an immediate threat to the campus community. The approach to such incidences will be evaluated on a case-by-case bases, but may include activating the evacuation, active shooter, or shelter in place procedures outlined in *Century College Policy 6.16 Safety, Education and Crime Reporting*, or recommendations from local officials.

**j. Explosion**

All confirmed explosions will be considered an immediate threat to the campus community if they are:

1. Inside or directly outside of a campus building.; or
2. Within a one-mile radius of Century College and determined to be a risk to the campus community by local officials.

In the event of an explosion inside or directly outside of campus buildings the Evacuations Procedures outlined in *Century College Policy 6.16 Safety, Education and Crime Reporting* will be followed.

In the event of an explosion in the campus area the Shelter in Place procedures outlined in *Century College Policy 6.16 Safety, Education and Crime Reporting* will be followed.

**k. Chemical or Hazardous Waste Spill**

All confirmed chemical or hazardous waste spills will be considered an immediate threat to the campus community if they:

1. pose an immediate risk to the campus community due to the severity of the spill and
2. is located inside or directly outside of a campus building.; or

3. is located within a one-mile radius of Century College and determined to be a risk to the campus community by local officials.

In the event of chemical or hazardous waste spill inside or directly outside of campus buildings the Evacuations Procedures outlined in *Century College Policy 6.16 Safety, Education and Crime Reporting* will be followed.

In the event of a chemical or hazardous waste spill in the campus area the Shelter in Place procedures outlined in *Century College Policy 6.16 Safety, Education and Crime Reporting* will be followed.

To facilitate the ability of our students and employees to protect themselves in the event of an emergency situations, the college community is encouraged to review Century College's Emergency Response Procedures and Emergency Operations Plan located at [www.century.edu/emergency](http://www.century.edu/emergency). Quick reference guides are located in most classrooms and office suites.

### **Determining Message Content, Distribution Method, and Community Segments**

The Director of Public Safety or Lead Public Safety Officer develops the content of the notification message whenever possible, and then identifies the appropriate segment or segments of the campus community who will receive the notification. All Campus Public Safety Officers have the authority and ability to determine the message content, distribution method, and community segments in the absence of the Director of Public Safety or Lead Public Safety Officer when any delay in message distribution would pose an additional risk to the campus community.

### **Message Content**

Notification message content is determined based on the type of incident, the context with which it is occurring, and the immediate danger or threat to the campus community, and the need to advise campus community members to take action. Pre-canned messages have been prepared as part of the emergency notification system to aid in rapid communication processes during incidents of grave concern.

The Department of Public Safety will determine how much information is appropriate to disseminate at different points in time. When the emergency mass notification system is activated, Public Safety Officers will notify the campus community of the emergency situation, its exact location (when available), and request community members to protect themselves in some way. In most cases this will be achieved by evacuating the affected area if it is safe to do so and/or by employing the "Shelter in Place" concept. In the event of an active shooter on campus, follow the Active Shooter procedures.

Follow-up notices/communications will be provided as necessary during an active incident and may be provided by the Director of Public Safety or Lead Public Safety Officer. When a threat is neutralized or effectively removed, campus community members will be appropriately informed generally by public address system, email or text alert based on the incident.

## **Message Distribution**

Distribution is accomplished through a variety of communication methods, but the use of the emergency StarAlert (cell phone text/voice messaging, email, social media, website), Fire Alarm/ Public Address Notification system, and or Alertus (computer desktop notification) would be seen as the most common and quickest form of communications under most circumstances.

The College's means of communicating during an emergency situation includes the following, although not all of these methods are always employed. The communications method used would depend on the type of emergency:

- Cell phone Text/Voice Messaging
- College Computer Notification
- All Campus Email Alerts
- Voicemail
- College Website, Facebook, and Twitter Accounts
- College landline phone
- Public Media (TV, radio, news websites)
- Fire Alarm System Notification
- Public Address System
- Flyers posted throughout Campus
- In-person Notifications

## **Campus Segments**

The segment(s) of the campus receiving an immediate or emergency notification is decided based on who is directly impacted by the emergency and whose health and/or safety may be in jeopardy. The entire campus community will be notified when there is at least the potential that a very large segment of the community will be affected by the situation, or when the situation threatens the operation of the campus as a whole.

If only a portion of the campus community is notified there will be a continuing assessment of the situation and additional segments of the campus community may be notified if the situation warrants such action.

Local law enforcement, emergency responders, will be notified by phone of any actual on-campus emergency that poses a threat to campus and/or the immediate local community.

## **Disseminating the Emergency Information to the Larger Community**

The college will disseminate emergency information to the larger community in situations that may pose a threat to the larger community via radio and/or tv alerts, as well as posts to the Century.edu homepage and Century College social media pages. In most cases this distribution will be prepared and distributed by the public information officer. In situations that pose an immediate threat to the larger community the Director of Public Safety or Lead Public Safety Officer and all other Public Safety Officers, have the ability and authority to issue an alert immediately and without further consultation with any other College official.

Parents and community members may opt into the Century College StarAlert system by visiting <https://staralertcenturycollege.bbcportal.com/>. Those who opt into the system will receive alerts anytime the StarAlert system is activated.

If it is determined by the Director of Public Safety, Lead Public Safety Officer, or on duty public safety officer that the emergency situation only poses a threat to the campus community no notification will be made to the larger community except those who have opted into the StarAlert System.

## **Timely Warnings**

### **Purpose**

Timely Warning Notices are sent to the college community to notify members of the community about specific Clery Act crimes that have been reported to the Department of Public Safety and that have occurred within our Clery Geography which includes on-campus property, public property immediately adjacent to and accessible from the campus, or certain non-campus property, where it is determined that the incident may pose a serious or ongoing threat to members of the College community. Such timely warnings withhold the names of victims as confidential, aid in the prevention of future crimes and provide an opportunity for individuals to take reasonable precautions for their own safety. Such messages will be issued in a timely manner to afford the campus community with opportune time to put themselves on guard, so as to take reasonable precautions for their own safety.

### **Responsibility**

The Director of Public Safety or Lead Public Safety Officer reviews all criminal and/or serious incidents to determine if there is an ongoing threat to the community and if the distribution of a Timely Warning Notice is warranted.

Timely Warning Notices are generally written and distributed to the campus community by the Director of Public Safety or the Lead Public Safety Officer, and they are routinely reviewed and approved by the Vice President of Finance and Administration. The Director of Public Safety or the Lead Public Safety Officer has the authority to issue a Timely Warning Notice without such consultation if consultation time is not available. Should the Director of Public Safety or the Lead Public Safety Officer be directly impacted and involved in an incident response or otherwise unavailable, the Director of Marketing could write and send a Timely Warning Notice with the approval and advice of the Director of Public Safety or the Lead Public Safety Officer.

### **Evaluation of Crimes**

Timely Warning Notices may be distributed for any of the following Clery Act crime categories/classifications that are reported directly to the Department of Public Safety or indirectly to the Department of Public Safety through a campus security authority or local police agency:

- murder
- non-negligent manslaughter
- sex offenses (rape, fondling, incest, and statutory rape)
- robbery
- aggravated assault
- burglary
- arson
- hate crimes
- motor vehicle theft
- domestic violence
- dating violence
- stalking
- arrests and referrals for liquor law, weapons law, and drug law offenses.

Note: Crimes reported to licensed counselors are not subject to the timely reporting requirement.

The issuance of a Timely Warning will be evaluated on a case-by-case basis in light of all the facts surrounding the crime, including factors such as the following:

- The nature of the crime
- The timeliness of the report
- The continuing danger to the campus community, such as whether the perpetrator was apprehended.

The risk of compromising law enforcement efforts will also be considered but would not prevent an alert from being issued if there is a serious or ongoing threat to the campus community. The alert may only restrict those specific details, which if released, would compromise ongoing law enforcement efforts.

Timely Warnings for the crimes of negligent manslaughter, aggravated assault, domestic violence, dating violence, and arrests or referrals for liquor, drug, and weapons offenses are considered on a case-by-case basis because these cases are usually personal in nature and focused on a single victim. For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to other Century College community members and a timely warning alert would not be distributed.

Typically, Timely warnings are not issued for any incidents reported that are older than two weeks or 14 days from the date of occurrence as such a delay in reporting has not afforded Century College an opportunity to react or respond in a timely manner.

Crimes that occur outside the campus' Clery geography, or other non-Clery specific crimes will be evaluated on a case-by-case basis.

### **Message Content**

Timely warning notices for Clery act crimes that occur within the campus' Clery geography will be titled "Timely Warning Notice – *Crime Description*"

The Message will contain the following if known:

- A notice that the information has been distributed in compliance with Federal Law
- Specific information regarding the crime that prompted the alert including:
  - The Date/time of the incident
  - The location
  - The nature of the crime
  - Suspect information when deemed appropriate and when there is enough detail to aid in the identification of an individual suspect.
- Information that will promote safety and potentially aid in the prevention of similar crimes
- Contact information for the Department of Public Safety

If an alert is issued for a non-Clery act crime or a crime that occurs outside the campus' Clery geography it will be titled "Crime Alert". It may contain some or all the same information a timely warning notice would contain.

### **Message Distribution**

Timely warning notifications will be primarily sent by blast email, community wide to all students and employees. Alerts may also be posted on the college website and posters may also be posted by the Department of Public Safety in campus buildings when deemed necessary.

- When Timely Warning Notices are posted in campus buildings, they are printed on red paper and posted in lobby/entrance areas of key buildings for a time period determined by the Director of Public Safety or designee.



Alerts can also be sent/communicated via Century College's text/voice messaging system and a variety of other notification methods.

- Century College professional staff are informed of their responsibility to share alert information with their sponsored visitors and/or guests. Event Services staff are instructed to inform event attendees and/or directors/leaders of alerts.

Updates to the campus community, when deemed necessary, about any particular case resulting in a Timely Warning Notice may be distributed via blast email.

### **Emergency Notification System, Testing, and Registration**

The Emergency Notification System will be tested each academic year to ensure that all systems are working properly and that emergency operations team members maintain a working knowledge of the system. These tests will also serve as educational moments for the campus community to remind them that this system does exist, and that it is a working and functioning system that they can rely upon.

Students, staff, and faculty shall be informed of the College's emergency notification system, emergency response and evacuation procedures twice a year, at the start of each semester, through an email notification. This includes dissemination of information and procedures about how to respond during the activation of the emergency notification system in response to a significant incident on campus or within the immediate area of the campus that potentially directly impacts the safety of campus community members.

Public Safety officers additionally test evacuation procedures for all academic/administrative buildings at least once a year, but in most cases during Fall and Spring semester as part of Public Safety's fire drill and safe evacuation programs. No more than one week prior to these drills the Department of Public Safety will notify the campus community by email of the emergency response and evacuation procedures. This includes dissemination of information and procedures about how to respond during the activation of the emergency notification system in response to a significant incident on campus or within the immediate area of the campus that potentially directly impacts the safety of campus community members.

The Department of Public Safety will document for each test including a:

- description of the drill or exercise
- the date and time of the test
- whether it is announced or unannounced.

The Department of Public Safety will complete follow-through activities that may include a survey, after action report, and/or an analysis of the message distribution success.

The emergency notification cell phone text/voice messaging system (StarAlert) will be typically tested on the first Wednesday of the month. These tests are usually announced tests, but they may be unannounced. Faculty, Staff and Students may opt out of the Emergency Notification System Messaging. Parents and community members may opt into the StarAlert system at <https://staralertcenturycollege.bbcportal.com/>

In an effort to ensure the campus community responds to Emergency Notifications promptly the emergency notification systems will only be used solely for emergency drills or emergencies.

Additionally, emergency procedures posters are posted in most classrooms, conference rooms and office suites throughout campus. These posters provide quick actions for community members to take in the event of an emergency notification system activation, including Run, Hide, Fight, etc.

## **College Community Safety, Education, & Crime Prevention**

[Century College Policy: 6.16 Policy Safety Education and Crime Reporting](#)

### **Educational Programming on Campus**

Century College strongly encourages students and employees to be responsible for your own security and the security of others. The Century College Department of Public Safety provides assistance in presenting programs on campus security and safety each semester. The college develops and presents educational programs in the area of crime prevention, sexual assault awareness, personal safety, fire prevention, etc. Public Safety works with the local police departments on training opportunities and presentations for the campus community.

Public Safety has available, at no cost, brochures, flyers, and pamphlets concerning various safety and security issues. The Century College Health Service and Advising, Counseling, & Career Center provide staff to aid students in coping with alcohol and drug abuse.

### **Testing, Emergency Preparedness Drills and Table-Top Exercises**

In accordance with the institution's Emergency Operations Plan, Century College will use its emergency procedures and plans for testing emergency notification, response, and evacuation. A test is defined as regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities.

Training, drills, and exercises will be conducted at various times of the year to ensure members of the campus community are aware of actions to be taken in the event of emergency situations. These activities include individual, group and campus wide training. College employees may be assigned special duties and/or responsibilities for emergency response and will receive training to complete these actions. Other people that may be on campus during an emergency cannot be expected to have training on campus emergency procedures.

All employees are expected to assist in directing students and others on proper actions during emergency situations. Results of each training drill or exercise 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 in the Clery file located in the Public Safety Office. Records for all Clery-related requirements are maintained for seven years and available upon request.

### **Emergency Procedures**

Annually a number of drills are scheduled to help train the campus community on procedures for fire, severe weather/tornado, and active shooter on campus emergencies. These trainings and drills may include full-scale evacuation and participation of local emergency responders. At other times, a faculty member or supervisor may simply review procedures with an individual, class or work group.

- Fire and Active Shooter: Drills will normally be conducted in the third week of each semester. Instructors in classes not in session during drills will discuss procedures with each class during the same week of the drills.
- Severe Weather/Tornado Drills: Training will normally be conducted with State of Minnesota testing in April. Instructors in each class will discuss the weather/tornado warning system and where the nearest safe areas are located in the building.

**Note:** Intermediate School District NE Metro 916 has drill requirements beyond those of the college to cover the school's three instructional time blocks. Whenever feasible, these drills will be conducted jointly with the college.

The Emergency Operations Team will perform periodic table-top exercises in order to practice the implementation of the campus' emergency operations plan and supplement emergency policies and procedures and to assess and evaluate emergency plan capabilities.

Additionally, divisional and department level exercises are regularly initiated to train staff personnel in emergency operations. During Emergency Operations Team exercises, the All Campus Evacuation Plan is either reviewed or practiced as part of the training session. The Director of Public Safety, in coordination with the Executive Cabinet and Faculty Shared Governance, will be responsible for scheduling and conducting these table-top exercises. As a minimum, one Emergency Operations Team Table-Top exercise per academic year will occur with the entire Emergency Operations Team. Additionally, local emergency responders from the Fire and Police Departments, and Emergency Management Agencies will be invited to participate along with college officials during one table-top each year. Exercises can be either announced or unannounced.

### After-Action Reports of Tests/Exercises

After-action reviews will be conducted following each test and/or exercise that documents the test/exercise, provides a description for each test/exercise, the date, time, and whether the test was announced or unannounced.

The following drills or exercises were conducted during the 2022 calendar year:

Description	Date of Test	Start & End Time	Announced	Unannounced	Drill	Exercise	Goal	Follow-through activity & Evaluation
Star Alert Test	1/10/22	1pm	X		X		Test continuity of StarAlert	Message delivered to all locations successfully
Active Shooter	1/18/22	Multiple	X			X	Test procedures Test PA & Alertus	See drill survey response action plan
Star Alert Test	2/2/22	1pm	X		X		Test continuity of StarAlert	Message delivered to all locations successfully
Star Alert Test	3/2/22	1pm	X		X		Test continuity of StarAlert	Message delivered to all locations successfully
Star Alert Test	4/6/22	1pm	X		X		Test continuity of StarAlert	Message delivered to all locations successfully
Full Evac	4/6/22	Multiple	X			X	Practice evac & ensure system operation	System failed in to sound alarm in some locations – fixed and test 4/7
Severe Weather	4/7/22	Multiple	X		X		Practice procedures and system in conjunction with statewide drills	Operational systems worked correctly
Star Alert Test	5/4/22	1pm	X		X		Test continuity of StarAlert	Message delivered to all locations successfully
Star Alert Test	6/1/22	1pm	X		X		Test continuity of StarAlert	Message delivered to all locations successfully
Star Alert Test	7/6/22	1pm	X		X		Test continuity of StarAlert	Message delivered to all locations successfully
Star Alert Test	8/3/22	1pm	X		X		Test continuity of StarAlert	Message delivered to all locations successfully
Star Alert Test	9/7/22	1pm	X		X		Test continuity of StarAlert	Message delivered only 70% and only students blackboard issue and permission issue corrected
Full Evac	9/12/22	Multiple	X		X		Practice evac & ensure system operation	Some instructors failed to evacuate their classes. Follow up with supervisors
Active Shooter	9/13/22	Multiple	X			X	Test procedures Test PA & Alertus	See drill survey response action plan
Star Alert Test	10/5/22	1pm	X		X		Test continuity of StarAlert	Message delivered to all locations successfully
Star Alert Test	11/2/22	1pm	X		X		Test continuity of StarAlert	Message delivered to all locations successfully
Tabletop Exercise	11/28/22	9:30am	X		X	X	Continuity of Emergency Communications	See After Action Report
Star Alert Test	12/7/22	1pm	X		X		Test continuity of StarAlert	Message delivered to all locations successfully

## **Emergency Preparedness Plans Overview**

Century College is required by federal, state and local regulations to have evacuation and emergency operations plans in place. Evacuation plans and emergency procedures can be found posted in each classroom, office suite, and conference room. Century 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 Century College and outlines the responsibilities and actions necessary to protect life, property, and the environment. A public version of this plan is available at: [www.century.edu/emergency](http://www.century.edu/emergency).

## **Fire / Evacuation Procedures**

Know a primary and secondary escape route from your work area/classroom (these routes are located on physical maps posted in most classrooms and offices). Look for the closest emergency exit sign(s) in the hallway outside your work area/classroom.

Know the location of fire alarm manual pull stations. These are normally found at stairwell exits and at exit points from the building.

If you observe a fire, immediately direct evacuation and sound alarm.

Immediately evacuate the building when the fire alarm sounds. During evacuation, please take readily accessible personal belongings (e.g., purses, coats, laptops) with you as you exit your office/classroom.

Doors and windows should be closed but unlocked, if possible, when evacuating. Areas with financial (cash) or other sensitive/confidential items should be secured after all employees have vacated the office if it does not risk the safety of employees or students.

Direct others to evacuate and assist individuals with disabilities or advise emergency personnel of the location of persons requiring assistance.

Call 911 to report the fire location if you know the location of fire/smoke.

Notify the Department of Public Safety at campus ext. 4000 or 651-747-4000.

Assist in directing the fire department to location of the fire if Public Safety or administration is not present. When outside the building, move well away from the building, keeping roadway and sidewalk access clear for emergency responders.

Do not re-enter the building until told it is safe by the fire department, Public Safety or administration staff. This announcement will generally be made over the public address (PA) system.

**Fire or other alarms should be taken seriously. Building evacuation is mandatory for all fire alarms. Only Public Safety or the on-scene incident commander can authorize reentry.**

### **Evacuation Procedures for Individuals with Disabilities:**

Building evacuations for fire-related and some other events may not permit individuals to use elevators, or some emergency egress routes. These situations require special assistance for individuals that cannot physically use the stairs. The following procedures are used to evacuate individual(s) with disabilities as quickly and safely as possible.

The majority of the time, individuals on the first or second floor of either campus will be able to exit the building without use of an elevator or stairs. The third floor in each of the main campus buildings requires stairs or elevator for egress. Safe area locations are visibly labeled and identified for staging individuals with disabilities for emergency response personnel to evacuate. Any of the college stairwells may be used as a safe staging area. A stairwell the greatest distance from the fire or event causing the evacuation would be best if you knew the source of the fire.

Another individual should remain at the staging area with the person with a disability to assist if it becomes necessary to relocate prior to the arrival of emergency personnel. Whenever possible, a third person should contact emergency

responders to inform them of the location of people needing assistance in evacuation. This also may be done by calling 911.

The primary safe area locations are listed for each building below:

**East Campus - Main Building:**

2nd floor egress can be done at the main lobby next to Lincoln Mall (E2500) or into the science/library building. An individual on the third floor or unable to exit 2<sup>nd</sup> floor should stage in stairwell “B” (E3230) or stairwell “F” (E3695).

**East Campus – Science/Library Building:**

2<sup>nd</sup> floor egress can be done through bridge exit toward west campus or into the east main building. An individual on 3<sup>rd</sup> floor should stage in the stairwell by the elevator or stairwell room E3877.

**West Campus – Main Building:**

2<sup>nd</sup> floor egress can be out of the lobbies on the front of the building. An individual on the 3<sup>rd</sup> floor should stage in stairwell “D” (W3040) or “K” (W3540) as possible.

**Severe Weather / Tornado Warning Procedures**

The National Weather Service issues various types of weather warnings to warn the public of weather-related danger. In our area, the most dangerous conditions generally consist of severe thunderstorms and tornados. National Weather Service warnings are normally issued by geographic county and occasionally at the city level. Minnesota storms may develop or change quickly with little or no warning.

The Century College main campus spans the boundary between Washington and Ramsey counties, as well as White Bear Lake and Mahtomedi city limits. This can cause confusion among the campus community because the warning sirens may sound at different times depending upon which side of the campus you are on, and which city/county warnings have been issued.

Century College can make weather-related warnings in the main campus buildings through our overhead paging emergency notification system. There are two different prerecorded messages. The first message announces that a severe weather warning has been issued for the immediate area. This message will broadcast across the entire campus whenever a severe thunderstorm warning has been issued for the immediate area of White Bear Lake/ Mahtomedi or the projected storm path specifically includes either of these cities, and the warning indicates the storm poses a risk of danger to the campus community.

The second weather warning is a tornado warning. The tornado warning message will only be announced when information indicates a tornado cell is in the immediate area of White Bear Lake/ Mahtomedi or the projected storm path specifically includes either of these cities.

The college monitors the national weather service for weather warnings. Based on that information, the Department of Public Safety will activate the appropriate message to the campus community. The message will be repeated at intervals of approximately every thirty minutes until the official warning expires. An “all clear” message will be given when all warnings have expired.

**Severe Weather Warning Actions:** All outdoor activities should prepare to move indoors or immediately move indoors if threatening weather is in the immediate area.

**Tornado Warning Actions:** All activities should immediately move indoors to shelter. In the buildings, please move to areas providing most shelter, especially lower levels and away from windows. Other shelter areas include restrooms and rooms with no windows.

## **Active Threat Procedure**

Run, Hide, Fight is a procedure to reduce the risk to the campus population during an active shooter event or when a high-risk situation threatens the campus. The procedure is designed to have people assess and choose the option most appropriate to the situation: run, hide, or fight. This procedure may be implemented in reaction to an event or proactively when there is information that indicates a high probability of immediate danger on campus.

Early warning and intervention are the tools for prevention. All members of the campus community must remain aware of others and report suspicious behavior to administration, a supervisor, the Advising, Counseling, and Career Center, and/or the Department of Public Safety. Many times, this proactive reporting results in professional help that can resolve concerns prior to escalation.

The notice of an active shooter threat may come from a public address (PA) announcement, phone/voicemail, electronic mail message, person-to-person, and/or any other timely means available. Direct observation or hearing gun fire may be the first indication in an active shooter situation. In this circumstance, prudence suggests you take immediate action to protect yourself as well as others. Mere moments can be the difference between safety and tragedy.

Staying alert, being prepared, remaining calm and working together will greatly assist our community should we encounter an emergency situation.

### **Immediate instructions in the event of an active shooter situation**

Advise Public Safety (651-747-4000), law enforcement (911) and/or administration if you observe any suspicious activity or have information about a possible event on campus.

Note: We often have police officers on campus in plain clothes attending classes. Visitors with concealed carry permits may carry on campus. Students and employees are not permitted to carry on campus.

If you observe a threatening individual with a firearm/weapon or become aware of a shooter - Run, Hide, Fight.

#### **Run**

- If you can safely exit the building, the best option is always to remove yourself from the threat area.
- Remember your closest exit may be a window – break the glass if necessary.
- Leave belongings behind
- Do not attempt to use your vehicle.
- Help others evacuate if possible.
- When safe to do so, call 911.
- Gather at the designated gathering spots – CVS Pharmacy to the North of West Campus and Orchard Dental Group to the South of East Campus

#### **Hide**

- If evacuation is not possible, find a place to hide.
- Lock and barricade doors using furniture, desks, and heavy objects.
- Silence cell phones, including turning off vibrate mode.
- Hide behind large objects if possible.
- Remain very quiet and do not leave until directed by emergency responders.

#### **Fight**

- Use as a last resort to protect yourself or others.
- Attempt to incapacitate the shooter using improvised weapons such as desks, chairs, computers, phones, or other objects.

- Act with physical aggression
- Once the shooter is incapacitated, call 911 and secure the weapon under a trash can or in a desk drawer.

**Provide as much information to 911 as possible including the:**

- Location of the active shooter
- Number of shooters
- Physical description of shooter(s)
- Number and type of weapons held by shooter(s)
- Number of potential victims at the location

**When emergency responders arrive:**

- Remain calm and follow instructions.
- Always keep your hands visible
- Avoid pointing or yelling.
- Know that help for the injured is on its way.

## **Emergency Operations Team**

All emergency incidents occurring on campus or affecting the college campus community will be managed using the Incident Command System (ICS) and the National Incident Management System (NIMS) as outlined by Federal and State agencies.

The primary responsibility for responding to emergencies on Century College's campus rests with the Department of Public Safety, local emergency services, and the President of the College. The Campus Incident Management System – Campus Emergency Operations Team - is the established protocol for managing all aspects of an incident. The Department of Public Safety, along with other College departments, and the emergency services organizations play an essential role as the first line of defense for the College. In responding to an emergency or disaster, Century College will make full use of the facilities, equipment, supplies, personnel, and resources of the College. The College President, as chief executive, has the authority to direct and coordinate disaster operations and may delegate this authority to an emergency manager. Incident Command is established when an authorized individual (usually a Department of Public Safety officer or supervisor, fire chief, police officer) is onsite and communicates their authority with all personnel involved.

If a situation arises on or around campus that could potentially threaten the health or safety of college community, members of Campus Emergency Operations Team, and members of Public Safety are immediately summoned as part of Century College's emergency operations plan.

Public Safety officers and administrators are trained in crisis response and have the authority to take immediate action in response to an imminent crisis, using the Emergency Operations Plan and departmental procedures as a guideline.

These actions may include:

- Deployment of additional Public Safety officers
- Engagement of law enforcement officials
- Summoning of local, county, or state emergency management officials
- Enhanced patrol of the campus
- Closing of roads and entrances onto campus
- Securing of campus buildings
- Evacuation of campus buildings



There is one Incident Commander for an incident. When more than one jurisdiction or one agency is involved, a Unified Command structure will be established. Command will function from an Incident Command Post. Certain "triggering" conditions may dictate a broader institutional response. This broader response will be managed from an Emergency Operations Center by the Campus Emergency Operations Team.

When an Emergency Operations Center is established, the Campus Emergency Operations Team will assume direction and coordination over the institution's response and recovery. The Emergency Operations Center will act as an umbrella organization that brings together all of the elements necessary to support the incident and maintain ongoing operations. Command will remain with the Incident Commander or Unified Command group.

The Campus Emergency Operations Team composition is as follows:

- Incident Command Group
  - President
  - VP Finance and Administration
  - Provost/Vice President of Academic & Student Affairs
  - VP Information Technology and Administration
- Emergency Operations Team
  - Associate Vice President of Human Resources
  - Assistant Director of Human Resources
  - Associate Vice President of Diversity, Equity and Inclusion
  - Director of Marketing and Communications
  - Director of Creative Services
  - Director of Public Safety
  - Lead Public Safety Officer
  - Safety Administrator
  - Director of Facilities
  - Physical Plant Supervisor
  - Director of Technical Operations
  - Dean of Students
  - Dean of Academic Affairs
  - Associate Vice President Academic Operations
  - Executive Assistant to the College President
  - Northeast Metro 916 School district representative.
  - General Counsel (as needed)

## **Personal Security Recommendations**

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

## **Escort Service**

The Century College Public Safety Department provides an escort service, particularly during hours of darkness, for people walking to or from their vehicle. Contact the Public Safety Department at 651-747-4000 to request an escort. Anyone that has personal safety concerns is encouraged to contact the Director of Public Safety regarding assistance and services that are available on campus. Escort services can be requested from any of the Code Blue boxes that are located in the parking lots around campus.

**Accidents or Medical Emergencies:**

Immediately call 911 (or 9-911 from a campus phone) for any life-threatening accident or medical emergency. It is important that you identify your location correctly because the east and west campus are in two different cities. After contacting 911, contact the Department of Public Safety at 651-747-4000.

Public Safety officers are trained in basic first aid and will assist in getting the appropriate level of professional assistance and completing necessary reports related to these events.

Automated External Defibrillators (AED) are provided at various locations across the campus for public use during emergencies. Campus employees are not required to use AEDs in medical response.

All accidents/incidents that result in injury and/or property damage must be reported. The Department of Public Safety Office will complete reports and/or assist in determining correct reporting based on the nature of the incident. Employees injured on the job should immediately notify their supervisor and the Human Resources office.

**Property/Liability Loss Report**

Property-Liability Loss Notice Forms are required to be completed for all accidents and medical emergencies involving students or visitors. Please follow the guidelines listed below when completing this form.

- The form can be found on the myCentury Public Safety page under Public Safety Documents
- Complete the form and send the original to the Public Safety Department.
- Complete and submit the form within 24 hours of the incident.
- Questions: Call the Campus Safety Administrator (651-747-4001) or the Department of Public Safety (651-747-4000).

**Employee First Report of Injury, Claims Investigation or Workers Compensation Program Forms**

The First Report of Injury form should be completed by the supervisor for work related injuries here or off campus and must be submitted within twenty-four (24) hours of the injury to Human Resources.

- Forms are available from Human Resources or the website: <https://mnscu.sharepoint.com/sites/CENT-HR/SitePages/Manager-Toolkit.aspx>.
- Complete the forms and return them to Human Resources. (A copy is not required to be sent to the College Health Service or the Department of Public Safety).
- Completing and submitting the forms will ensure that the injured person has access to professional advice and medical referrals necessary to begin recovery.
- Questions? Contact Human Resources (779-3989) or Nurseline (1-844-235-2055). The Nurseline is open for calls 24 hours a day, 365 days a year. Note: You do not use the State of Minnesota Incident Report for employee related injuries.

**Intermediate School District 916 Accident/Incident Reports**

Intermediate School District 916 has their own Accident/Incident report used to document accidents or incidents of students, employees or visitors to the school district located on the East Campus and at other District schools. Any accident involving a student, employee or visitor of 916's should be reported to Intermediate School District 916 Administration office E2351.

**Note: The State of Minnesota Property/liability loss report cannot be used for Intermediate School District 916 reporting of accidents or incidents.**

**Protect your property.**

- Do not loan your keys to anyone, even a classmate or a friend. They may not be careful with them and may misplace them, giving the wrong person access.
- Do not leave your personal belongings lying around in public places.
- 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.
- Personal property (purses, briefcases, calculators, portable computer equipment, etc.) should never be left unattended. Take such items with you if you are leaving the area.
- Always lock your door whenever you leave your office or classroom.
- Protect all valuables in your office or classroom. Do not leave valuables in plain view.
- Always lock your bike. There are several good anti-theft devices available. Case-hardened heavy locks and chains afford the best protection.

**Protect your automobile.**

- Always lock your car doors and never leave your valuables or keys in the vehicle.
- Try to park your car in a well-lit area.
- Avoid leaving property where it is visible.
- Put valuables in the trunk.

**Protect yourself at night.**

- Avoid walking alone at night, walk with a classmate to your car or request a Public Safety Escort.
- Refrain from taking shortcuts, walk where there is plenty of light and traffic.

**Protect yourself walking and jogging.**

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

**Help us protect you.****Suspicious activity:**

- If you observe any suspicious activity or people on or near campus, do not pursue them, call Public Safety immediately at 651-747-4000. Do not assume that what you observe is an innocent activity or that it has already been reported.
- Do not assume the person is a visitor or college staff member that you have not seen before.

**Suspicious people may be:**

- Loitering about at unusual hours and locations; running, especially if something of value is being carried.
- Exhibiting unusual mental or physical symptoms. Person(s) could be under the influence of drugs or otherwise needing medical or psychiatric assistance.
- Exhibiting threatening behavior or stalking.
- Carrying property that might be suspicious, depending on the circumstances, or going from room to room trying to open unlocked doors.
- Report all thefts, property loss, and suspicious behavior to Public Safety immediately (651-747-4000).
- Be security conscious at all times.

## **Sex Offender Notification**

Incarceration may remove a sex offender from the streets, but it does nothing to prevent the offender from committing another crime when released.

The federal campus crimes prevention act, enacted on October 28<sup>th</sup>, 2000, went into effect on October 28<sup>th</sup>, 2002. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by the state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required, under state law, of each institution of higher education in that State at which a person is employed, carries on a vocation, volunteers, serves, or is a student.

The Minnesota Department of Corrections discloses information on the public registrant search website regarding individuals who are required to register under Minnesota Statutes 243.166 or 243.167 who are also subject to public notification according to Minnesota Statutes 244.052 or 253D.32. The law enforcement agency responsible for disclosing information determines, on a case-by-case basis, what information to disclose. The Minnesota Department of Corrections posts information to this website within 48 hours of receiving authorization from law enforcement. To view those offenders, visit <https://coms.doc.state.mn.us/publicregistrantsearch>.

## **Building Security & Access**

[Century College Policy 6.14 Building Security and Access](#)

### **Building Security**

Failure to comply with directions of college officials, Public Safety officers, law enforcement officers and emergency responders acting in performance of their duties may result in denial of service, removal from campus property, referral to law enforcement, disciplinary actions, criminal actions and/or other sanctions.

Any unauthorized tampering, interfering, disruption, or damaging safety or security systems (alarms, cameras, locks, monitoring devices, access control, communication networks and/or communication equipment) may result in disciplinary actions up to and including termination of employment, expulsion and/or criminal charges.

### **Identification of Individuals on Campus Property**

The majority of campus property and buildings are open to members of the campus community and the general public during normal operating hours. The maintenance of a safe campus environment includes the need to positively identify individuals on the campus at various times. Individuals on campus are required to present identification upon request of Public Safety or campus staff.

- All employees are required to have a college identification card or government-issued photo identification readily available when performing official tasks.
- Students and other individuals are encouraged to have college identification card or government-issued photo identification readily available when on campus. Not having identification may restrict your access and/or use of college services/facilities.
- A college identification card and/or a valid government-issued photo identification card must be provided by anyone on Century College property upon request by college officials acting in the performance of their duties. Failure to provide such identification may result in denial of service, removal from campus property, referral to law enforcement, disciplinary actions and/or other sanctions.

## **Building Maintenance**

Students, faculty, staff, and visitors are encouraged to report needed repairs to the Director of Facilities for all college areas (651-747-4085).

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Century College Department of Public Safety patrols both campuses and reports malfunctioning lights and other unsafe physical conditions to facilities management for correction.

All emergency exits should be kept clear of all obstructions. All stairwells shall be kept clear of all combustible materials.

## **Classroom Security**

There is a phone in each classroom with pre-programmed numbers for IT, Facilities, and the Department of Public Safety.

Each classroom and office suite shall have a diagram posted near the primary entry point showing emergency egress routes, as well as posted emergency procedures.

Classrooms are often equipped with computers and other equipment susceptible to theft and/or damage. It is important that classrooms be secured when faculty or staff are not present. If computers or other equipment are missing or damaged, individuals should immediately contact the Department of Public Safety. Unlock requests are only granted to employees or authorized persons, doors cannot be left unlocked without an employee or authorized person present.

## **Video Surveillance and Recording**

The college recognizes the need to strike a balance between an individual's right to privacy and the institution's duty to promote a safe environment for all community members.

### **Use of Video Surveillance and Recording:**

The Department of Public Safety utilizes video surveillance and recording systems on the campus and at campus-related activities to:

- Document events that occur on campus and/or at college-sponsored activities.
- Promote a safe college community environment.
- Deter vandalism or theft of college property and aid in the identification of individuals who commit such acts.
- Assist officials in the investigation of activity that may have occurred on college property.
- Recordings may be released to third parties in conformance with the requirements of a local, state, or federal law enforcement investigation.

The college or its administrators may use surveillance and the resulting recordings for inquiries and proceedings related to law enforcement, deterrence, adherence to official policies/procedures, student/employee conduct, safety and/or other business needs where such information documents event or activities.

### **Restrictions on video surveillance and recording:**

- Surveillance and recordings would not be permitted inside campus restrooms or locker rooms.

## **Operation and Control of Video Surveillance and Recording Systems**

College buildings and grounds are equipped with video surveillance devices for monitoring and recording activity on campus and at college activities.

- Equipment is only used in accordance with approved purposes.
- Access to viewing, monitoring, data and recordings is restricted to authorized individuals. The viewing of live monitoring and recordings by non-authorized individuals is not normally permitted.
- Physical locations with system controls, monitoring and data storage have restricted access. Electronic (online) access is secured by individual account and password protection.
- Recordings are recorded over at a time interval determined by storage capacity of the recording device. Recordings needed for a longer period are normally transferred to another medium, such as hard drive storage, CD, DVD or other such storage device. Recordings are destroyed when no longer needed.
- Recordings will only be released to college officials or law enforcement conducting official investigations.
- Data and/or recording are considered restricted information and only released for authorized purposes.
- Persons using, controlling and/or monitoring video data and/or recordings are trained in data privacy-related video surveillance rules, regulations, policies and procedures.
- Unauthorized use or disclosure of video surveillance, monitoring and/or recording may result in administrative sanctions, disciplinary actions and/or criminal charges.

### **Building Access and Maintenance**

Century College is committed to providing a safe campus community. These policies and procedures are designed as part of our commitment to a safe campus and constructed to ensure compliance in various state, local and federal regulations.

Century College is a commuter college with no residential housing available to students.

### **Key Controls and Electronic Access**

Responsibility for building security has been assigned to designated administrators. The Department of Public Safety issues keys and card access privileges. A supervisor may request key(s) based on access needed for an employee to perform assigned duties. Access to areas under the control of another supervisor may require approval from the area supervisor.

All requests for keys and card access privileges must be approved by the supervisor/designee and the Department of Public Safety. The request may be included on the Employee Activation Form (EAF) or by email to "Cent-Keyrequest".

Keys and Access control rights are only issued to employees and are assigned based on job requirements of the employee.

Master level keys will only be issued to executive level staff and their assistants, department assistants, as well as designated Facilities, IT, and Public Safety Staff.

Key(s) will be delivered to the supervisor/designee accompanied by a key receipt which indicates the date the key was issued, to whom, and key number. It is the responsibility of the supervisor/designee to have the recipient sign for the key(s) when issued.

The key receipt must be returned to the Department of Public Safety when the keys are issued. The information will be entered into the key security system.

The supervisor/designee is responsible for collecting keys when an employee transfers, is on extended leave or employment ends. The supervisor/designee may contact the Department of Public Safety to request a list of keys issued to the employee. Transfer of keys to another individual is prohibited except when processed through the Department of Public Safety. Keys must be returned to the Department of Public Safety within one workday after receipt by the designated supervisor/designee.

Employee ID cards are also an access card that can be used to grant access with use of a card reader. Request for access to areas equipped with card readers is done on the EAF (Employee Activation Form) or by email to "CENT-Keyrequest". Lost or stolen keys and employee ID cards must be immediately reported to the Department of Public Safety and supervisor/designee.

Electronic key cabinets are used by some departments to control keys. These keys are checked out daily and must be returned to the key cabinet at the end of each shift.

An individual is only authorized to utilize keys for access that are required within the scope of their assigned duties. Abuse of access into unauthorized areas without permission is subject to discipline, up to and including termination.

Exception requests may be sent to the Director of Public Safety.

Unauthorized use or failure to properly maintain keys may result in disciplinary action and/or personal expense to replace/rekey affected areas.

In areas that have outside windows, employees should close and lock them before leaving the building.

### **Building Access and Hours**

The building hours are applied according to the Century College Academic Calendar. The individual departments and offices will establish class schedules, activities and work periods based on these building hours.

The campus building hours are reviewed and established each year by the Department of Public Safety and Human Resources with approval from the Executive Cabinet. These hours are then used to schedule classes and other activities for the academic year during building hours. The hours are published with the academic calendar.

Building use at other times must be approved through administrative services. Submit an "eFURF" for all events/activities during non-operating hours. These requests should be processed 21 days before the event.

All students and visitors must exit the building at the end of the posted building hours.

Any employee needing non-operating hours access to the building, except for scheduled events, must contact the Department of Public Safety to make arrangements. Employees not approved for non-operating hours must depart the building within 30 minutes of posted building hours.

The Century College President may direct changes to scheduled building hours to meet short term needs or special situations.

Main public entrances are open during posted building hours. The Department of Public Safety may secure secondary entrances or parts of the building during periods of reduced staff or periods of increased threat. This is done to reduce risk to personnel and college resources. For special events, only entrances and areas directly related to the event will be open.

The College campus is for the use of students, faculty, staff and visitors and those on official business with Century College. Access to campus buildings is limited to normal business hours and other pre-approved activities. Established normal building hours that the main campus buildings are open for student and general public access.

- Fall & Spring Semester
  - Monday – Thursday 7am-10pm, Friday 7am-5pm, Saturday East Campus 7am-4pm/West Campus Closed, Sunday Closed
- Summer Semester
  - Monday – Thursday 7am-10pm, Friday, Saturday & Sunday Closed
- Semester Breaks
  - Monday – Thursday 7am-7pm, Friday 7am-5pm, Saturday & Sunday Closed

Visit <https://www.century.edu/about/hours-maps-parking> for up-to-date building hours.

Anyone in campus facilities after normal working hours will be questioned and may be asked to leave.

Faculty or staff who observe individual(s) in campus facilities after closing should immediately report them to the Department of Public Safety and ask the unauthorized people to leave the premises.

Exterior building doors should not be blocked open.

### **Security Alarm Systems**

Century College uses physical security alarm systems to protect individuals and campus property. These systems include active and passive detection devices. Panic devices are located at locations throughout campus to provide individuals the ability to activate silent alarms in emergency situations. Employees in these areas and/or those assigned responsibility for turning alarms on/off receive training and/or alarm codes from the Department of Public Safety for their tasks.

Employees will be notified by the Department of Public Safety if their position has been designated as a position with responsibility for opening/closing buildings or parts of buildings that are protected with alarms.

- Alarm codes are personally assigned and may only be used by the employees they are assigned.
- Employees must protect this code from unauthorized disclosure to others.
- Employees are not authorized to let others use their code for any reason.
- Employees are only authorized to access buildings during their scheduled work period.
- If the employee forgets their code or believes the code was compromised, immediately contact campus Public Safety.
- Employees must immediately contact campus Public Safety if the control pad displays any alarms or trouble messages.
- Employees closing an area or building, prior to activating the alarm system, are required to check that all doors are locked and that all personnel have exited the building. Failing to complete this action may prevent the system from properly activating or an alarm being set off after departure.
- Employees must read, sign and return the Century College Alarm Code Agreement Form

If an employee accidentally sets off an alarm, they must immediately contact campus Public Safety.

### **Trespass / Restricting or Denying an Individual's Access to Campus**

The College reserves the right to restrict and/or deny an individual's access to campus property when that individual's presence may present a threat to safety, security and/or disruption of campus operations.



College Administrators, the Dean of Student Conduct, the Director of Public Safety and Campus Public Safety Officers are authorized to implement immediate temporary restrictions and/or removal of individuals from campus property. A determination on extended restrictions will occur through appropriate administrative procedures based on the individual's relationship (employee, student, other) with the college, type of offense and contractual or statutory requirements.

Failure to comply with imposed restrictions may result in disciplinary actions, other sanctions and/or charges for criminal trespass (MN Statute 609.605).

## **Crime Statistics**

### **Clery Act Reporting**

For Clery Act reporting purposes, the number of victims involved in a particular incident is indicated in the statistics column for the following crime classifications: Murder/Non-Negligent Manslaughter, Manslaughter by Negligence, Sex Offenses, and Aggravated Assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart. The number reflected in the statistics for the following crime categories includes one offense per distinct operation: Robbery, Burglary, Larceny, Vandalism, and Arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart. In cases of Motor Vehicle Theft, each vehicle stolen is counted as a statistic. In cases involving Liquor Law, Drug Law, and Illegal Weapons violations the statistics indicate the number of people arrested or referred to the Office of Student Affairs and/or Student Conduct for possible disciplinary action for violations of those specific laws.

Hate crimes are reported in narrative form and are separated by category of prejudice. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense, which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of their bias against the victim's race, sexual orientation, gender, religion, ethnicity, national origin, gender identity, or disability, the assault is then also classified as a hate crime. For Clery Act Purposes, Hate Crimes include any of the following offenses that are motivated by the offender's bias: Murder and Non-negligent Manslaughter, Sexual Offenses (rape, fondling, incest, and statutory rape), Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property.

Campus SaVE was signed into law on March 7, 2013, as part of the reauthorization of the Violence Against Women Act (VAWA); it covers students and staff of institutions of higher education and amends the Jeanne Clery Act to include new reporting requirements for Domestic Violence, Dating Violence, and Stalking and additional policy statements and training requirements.

### **Geography**

Pursuant to the Clery Act, the Department of Public Safety monitors criminal activity and publishes this report containing a three-year statistical history of select crimes or incidents that occur within our Clery geography. The statistics are gathered from the following geographic areas; 1) campus, 2) non-campus property and 3) public property that is adjacent to and immediately accessible from 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 Century 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).

Campus property includes: The Main Campus located at 3300 and 3401 Century Ave. North White Bear Lake, MN indicated on the map below in red.

**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.

Public property includes: The water tower located at 3495 Century Ave North, the roadway, sidewalks, and bus stops located between the 3200 to 3500 blocks of Century Ave North, and Echo Lake indicated in the map below in green.



**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.

## **Primary Crime Definitions under the Clery Act**

### **Murder and Non-Negligent Manslaughter**

The willful killing of one human being by another.

### **Manslaughter by Negligence**

The killing of another person through gross negligence.

### **Sexual Assault**

Sexual assault means an offense that meets the definition of rape, fondling, incest, or statutory rape.

### **Rape**

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 consent of the victim. This definition includes any gender of victim or perpetrator.

### **Fondling**

The touching of the private body parts of another person for the purpose of sexual gratification, without consent of the victim, including instances where the victim is incapable of giving consent because of their age or temporary or permanent mental or physical incapacity.

### **Incest**

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

### **Statutory Rape**

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 rape, not statutory rape.

### **Robbery**

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

### **Aggravated Assault**

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

### **Burglary**

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

### **Motor Vehicle Theft**

The theft or attempted theft of a motor vehicle.

### **Arson**

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

### **Hate Crimes**

A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

## **Bias Crimes**

A preformed negative opinion or attitude toward a group of persons based on their race, religion, disability, sexual orientation, ethnicity, national origin, gender, or gender identity.

Data is collected according to category of prejudice for all Clery Act primary crimes as well as:

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

## **Arrests and Referrals**

Violations of the law resulting in arrest or persons being referred for disciplinary action who violate weapons, drug and/or liquor laws.

- **Weapons law violations**
  - The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.
- **Drug law violations**
  - The violation of laws or ordinances prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use.
- **Liquor law violations**
  - The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages.

## **VAWA Offenses**

Any instances of sexual assault, domestic violence, dating violence and/or stalking. For specific definitions of these crimes see the VAWA Sexual Violence Section of this report

## **Unfounded Crimes**

If a crime is reported as occurring On Campus, in On-campus Residential Facilities, in or on Non-campus buildings or property, or on Public Property, and the reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded." Only sworn or commissioned law enforcement personnel may unfound a crime after a thorough investigative process.

## Crime Statistics for Century College

Offence (Crimes Reported by Hierarchy)	Calendar Year	On Campus	Non - Campus	Public Property	Total
Murder and Non-Negligent Manslaughter	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Manslaughter by Negligence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Rape	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Fondling	2022	1	0	0	1
	2021	1	0	0	1
	2020	0	0	0	0
Incest	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
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	1	1
	2020	0	0	0	0
Aggravated Assault	2022	1	0	0	1
	2021	0	0	0	0
	2020	0	0	0	0
Burglary	2022	2	0	0	2
	2021	4	0	0	4
	2020	2	0	0	2
Motor Vehicle Theft	2022	0	0	0	0
	2021	0	0	0	0
	2020	2	0	0	2
Arson	2022	0	0	0	0
	2021	1	0	0	1
	2020	0	0	0	0

Offence (Crimes Not Reported by Hierarchy)	Calendar Year	On Campus	Non - Campus	Public Property	Total
Domestic Violence	2022	3	0	0	3
	2021	0	0	0	0
	2020	3	0	0	3
Dating Violence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Stalking	2022	6	0	0	6
	2021	8	0	0	8
	2020	5	0	0	5
Liquor 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 Arrests	2022	0	0	1	1
	2021	1	0	0	1
	2020	0	0	0	0
Drug Law Violations Referred for disciplinary action	2022	1	0	0	1
	2021	0	0	0	0
	2020	0	0	0	0
Weapons Law Arrests	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Weapons Law Violations Referred for disciplinary Action	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

**Statistic Notes:**

- Century College does not have residential facilities so there are no statistics to report for that category.
- "Reported crimes" are allegations of crimes reported in good faith to CSAs and police agencies. These crimes do not have to be investigated or adjudicated in order to count as a reported crime statistic in the Annual Crime Report. Reported crimes may involve individuals not associated or affiliated with Century College. Reported Crimes may include information received from anonymous reporting.

Hate Crime Statistics	
2022	Zero (0) hate crimes, as defined by applicable federal law, were reported in 2022
2021	Zero (0) hate crimes, as defined by applicable federal law, were reported in 2021
2020	Zero (0) hate crimes, as defined by applicable federal law, were reported in 2020
Unfounded Crime	
2022	Zero (0) unfounded crimes for 2022
2021	Zero (0) unfounded crimes for 2021
2020	Zero (0) unfounded crimes for 2020



## **Drug and Alcohol Policies & Information**

### **[Minnesota State Board Policy 5.18 Alcoholic Beverages or Controlled Substances on Campus](#)**

Century College adheres to the federal Drug-Free Schools and Campuses Act and Minnesota State Colleges and Universities Board Policy 5.18 which prohibits the unlawful possession, use, or distribution of alcohol and illicit drugs by students and employees on the College premises, or in conjunction with any college-sponsored activity or event, whether on- or off- campus.

The College will take steps to educate its community regarding the health risks associated with alcohol and drug abuse. Appropriate referrals to counseling and health agencies will be made to individuals as needed.

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

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226) as well as Minnesota Statutes 152 Drugs; Controlled Substances, and 340A Liquor, Century College has implemented a program to prevent the use of alcohol and unlawful use of controlled substances on campus or at college-related activities by students and employees.

Students or employees shall not use, manufacture, sell, give away, barter, deliver, exchange or distribute, or possess with the intent to use, manufacture, sell, give away, barter, deliver, exchange or distribute a scheduled controlled substance or drug paraphernalia as defined in Title 21 Code of Federal Regulations (21 CFR §1308) or Minnesota Statutes, Chapter 152, while on campus or while involved in a college activity, service, project, program or work situation.

### **Cannabis (Marijuana)**

Although the State of Minnesota has legalized the personal use, manufacture, and possession of Cannabis and Minnesota Medical Cannabis Law and program allows seriously ill Minnesotans to use medical marijuana to treat certain conditions, the possession, use, and manufacture of marijuana remains illegal under federal law, including the Drug-Free Schools and Communities Act, the Controlled Substances Act, and the Campus Security Act, and Minnesota State Board Policy 5.18 Alcoholic Beverages or Controlled Substances on Campus. Therefore, the use, possession, production, manufacture, and distribution of marijuana continues to be prohibited while a student or employee is on college owned or controlled property or any function authorized or controlled by the college.

### **Alcohol**

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

Employees and students shall not operate, use or drive any equipment, machinery, or vehicle of the College while under the influence of alcohol or controlled substances. Such an employee is under the affirmative duty to immediately notify their supervisor that they are not in appropriate mental or physical condition to operate, use or drive college equipment.

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

When an employee is taking medically authorized drugs or other substances which may alter job performance, the employee is under an affirmative duty to notify the appropriate supervisor of their temporary inability to perform the job duties of their position. Supervisors shall notify the Human Resources Department before notifying appropriate law

enforcement agency when they have reasonable suspicion to believe that an employee may have illegal drugs in their possession at work or on college premises. When appropriate, the College shall also notify licensing boards.

## **Campus Sanctions**

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

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

## **Legal Sanctions**

Where appropriate, drug and alcohol violations are referred to law enforcement officials for prosecution.

### **Local laws**

The City of White Bear Lake prohibits the sale & consumption of alcohol beverages to persons under the age of 21 (§1002.140). The City of Mahtomedi prohibits the sale and consumption of or possession of open alcoholic beverages in any public place or vehicle (§8.02)

### **State Laws**

The State of Minnesota prohibits the possession and distribution of controlled substances. State sanctions for illegal possession and/or distribution of controlled substances can have a maximum penalty of up to 40 years in prison and/or a \$1,000,000 fine. For specific sentencing guidelines and definitions of controlled substances refer to MN State Statute 152 Drugs; Controlled Substances.

Minnesota State Statute 152.092 declares It is unlawful for any person to knowingly or intentionally to use or possess drug paraphernalia. A violation of this statute is a petty misdemeanor. A second violation of this statute is a misdemeanor.

The State of Minnesota may impose a wide range of sanctions for alcohol-related violations.

For example, driving while intoxicated (blood alcohol content of .08 or more for individuals that are 21 years or older) may result in a maximum penalty of 7 years in prison and/or fine not more than \$14,000. Persons under the age of 21 who operate a motor vehicle after consuming any amount of alcohol may result in a maximum penalty of 90 days in jail and/or a fine not to exceed \$1,000. For specific sentencing guidelines refer to MN State Statute 169A; Driving While Impaired.

Possession of alcohol under age 21 or use of false identification to purchase alcohol results in \$100 fine.

Furnishing alcohol to persons under 21 is punishable by up to a \$3,000 fine and/or one year imprisonment. For specific sentencing guidelines refer to MN Statute 340A; Liquor.

### **Federal Drug Laws**

The possession, use, or distribution of illegal drugs is prohibited by federal law. There are strict penalties for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

- A) **Denial of Federal Benefits 21 U.S.C. 862** A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions.
- B) **Forfeiture of Personal Property and Real Estate 21 U.S.C. 853** Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued, and property is seized at the time an individual is arrested on charges that may result in forfeiture.
- C) **Federal Drug Trafficking Penalties 21 U.S.C. 841** Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The list below is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe.

If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces a mandatory life sentence and fines ranging up to \$75 million. Persons convicted on federal charges of drug trafficking within 1,000 feet of a university (21 U.S.C. 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year.

- D) **Federal Drug Possession Penalties 21 U.S.C. 844** Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison and a mandatory fine of no less than \$1,000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

For specific Federal sentencing guidelines and definitions of controlled substances refer to 21 U.S.C. Chapter 13 Drug Abuse and Prevention and Control.

#### **Financial Aid Suspension:**

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

#### **Disclosure of Offenses:**

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

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

- Alcohol is a drug that acts on the brain. It is potentially addicting, both physically and mentally.
- Alcohol abuse harms or endangers the drinker or other people.
- Alcohol abuse can result in violence, poor judgment and loss of coordination.
- Alcoholism is a disease characterized by a physical and mental dependence on alcohol. About 1 in 10 drinkers become an alcoholic.

- Alcohol consumed in heavy amounts over a period of years can result in damage to your health. It can cause malnutrition, brain damage, cancer to the mouth, stomach and esophagus, heart disease, liver damage, ulcers and gastritis as well as damage to other body organs.
- Prolonged excessive drinking can shorten life spans by 10 to 12 years.
- Drug abuse is a major problem that results when drugs are used improperly.
- Drug abuse is the use of natural or synthetic chemical substances for non-medical reasons to affect the body, mind and behavior.
- Abusing drugs can be dangerous especially when they are taken for a long time, in the wrong combinations or in excess.
- If you take drugs, you risk overdose and dependence, both physical and psychological.
- Long-term drug abuse can lead to mental illness, malnutrition and organ damage.
- The risk of AIDS, hepatitis and other diseases increases if drugs are injected.
- When drugs make you lose control, you may do things beyond your ability and take foolish risks. Accidents and injuries can result to you and to others.
- Abusing drugs can also cause legal, economic and personal problems.
- Breaking a drug habit without outside help can be dangerous because of withdrawal symptoms and difficult because of the psychological need.

## **Alcohol and Drug Resources**

### **Campus Resources:**

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

- Student Health Clinic: (651) 779-3954
- Century Counselors/Advisors: (651) 779-3285

Substance awareness programs and services are offered through various agencies. Contact the Student Health Clinic or Advising, Counseling, & Career Center for information.

College employees should contact:

- State Employee Assistance Program: (651) 259-3840

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

### **Community Resources:**

The following counseling, treatment and rehabilitation services and programs may be called for help:

- Ramsey County Chemical Assessment and Referral Unit: (651) 266-4008
- Ramsey County Detoxification Center: (651) 266-4009
- Ramsey County Community Human Services Department: (651) 266-4444
- Washington County Community Services: (651) 430-6455
- Dakota County Receiving Center: (651) 437-4209
- Poison Control: 1-800-222-1222
- Crisis Connection: (612) 379-6363
- Alcoholics Anonymous: (952) 922-0880
- Al-Anon: (651) 771-2208
- Cocaine Anonymous: 1-800-925-6159
- Cocaine Helpline: 1-800-453-2124
- Narcotics Anonymous: (952) 939-3939

## Biennial Review

As required by the Drug-Free Schools and Campuses Regulations, a biennial review of alcohol and other drug programs and policies will be conducted every two years. This review will determine the policy's effectiveness and implement any needed changes. Visit the link below for a copy of the most recent Biennial review.

## References:

[Century College Biennial Review of Drug & Alcohol Programs](#)

[Minnesota State Colleges and Universities Board Policy 5.18](#)

[State of Minnesota HR/LR Policy and Procedure #1418 Policy on Alcohol and Other Drug Use by State Employees.](#)

[Code of Federal Regulations Schedules of Controlled Substances 21 CFR §1308](#)

[MN Statue 152 Drugs: Controlled Substance](#)

[MN Statue 340a Liquor](#)

## VAWA Sexual Violence Policies, Programs, & Procedures

Century College prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the college community. Toward that end, Century College issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a College official.

### Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

- **Domestic Violence**

- A felony or misdemeanor crime of violence committed by:
  - A current or former spouse or intimate partner of the victim
  - By a person with whom the victim shares a child in common
  - By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner
  - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred or
  - By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred

- Definition of a **Crime of Violence**: According to Section 16 of Title 18 of the United States Code, the term "crime of violence" means:

- i. An offense that has an element of the use, attempted use, or threatened use of physical force against the person or property of another; or,
- ii. Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

- **Dating Violence**

- Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
  - The existence of such a relationship shall be based on the reporting parties' statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interactions between the persons involved in the relationship.
- For the purposes of this definition
  - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - Dating violence does not include acts covered under the definition of domestic violence.
  - For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **Stalking**

- Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - Fear for the person's safety or the safety of others; or,
  - suffer substantial emotional distress.
- For the purposes of this definition
  - **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

- **Reasonable Person** means a reasonable person under similar circumstances and with similar identities to the victim.
- **Substantial Emotional Distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

## **Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking**

### **Rape & Statutory Rape Minnesota Statute §609.342-609.345**

#### **§609.342 CRIMINAL SEXUAL CONDUCT IN THE FIRST DEGREE.**

Subdivision 1. Adult victim; crime defined. A person who engages in sexual penetration with another person is guilty of criminal sexual conduct in the first degree if any of the following circumstances exists:

- (a) circumstances existing at the time of the act cause the complainant to have a reasonable fear of imminent great bodily harm to the complainant or another;
- (b) the actor is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit;
- (c) the actor causes personal injury to the complainant, and any of the following circumstances exist:
  - (i) the actor uses coercion to accomplish the act;
  - (ii) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or
  - (iii) the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless;
- (d) the actor uses force as defined in section 609.341, subdivision 3, clause (1); or
- (e) the actor is aided or abetted by one or more accomplices within the meaning of section 609.05, and either of the following circumstances exists:
  - (i) the actor or an accomplice uses force or coercion to cause the complainant to submit; or
  - (ii) the actor or an accomplice is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant reasonably to believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit.

Subd. 1a. Victim under the age of 18; crime defined. A person who engages in penetration with anyone under 18 years of age or sexual contact with a person under 14 years of age as defined in section 609.341, subdivision 11, paragraph (c), is guilty of criminal sexual conduct in the first degree if any of the following circumstances exists:

- (a) circumstances existing at the time of the act cause the complainant to have a reasonable fear of imminent great bodily harm to the complainant or another;
- (b) the actor is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit;

(c) the actor causes personal injury to the complainant, and any of the following circumstances exist:

(i) the actor uses coercion to accomplish the act;

(ii) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or

(iii) the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless;

(d) the actor is aided or abetted by one or more accomplices within the meaning of section 609.05, and either of the following circumstances exists:

(i) the actor or an accomplice uses force or coercion to cause the complainant to submit; or

(ii) the actor or an accomplice is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit;

(e) the complainant is under 14 years of age and the actor is more than 36 months older than the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(f) the complainant is at least 14 years of age but less than 16 years of age and:

(i) the actor is more than 36 months older than the complainant; and

(ii) the actor is in a current or recent position of authority over the complainant.

Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(g) the complainant was under 16 years of age at the time of the act and the actor has a significant relationship to the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(h) the complainant was under 16 years of age at the time of the act, and the actor has a significant relationship to the complainant and any of the following circumstances exist:

(i) the actor or an accomplice used force or coercion to accomplish the act;

(ii) the complainant suffered personal injury; or

(iii) the sexual abuse involved multiple acts committed over an extended period of time.

Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; or

(i) the actor uses force, as defined in section 609.341, subdivision 3, clause (1).

Subd. 2. Penalty. (a) Except as otherwise provided in section 609.3455; or Minnesota Statutes 2004, section 609.109, a person convicted under subdivision 1 or subdivision 1a may be sentenced to imprisonment for not more than 30 years or to a payment of a fine of not more than \$40,000, or both.



(b) Unless a longer mandatory minimum sentence is otherwise required by law or the Sentencing Guidelines provide for a longer presumptive executed sentence, the court shall presume that an executed sentence of 144 months must be imposed on an offender convicted of violating this section. Sentencing a person in a manner other than that described in this paragraph is a departure from the Sentencing Guidelines.

(c) A person convicted under this section is also subject to conditional release under section 609.3455.

Subd. 3.Stay. Except when imprisonment is required under section 609.3455; or Minnesota Statutes 2004, section 609.109, if a person is convicted under subdivision 1a, clause (g), the court may stay imposition or execution of the sentence if it finds that:

(a) a stay is in the best interest of the complainant or the family unit; and

(b) a professional assessment indicates that the offender has been accepted by and can respond to a treatment program.

If the court stays imposition or execution of sentence, it shall include the following as conditions of probation:

(1) incarceration in a local jail or workhouse;

(2) a requirement that the offender complete a treatment program; and

(3) a requirement that the offender have no unsupervised contact with the complainant until the offender has successfully completed the treatment program unless approved by the treatment program and the supervising correctional agent.

#### **§609.343 CRIMINAL SEXUAL CONDUCT IN THE SECOND DEGREE.**

Subdivision 1.Adult victim; crime defined. A person who engages in sexual contact with another person is guilty of criminal sexual conduct in the second degree if any of the following circumstances exists:

(a) circumstances existing at the time of the act cause the complainant to have a reasonable fear of imminent great bodily harm to the complainant or another;

(b) the actor is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the dangerous weapon to cause the complainant to submit;

(c) the actor causes personal injury to the complainant, and any of the following circumstances exist:

(i) the actor uses coercion to accomplish the sexual contact;

(ii) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or

(iii) the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless;

(d) the actor uses force as defined in section 609.341, subdivision 3, clause (1); or

(e) the actor is aided or abetted by one or more accomplices within the meaning of section 609.05, and either of the following circumstances exists:

(i) the actor or an accomplice uses force or coercion to cause the complainant to submit; or

(ii) the actor or an accomplice is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit.

Subd. 1a. Victim under the age of 18; crime defined. A person who engages in sexual contact with anyone under 18 years of age is guilty of criminal sexual conduct in the second degree if any of the following circumstances exists:

(a) circumstances existing at the time of the act cause the complainant to have a reasonable fear of imminent great bodily harm to the complainant or another;

(b) the actor is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the dangerous weapon to cause the complainant to submit;

(c) the actor causes personal injury to the complainant, and any of the following circumstances exist:

(i) the actor uses coercion to accomplish the sexual contact;

(ii) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or

(iii) the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless;

(d) the actor is aided or abetted by one or more accomplices within the meaning of section 609.05, and either of the following circumstances exists:

(i) the actor or an accomplice uses force or coercion to cause the complainant to submit; or

(ii) the actor or an accomplice is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit;

(e) the complainant is under 14 years of age and the actor is more than 36 months older than the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense. In a prosecution under this clause, the state is not required to prove that the sexual contact was coerced;

(f) the complainant is at least 14 but less than 16 years of age and the actor is more than 36 months older than the complainant and in a current or recent position of authority over the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(g) the complainant was under 16 years of age at the time of the sexual contact and the actor has a significant relationship to the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(h) the actor has a significant relationship to the complainant, the complainant was under 16 years of age at the time of the sexual contact, and:

(i) the actor or an accomplice used force or coercion to accomplish the contact;

(ii) the complainant suffered personal injury; or

(iii) the sexual abuse involved multiple acts committed over an extended period of time.

Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; or

(i) the actor uses force, as defined in section 609.341, subdivision 3, clause (1).

Subd. 2. Penalty. (a) Except as otherwise provided in section 609.3455; or Minnesota Statutes 2004, section 609.109, a person convicted under subdivision 1 or subdivision 1a may be sentenced to imprisonment for not more than 25 years or to a payment of a fine of not more than \$35,000, or both.

(b) Unless a longer mandatory minimum sentence is otherwise required by law or the Sentencing Guidelines provide for a longer presumptive executed sentence, the court shall presume that an executed sentence of 90 months must be imposed on an offender convicted of violating subdivision 1, clause (a), (b), (c), (d), or (e), or subdivision 1a, clause (a), (b), (c), (d), (h), or (i). Sentencing a person in a manner other than that described in this paragraph is a departure from the Sentencing Guidelines.

(c) A person convicted under this section is also subject to conditional release under section 609.3455.

Subd. 3. Stay. Except when imprisonment is required under section 609.3455; or Minnesota Statutes 2004, section 609.109, if a person is convicted under subdivision 1a, clause (g), the court may stay imposition or execution of the sentence if it finds that:

(a) a stay is in the best interest of the complainant or the family unit; and

(b) a professional assessment indicates that the offender has been accepted by and can respond to a treatment program.

If the court stays imposition or execution of sentence, it shall include the following as conditions of probation:

(1) incarceration in a local jail or workhouse;

(2) a requirement that the offender complete a treatment program; and

(3) a requirement that the offender have no unsupervised contact with the complainant until the offender has successfully completed the treatment program unless approved by the treatment program and the supervising correctional agent.

#### **§609.344 CRIMINAL SEXUAL CONDUCT IN THE THIRD DEGREE**

Subdivision 1. Adult victim; crime defined. A person who engages in sexual penetration with another person is guilty of criminal sexual conduct in the third degree if any of the following circumstances exists:

(a) the actor uses coercion to accomplish the penetration;

(b) the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless;

(c) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or

(d) at the time of the act, the actor is in a prohibited occupational relationship with the complainant.

Subd. 1a. Victim under the age of 18; crime defined. A person who engages in sexual penetration with anyone under 18 years of age is guilty of criminal sexual conduct in the third degree if any of the following circumstances exists:

(a) the complainant is under 14 years of age and the actor is no more than 36 months older than the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant shall be a defense;

(b) the complainant is at least 14 but less than 16 years of age and the actor is more than 24 months older than the complainant. In any such case if the actor is no more than 60 months older than the complainant, it shall be an affirmative defense, which must be proved by a preponderance of the evidence, that the actor reasonably believes the complainant to be 16 years of age or older. In all other cases, mistake as to the complainant's age shall not be a defense. Consent by the complainant is not a defense;

(c) the actor uses coercion to accomplish the penetration;

(d) the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless;

(e) the complainant is at least 16 but less than 18 years of age and the actor is more than 36 months older than the complainant and in a current or recent position of authority over the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(f) the actor has a significant relationship to the complainant and the complainant was at least 16 but under 18 years of age at the time of the sexual penetration. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(g) the actor has a significant relationship to the complainant, the complainant was at least 16 but under 18 years of age at the time of the sexual penetration, and:

(i) the actor or an accomplice used force or coercion to accomplish the penetration;

(ii) the complainant suffered personal injury; or

(iii) the sexual abuse involved multiple acts committed over an extended period of time.

Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(h) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or

(i) at the time of the act, the actor is in a prohibited occupational relationship with the complainant.

Subd. 2. Penalty. Except as otherwise provided in section 609.3455, a person convicted under subdivision 1 or subdivision 1a may be sentenced:

(1) to imprisonment for not more than 15 years or to a payment of a fine of not more than \$30,000, or both; or

(2) if the person was convicted under subdivision 1a, paragraph (b), and if the actor was no more than 36 months but more than 24 months older than the complainant, to imprisonment for not more than five years or a fine of not more than \$30,000, or both.

A person convicted under this section is also subject to conditional release under section 609.3455.

Subd. 3.Stay. Except when imprisonment is required under section 609.3455; or Minnesota Statutes 2004, section 609.109, if a person is convicted under subdivision 1a, clause (f), the court may stay imposition or execution of the sentence if it finds that:

(a) a stay is in the best interest of the complainant or the family unit; and

(b) a professional assessment indicates that the offender has been accepted by and can respond to a treatment program.

If the court stays imposition or execution of sentence, it shall include the following as conditions of probation:

(1) incarceration in a local jail or workhouse;

(2) a requirement that the offender complete a treatment program; and

(3) a requirement that the offender have no unsupervised contact with the complainant until the offender has successfully completed the treatment program unless approved by the treatment program and the supervising correctional agent

#### **§609.345 CRIMINAL SEXUAL CONDUCT IN THE FOURTH DEGREE.**

Subdivision 1.Adult victim; crime defined. A person who engages in sexual contact with another person is guilty of criminal sexual conduct in the fourth degree if any of the following circumstances exists:

(a) the actor uses coercion to accomplish the sexual contact;

(b) the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless;

(c) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or

(d) at the time of the act, the actor is in a prohibited occupational relationship with the complainant.

Subd. 1a.Victim under the age of 18; crime defined. A person who engages in sexual contact with anyone under 18 years of age is guilty of criminal sexual conduct in the fourth degree if any of the following circumstances exists:

(a) the complainant is under 14 years of age and the actor is no more than 36 months older than the complainant. Neither mistake as to the complainant's age or consent to the act by the complainant is a defense. In a prosecution under this clause, the state is not required to prove that the sexual contact was coerced;

(b) the complainant is at least 14 but less than 16 years of age and the actor is more than 36 months older than the complainant or in a current or recent position of authority over the complainant. Consent by the complainant to the act is not a defense.

Mistake of age is not a defense unless actor is less than 60 months older. In any such case, if the actor is no more than 60 months older than the complainant, it shall be an affirmative defense which must be proved by a preponderance of the evidence that the actor reasonably believes the complainant to be 16 years of age or older. In all other cases, mistake as to the complainant's age shall not be a defense;

(c) the actor uses coercion to accomplish the sexual contact;

(d) The actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless;

(e) the complainant is at least 16 but less than 18 years of age and the actor is more than 36 months older than the complainant and in a current or recent position of authority over the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(f) the actor has a significant relationship to the complainant and the complainant was at least 16 but under 18 years of age at the time of the sexual contact. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(g) the actor has a significant relationship to the complainant, the complainant was at least 16 but under 18 years of age at the time of the sexual contact, and:

(i) the actor or an accomplice used force or coercion to accomplish the contact;

(ii) the complainant suffered personal injury; or

(iii) the sexual abuse involved multiple acts committed over an extended period of time.

Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(h) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or

(i) at the time of the act, the actor is in a prohibited occupational relationship with the complainant.

Subd. 2. Penalty. Except as otherwise provided in section 609.3455, a person convicted under subdivision 1 or subdivision 1a may be sentenced to imprisonment for not more than ten years or to a payment of a fine of not more than \$20,000, or both. A person convicted under this section is also subject to conditional release under section 609.3455.

Subd. 3. Stay. Except when imprisonment is required under section 609.3455; or Minnesota Statutes 2004, section 609.109, if a person is convicted under subdivision 1a, clause (f), the court may stay imposition or execution of the sentence if it finds that:

(a) a stay is in the best interest of the complainant or the family unit; and

(b) a professional assessment indicates that the offender has been accepted by and can respond to a treatment program.

If the court stays imposition or execution of sentence, it shall include the following as conditions of probation:

(1) incarceration in a local jail or workhouse;

(2) a requirement that the offender complete a treatment program; and

(3) a requirement that the offender have no unsupervised contact with the complainant until the offender has successfully completed the treatment program unless approved by the treatment program and the supervising correctional agent.

### **Fondling 609.3451 CRIMINAL SEXUAL CONDUCT IN THE FIFTH DEGREE.**

Subdivision 1. Sexual penetration; crime defined. A person is guilty of criminal sexual conduct in the fifth degree if the person engages in nonconsensual sexual penetration.

Subd. 1a. Sexual contact; child present; crime defined. A person is guilty of criminal sexual conduct in the fifth degree if:

- (1) the person engages in nonconsensual sexual contact; or
- (2) the person engages in masturbation or lewd exhibition of the genitals in the presence of a minor under the age of 16, knowing or having reason to know the minor is present.

For purposes of this section, "sexual contact" has the meaning given in section 609.341, subdivision 11, paragraph (a), clauses (i), (iv), and (v). Sexual contact also includes the intentional removal or attempted removal of clothing covering the complainant's intimate parts or undergarments, and the nonconsensual touching by the complainant of the actor's intimate parts, effected by the actor, if the action is performed with sexual or aggressive intent.

Subd. 2. Gross misdemeanor. A person convicted under subdivision 1a may be sentenced to imprisonment for not more than one year or to a payment of a fine of not more than \$3,000, or both.

§Subd. 3. Felony. (a) A person is guilty of a felony and may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$10,000, or both, if the person violates subdivision 1.

(b) A person 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, if the person violates subdivision 1 or 1a within ten years of:

- (1) a conviction under subdivision 1;
  - (2) a previous conviction for violating subdivision 1a, clause (2), a crime described in paragraph (c), or a statute from another state in conformity with any of these offenses; or
  - (3) the first of two or more previous convictions for violating subdivision 1a, clause (1), or a statute from another state in conformity with this offense.
- (c) A previous conviction for violating section 609.342; 609.343; 609.344; 609.345; 609.3453; 617.23, subdivision 2, clause (2), or subdivision 3; or 617.247 may be used to enhance a criminal penalty as provided in paragraph (b).

"Intimate parts" includes the primary genital area, groin, inner thigh, buttocks, or breast of a human being.

### **Incest Minnesota Statue §609.365**

Whoever has sexual intercourse with another nearer of kin to the actor than first cousin, computed by rules of the civil law, whether of the half or the whole blood, with knowledge of the relationship, is guilty of incest and may be sentenced to imprisonment for not more than ten years.

### **Domestic Violence Minnesota Statue §609.2242**

Whoever does any of the following against a family or household member as defined in section 518B.01, subdivision 2, commits an assault and is guilty of a misdemeanor:

- (1) commits an act with intent to cause fear in another of immediate bodily harm or death; or
- (2) intentionally inflicts or attempts to inflict bodily harm upon another.

### **§518b.01 Family Member Definition**

As used in this section, the following terms shall have the meanings given them:

(a) "Domestic abuse" means the following, if committed against a family or household member by a family or household member:

- (1) physical harm, bodily injury, or assault;
- (2) the infliction of fear of imminent physical harm, bodily injury, or assault; or
- (3) 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.

(b) "Family or household members" means:

- (1) spouses and former spouses;
- (2) parents and children;
- (3) persons related by blood;
- (4) persons who are presently residing together or who have resided together in the past;
- (5) persons who have a child in common regardless of whether they have been married or have lived together at any time;
- (6) a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and
- (7) persons involved in a significant romantic or sexual relationship.

### **Dating Violence:**

The State of Minnesota does not have a definition of Dating Violence

### **Stalking Minnesota Statute §609.749 Subd.5**

(a) A person who engages in stalking with respect to a single victim or one or more members of a single household which the actor knows or has reason to know would cause the victim under the circumstances to feel terrorized or to fear bodily harm and which does cause this reaction on the part of the victim

(b) For purposes of this subdivision, "stalking" means two or more acts within a five-year period that violate or attempt to violate the provisions of any of the following or a similar law of another state, the United States, the District of Columbia, tribe, or United States territories

### **State of Minnesota Definition of Consent §609.341 Subd. 4**

(a) "Consent" means words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the complainant or that the complainant failed to resist a particular sexual act.

(b) A person who is mentally incapacitated or physically helpless as defined by this section cannot consent to a sexual act.

### **Century College Definition of Consent**

#### **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.



## **Sexual Violence Prevention, Awareness, and Risk Reduction Programs.**

### **How to Be an Active Bystander**

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

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 ways to be an active bystander. If you or someone else is in immediate danger, call the Department of Public Safety at 651-747-4000 or the local law enforcement by dialing 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Be direct, delegate responsibility, or cause a distraction when you see a person secludes, hits on, tries to make out with, or has sex with people who are incapacitated.
- Intervene when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

### **Risk Reduction**

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you do not know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably is not the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Do not allow yourself to be isolated with someone you do not trust or someone you do not know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).

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

### **Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault, and Stalking**

The College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

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

Century College's educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

- Clearly communicate that the institution prohibits the crimes of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act).
- Provide the definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms.
- Define consent and describe what behaviors and actions constitute consent, in reference to sexual activity as defined by the student and employee codes of conduct.
- Provide a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

- Provide information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.
- Provide information regarding:
  - procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” located below in this Annual Report).
  - how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” located below in this Annual Report).
  - existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both in the institution and in the community (as described in “Assistance for Victims: Rights and Options” located below in this Annual Report); and
  - options for, available assistance in, and how to request changes to academic, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” located below in this Annual Report).
  - procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this Annual Report).

### **Primary Prevention and Awareness Programs**

The College provides primary prevention and awareness programs to all incoming students and employees that involves the distribution of educational materials, participating in and presenting information and materials during new student and new employee orientations, providing programs by invitation at staff meetings or academic programs, and encourage incoming to take online courses related to sexual assault. These trainings include:

- Clearly articulated statements that the College prohibits the crimes of domestic violence, dating violence, sexual assault and stalking.
- The Federal and State definitions of domestic violence, dating violence, sexual assault and stalking.
- The College and State definitions of consent.
- A description of safe and positive options for bystander intervention.
- Information on specific risk reduction strategies.

### **Ongoing Prevention and Awareness Campaigns**

Century College provides annual educational campaigns for all students and employees designed to provide ongoing education and programming around issues of sexual violence – including sexual assault, domestic violence, dating violence, and stalking. Campaign strategies employed include face-to-face presentations, online training programs, printed materials, self-defense programming, and related lectures. The college additionally provides educational/informational sessions for contractors and event services staff on Clery Act specific policies and crime reporting practices along with information related to the Department of Education’s Office of Civil Rights Title IX Guidance.

Name of Program	Date Held	Location Held	Audience	Which Prohibited Behavior Covered			
				DoV	DaV	SA	S
Title IX Kick Off	11/19/2022	Lincoln Mall	Community Wide	X	X	X	X
Title IX 50th- Hunting Ground Showing	10/5/2022	The Nest	Community Wide	X	X	X	X
Title IX 50- Lunch and Learn- 37 words P	10/3/2022	The Nest	Community Wide	x	X	x	X
Title IX 50- Lunch and Learn- 37 words P	10/10/2022	The Nest	Community Wide	X	X	X	X
Title IX 50- Lunch and Learn- 37 words P	10/17/2022	The Nest	Community Wide	X	X	X	X
Title IX 50- Lunch and Learn- 37 words P	10/24/2022	The Nest	Community Wide	X	X	X	X
Read Watch Listen Engagement	Ongoing	N/A	Community Wide	X	X	X	X
Dental Assistant Training	1/18/2022	Bruening Room	Students			X	X
Dental Hygiene 1st Year Training	1/20/2022	East Campus	Students			X	X
Dental Hygiene 2nd Years	2/10/2022	East Campus	Students			X	X
Lets Talk Reproductive Rights	3/21/2022	Online	Community Wide	X	X	X	
Not Your Typical Sex Talk	4/4/2022	Online	Community Wide	X	X	X	X
Sex Week Spin The Wheel	4/6/2022	The Nest	Students	X	X	X	X
Sexual Assault Month Panel	4/12/2022	Online	Community Wide	X	X	X	X
Let's Taco 'bout Sex	4/5/2022	Nest	Community Wide	X	X	X	X
Denim Day/Cover the Cruiser	4/27/2022	East Kopp Center	Community Wide	X	X	X	X
Sexual Assault Advocacy and Policy	4/12/2022	Online	Community Wide	X	X	X	X
Stalking Must Stop	4/22/2022	Online	Community Wide	X	X	X	X
Healthy Relationships in the Digital Age	4/26/2022	Online	Community Wide	X	X	X	X
Kahoot Trivia	April, 2022	Online	Students	X	X	X	X
Gendered Violence: The Silent Epidem	11/7/2022	Online	Community Wide	X	X	X	X
Title IX Protections and Reporting- New	5/9/2022	Online	Employees	X	X	X	X
Title IX Training- Start Right	9/23/2022	Online	Employees	X	X	X	X
Conduct, BAIT, Title IX with Deans	9/27/2022	West Cafeteria Conference Room	Employees	X	X	X	X
PTK Title IX Panel	12/5/2022	West Campus	Community Wide	X	X	X	X

The following are some specific examples of annual programs currently offered by the college. This list is not all-inclusive:

#### Online Training

- Personal Empowerment Through Self-Awareness: D2L online training for Students and Employees to learn effective ways to prevent sexual assault on campus.

#### Orientation

- Incoming first year students participate in a short information session about the Clery Act, and Title IX information, in addition to learning about the Sexual Misconduct Policy, and resources. New faculty and employees receive Clery Act and Title IX information during their orientation programs.

#### Employee Development Days

- Breakout session that included Title IX reporting, advocacy, compliance and resources for employees

#### Tabling- Consent and Bystander Intervention Kits

- Information and guidance on sexual assault prevention and response through bystander intervention for students

#### Poster Campaigns

- Poster campaigns raising awareness around sexual assault and consent, what is and isn't consent for students and employees

## Special Considerations for Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

### Assistance for Victims - Rights and Options

Regardless of location all students, employees, or guests of the college who report that they are a victim of sexual violence to an institutional authority will be provided written notification of their rights to include the following which are detailed in the next sections:

- The procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred.
- The importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.
- How and to whom the alleged offense should be reported.
- Options about the involvement of law enforcement and campus authorities, including notification of the victim's option to:
  - Notify proper law enforcement authorities.
  - Be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses.
  - Decline to notify such authorities.
  - Where applicable, the rights of victims and the institution's responsibilities for orders of protection, "no-contact" orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court or by the institution.
- Information about how the institution will protect the confidentiality of victims and other necessary parties, including how the institution will:
  - Complete publicly available record keeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim.
  - 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.
- Information about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community
- Information about options for, available assistance in, and how to request changes to:
  - Academic Situations
  - Living Situations
  - Transportation Situations
  - Working Situations

- Protective Measures

- An explanation of the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, including

A detailed printable copy of this information is available [at https://www.century.edu/sites/default/files/Title-IX\\_Victims-Bill-of-Rights.pdf](https://www.century.edu/sites/default/files/Title-IX_Victims-Bill-of-Rights.pdf)

### **Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault, and Stalking Occurs**

After an incident of sexual assault, dating violence, or domestic violence, the victim should consider seeking medical attention as soon as possible at St John's Hospital in Maplewood, MN. Sexual Assault Nurse Examiners (SANE) at the hospital are trained and certified in physical evidentiary recovery kit collection. If you are not near Maplewood, MN a list of area hospitals with SANE nurses can be found here: Evidence may be collected, even if you choose not to make a report to law enforcement.

- Minnesota, state statute mandates that the county where the sexual assault occurred pay for the sexual assault evidence collection kit to be completed. This ensures that if a victim does not have insurance, you are still able to get those services without having to pay a medical bill. Most hospitals will store the sexual assault evidence kit for at least a month for victims that are unsure if they want to make a report, that way if the victim decides to report at a later date that evidence may still be at the hospital for law enforcement.
- Crime victims who report their crimes to law enforcement in MN are also eligible for emergency funds through the state called Crime Victim Reparations Funds. Reparations funds can be used to pay for mental health, medical, and dental costs associated with the crime for which a victim's insurance will not cover.
- 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 infections.
- 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/taking pictures including photos of bruises, injuries or property damage, logs, or other copies of documents, if they have any, that would be useful to college adjudicators/investigators or local law enforcement.

### **Involvement of Law Enforcement and Campus Authorities**

Although the College strongly encourages all members of its community to report violations of this policy to Public Safety and local law enforcement, it is a victim's choice whether to report to law enforcement or not, the only time that law enforcement would be called automatically are in cases that involve mandated reports, or the victim is not able to make the request on their own. Mandated reports are when minors under 18 or vulnerable adults are abused by someone in a position of authority over them or by someone who has a significant relationship to them such as a close family relative.

The Department of Public Safety will assist any victim with notifying law enforcement if the victim so desires.

- Call Public Safety at 651-747-4000
- White Bear Lake Police Department, phone number 651-429-8511 (West Campus)
- Washington County Sheriff's Office, phone number 651-439-9381 (East Campus)
- 911 during off hours, outside of campus boundaries, or in emergency situations

## **Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault, and Stalking**

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 by calling (651-779-3315) or coming into the office (West campus 1487) to report in person or online at <https://www.century.edu/campus-life/student-conduct-behavior/title-ix-sexual-offenses>

Reports of all domestic violence, dating violence, sexual assault, and stalking made to Public Safety will automatically be referred to the Title IX Coordinator for review. The Title IX Coordinator is not a confidential reporting entity and is required to report criminal incidents to Public Safety.

## **Procedures the College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault, and Stalking is Reported**

The College has procedures in place that serve to be sensitive to victims 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 reporting party and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available and are not punitive to the parties. The College will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.

If a report of domestic violence, dating violence, sexual assault, or stalking is reported to the College, below are the procedures that the College will follow.

Incident Being Reported	Procedures Institution Will Follow
<b>Sexual Assault</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), institution will provide victim with access to medical care.</li> <li>2. Institution will assess immediate safety needs of victim.</li> <li>3. Institution will assist victim with contacting local police if reporting party requests AND provide the victim with contact information for local police department.</li> <li>4. Institution will provide victim with referrals to on- and off-campus mental health providers.</li> <li>5. Institution will assess the need to implement interim or long-term protective measures, if appropriate.</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options.</li> <li>7. Institution will provide a "No Contact" directive to both parties if deemed appropriate.</li> <li>8. Institution will provide written instructions on how to apply for Protective Order</li> <li>9. Institution will provide a copy of the policy applicable to Sexual Assault to the victim and inform the victim regarding timeframes for inquiry, investigation, and resolution.</li> <li>10. Institution will inform the victim of the outcome of the investigation, whether or not the accused will be administratively charged, and what the outcome of the hearing is.</li> <li>11. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for reporting sex-based discrimination or for assisting in the investigation</li> </ol>
<b>Stalking</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of victim.</li> <li>2. Institution will assist victim with contacting local police if reporting party requests AND provide the victim with contact information for local police department.</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to victim on how to preserve evidence.</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the victim, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options.</li> <li>7. Institution will provide a "No Contact" directive to both parties if deemed appropriate.</li> </ol>
<b>Dating Violence</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of victim.</li> <li>2. Institution will assist victim with contacting local police if victim requests AND provide the victim with contact information for local police department.</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to victim on how to preserve evidence.</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the victim, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options.</li> </ol>



<b>Domestic Violence</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of victim</li> <li>2. Institution will assist victim with contacting local police if victim requests AND provide the victim with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to victim on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the victim, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> </ol>
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## Confidentiality

You have the right to maintain as confidential any accommodations or protective measures provided to you, as well as any and all individual identifying information about you that is likely to disclose your location, if you are a victim of domestic violence, dating violence, sexual assault, or stalking. The Public Safety Department will complete publicly available record keeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim.

- Individually identifying information includes your:
  - Name
  - Address
  - Date of birth
  - Identification numbers
  - Contact information
  - Religious affiliation
  - Ethnic background
- Reports made to Campus Security authorities will be shared with Public Safety staff for statistical reporting and timely warning notification evaluation as well as the Title IX Coordinator. These reports will withhold all individual identifying information if you request.
- Certain individually identifying information may need to be shared with departments for accommodations or protective measures. These departments will not share or use this information to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.
- If you wish to make a completely confidential report, you may do so to a licensed counselor in the Academic and Counseling Center. Reporting this confidentially may limit the ability for the College to provide accommodations or investigate allegations of domestic violence, dating violence, sexual assault or stalking.

## Facilitated Anonymous Reporting through the Counseling Center

Licensed Counselors assigned to the Counseling Center are confidential resources and do not report incidents. In their capacity and function, they do not make identifiable reports of incidents to the official on-campus resources unless the student specifically requests them to do so; however, the College encourages counselors to inform students that they can report incidents of crime to the Department of Public Safety, which can be done directly or anonymously. Students may request the Counseling Center to facilitate anonymous reporting using an internal form designed to capture general details about the incident (date, time, location, and brief description of the incident type) for inclusion in the College's Annual Security Report. The College does not provide confidential or anonymous reporting outside of these entities.

The amount of detail provided may enable the College to initiate an investigation into the circumstances surrounding the report. Such an investigation may jeopardize the anonymity of the reporting person or reporting party.

### **Anonymous Report for Sexual Misconduct, Dating/Relationship Violence, Stalking**

A student who has experienced sexual misconduct, who has received a report from someone who has experienced sexual misconduct, or anyone who witnessed sexual misconduct may make anonymous reports at:

<https://www.century.edu/campus-life/student-conduct-behavior/title-ix-sexual-offenses>.

### **Employee Assistance Program**

Century College also provides an Employee Assistance Program (EAP) for use by employees. The EAP is available to assist employees with such problems as sexual or physical abuse, depression, marital and relationship conflict, stress, grief, critical incident stress, anxiety, and other personal matters. All employees, regardless of performance, are eligible. The contact information for the EAP is 1-800-657-3719.

All information relating to an employee's EAP participation is strictly confidential. Only the EAP provider maintains EAP records. The EAP provider does not release specific information about an employee's use of EAP services, unless the employee gives his or her advance written consent. The EAP does not report incidents to any Official On-Campus Resources unless the employee specifically gives them permission to do so.

### **Rights of Victims and the Institution's Responsibilities for Orders of Protection, No-Contact Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution**

Century 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 Century College Department of Public Safety and the Office of the Title IX Coordinator. A reporting party may then meet with Century College Department of Public Safety to develop a Safety Action Plan, which is a plan for campus officials and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.

Century 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 has the right to apply for these services but is required to apply directly for these services. Protection from abuse orders may be available through the local county court at no cost. The Public Safety Department will assist the victim in connecting with off campus resources that are available for obtaining these services if requested. Century College may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, Century College offices will work cooperatively to ensure that the reporting party's health, physical safety, work and academic status are protected, pending the outcome of a formal investigation of the complaint.

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

\*Criteria for Order reflects Minnesota Statutes

### On and off Campus Services for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault, or stalking, Century College will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services, including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and assistance in notifying appropriate local law enforcement. If a sexual assault or rape should occur on campus, staff on- scene, including Public Safety Staff, will offer the victim a wide variety of services. This information regarding "resources" is not provided to infer that those resources are "crime reporting entities" for Century College

On Campus	Employee	Student
<b>Counseling/Mental Health</b>	Not available on Campus	Century College Advising and Counseling Center W2410 Phone: 651-779-3285 *Confidential Resource Available (Can make recommendations for local confidential counseling and psychiatric services in the local area)
<b>Health Service</b>	Not available on Campus	Century College Student Health Clinic E2232 Phone: 651-779-3984

<b>Title IX Coordinator Student Respondent</b>	Dean of Student Affairs W1487 Phone: 651-779-3315	Dean of Student Affairs W1487 Phone: 651-779-3315
<b>Deputy Title IX Coordinator – Employee Respondent</b>	Campus Diversity Officer E2512 Phone: 651-779-5786	Campus Diversity Officer E2512 Phone: 651-779-5786
<b>Employee Misconduct</b>	Human Resources E1631 Phone: 651-779-5757	Human Resources E1631 Phone: 651-779-5757
<b>Visa &amp; Immigration Assistance</b>	Not available on campus	Not Available on Campus
<b>Student Financial Aid</b>	Not available on campus	Financial Aid & Scholarships Office W2201 Phone: 651-779-3305
<b>LGBTQ Advocacy &amp; Education</b>	Not available on campus	LGBTQ Student Center W1216
<b>Department of Public Safety</b>	<a href="http://www.century.edu/public-safety">www.century.edu/public-safety</a> 651-747-4000	<a href="http://www.century.edu/public-safety">www.century.edu/public-safety</a> 651-747-4000
<b>Provost</b>	Not available on Campus	W1483 Phone 651-779-3288
<b>Sexual Misconduct Site</b>	<a href="http://www.century.edu/titleix">www.century.edu/titleix</a>	<a href="http://www.century.edu/titleix">www.century.edu/titleix</a>
<b>Facilitated Anonymous Reporting</b>	Not available on Campus	A student can meet with a counselor for assistance with reporting. The amount of detail provided in an anonymous report will determine the College's ability to investigate or respond. W2410 Advising and Counseling Center Phone: 651-779-3285

Off Campus	Employee	Student
<b>General Assistance for Sexual Violence Victims</b>	Cornerstone Day One Phone: 866-223-1111 SOS Sexual Violence Services Phone: 651-266-1000 Canvas Health 651-777-1117	Cornerstone Day One Phone: 866-223-1111 SOS Sexual Violence Services Phone: 651-266-1000 Canvas Health 651-777-1117
<b>Counseling</b>	SOS Sexual Violence Services Crisis Counseling Phone: 651-266-1000	SOS Sexual Violence Services Crisis Counseling Phone: 651-266-1000
<b>Mental Health</b>	Minnesota Department of Human Services – Crisis Services Call **274747 from a cell phone Text “MN” to 741741	Minnesota Department of Human Services – Crisis Services Call **274747 from a cell phone Text “MN” to 741741
<b>Health Service</b>	St John’s Hospital 1575 Beam Ave Maplewood, MN 55109 651-232-7000	St John’s Hospital 1575 Beam Ave Maplewood, MN 55109 651-232-7000
<b>Legal Assistance</b>	Mid-Minnesota Legal Aid Phone: 612-332-1441	Mid-Minnesota Legal Aid Phone: 612-332-1441
<b>Visa &amp; Immigration Assistance</b>	Immigrant Law Center of Minnesota 651-641-1011	Immigrant Law Center of Minnesota 651-641-1011
<b>LGBTQ Advocacy &amp; Education</b>	OutFront Minnesota Phone 1800-800-0350	OutFront Minnesota Phone 1800-800-0350
<b>Washington County Sheriff</b>	Non-Emergency Phone: 651-439-9381	Non-Emergency Phone: 651-439-9381
<b>White Bear Lake Police</b>	Non-Emergency Phone: 651-429-8511	Non-Emergency Phone: 651-429-8511

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

<http://www.rainn.org> – Rape, Abuse and Incest National Network

<https://www.justice.gov/ovw/sexual-assault> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

#### **Accommodations and Protective Measures Available for Involved Parties**

Upon receipt of a report of domestic violence, dating violence, sexual assault, or stalking, Century College will provide written notification to students and employees about non-punitive accommodations available to them, including academic, living, transportation, and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the party’s request, and to the extent of their cooperation and consent, College offices will work cooperatively to assist the parties in obtaining accommodations. If reasonably available and non-punitive, a party may be offered changes to academic, working or transportation situations regardless of whether the parties choose to report the crime to law enforcement.

Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Possible changes to

work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc. Issuance of a full, partial, or modified trespass notice to the respondent may also be appropriate. While the college does not have on campus living facilities, the college can help you connect with off campus resources for changes to your living situations. Short term grants may be available for students in emergency situations.

To request changes to academic, transportation, and/or working situations, or protective measures, a party should:

Students: Contact the Title IX Coordinator.

Employees/Faculty: Contact the Office of Human Resources.

To receive assistance in requesting these accommodations, you should contact the Title IX Coordinator and/or the Department of Public Safety.

Personally 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 reporting party (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, Century 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.

## **Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault, and Stalking**

The College's disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused. College officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault, and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking, as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

1. The complainant and the respondent will have timely notice for meetings at which the complainant or respondent, or both, may be present;
2. The complainant, the respondent, and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the complainant or the respondent;
4. The complainant and the respondent will have the same opportunities to have others present during any institutional disciplinary proceeding. The complainant and the respondent each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The College will not limit the choice of advisor or presence for either the complainant or the respondent in any meeting or institutional disciplinary proceeding. An Advisor is someone who acts as an advisor to the Complainant or Respondent involved in an investigation or disciplinary proceeding under the College's policies. The Advisor is permitted to be a part of any meetings their student may have. College employees who provide confidential support services (Licensed Counseling Center Staff) or have an actual or perceived conflict of interest (the Title IX Coordinator, deputy Title IX Coordinators, Department of Public Safety, and the Dean of Students, for example) may not serve as Advisors. A student or employee should select as an advisor a person whose schedule allows attendance at the scheduled date and time for any meetings, because delays will not normally be allowed due to the scheduling conflicts of an advisor.
5. Although the Parties are not required to select a trained Advisor, because knowledge of the disciplinary process is important to the Advisor's role, it is highly recommended that they do so. The Complainant and Respondent are not obligated to accept the counsel of an Advisor.
6. The complainant and the respondent will be notified simultaneously, in writing, of any initial, interim, and final decision of any disciplinary proceeding; and,
7. Where an appeal or grievance is permitted under the applicable policy, the complainant and the respondent will be notified simultaneously in writing of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal or grievance is filed, the complainant and the respondent will be notified simultaneously in writing of any change to the result prior to the time that it becomes final, as well as of the final result once the appeal is resolved.

### **Jurisdictional Considerations**

Although Century College cannot exercise jurisdiction over sexual violence crimes that occur off campus that do not involve an affiliated victim or respondent, or that occur on campus but do not involve a student or employee. The Public Safety Department will assist any outside individual with the following:

- Helping the victim understand importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.
- How and to whom the alleged offense should be reported.
- Options about the involvement of law enforcement and of the victim's option to:
  - Notify proper law enforcement authorities.

- List of All MN Law Enforcement Agencies and Contact Information is available at:  
<https://www.ag.state.mn.us/consumer/Protection/Default.asp>
- Be assisted by the Public Safety Department in notifying law enforcement authorities if the victim so chooses.
- Decline to notify such authorities if the victim so chooses.
- Information about how the institution will protect the confidentiality of victims and other necessary parties for crimes that occur on campus:
  - Complete publicly available record keeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim.
- Assist with obtaining Information about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available for victims in the community.

### **If the Victim Does Not Wish to Pursue Resolution**

All reported cases of sexual misconduct will be referred to the Title IX Coordinator for a preliminary assessment. In cases where the Victim does not wish to become a Complainant, the College has 2 (two) options:

1. The College may attempt to resolve the complaint in a manner consistent with the Victim's request. This may include holding the report for action at a later date or adjudicating the case through the student conduct system (see Informal Resolution of a Complaint of Sexual Misconduct).
2. The College may pursue judicial actions against the Respondent named in the investigation. Under these circumstances, the College would take into consideration the nature of the assault, the safety of the Victim and the campus community, as well as the previous disciplinary history and previous allegations of sexual misconduct. Whether or not criminal charges are filed, the College or a person may file a complaint under the sexual misconduct and grievance procedures outlined in the following section, depending upon the status of the accused (student or employee).

### **Student Group Behavior**

Student groups are subject to the conduct expectations detailed throughout this policy. Any behavior, patterns of behavior, or information suggesting patterns of behavior that creates or contributes to the creation of hostile environment, retaliation, discrimination, or harassment will be investigated and could result in organizational and/or individual charges.

Any member of the College community may bring allegations against a student group/organization for violation of the Sexual Misconduct Policy. The College will conduct a preliminary investigation into an incident.

An investigation will be conducted to determine if the allegations have merit and have met the threshold (defined below) to move forward with charges. The Title IX Coordinator may confer with the student group/organization's advisor(s), and/or other faculty and staff with a relationship to the student group/organization to solicit advice and recommendations regarding the case. Ultimately, the College is responsible for determining if the organization and/or individuals will be charged and the process for adjudication. All sections of this policy apply to groups and organizations.

### **Statement on Privacy**

The College will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking (to the fullest extent of the law). Additionally, the College will take all reasonable steps to investigate and respond to the complaint consistent with any request for privacy or request not to pursue an investigation. However, its ability to do so may be limited based on the nature of the request by the Complainant. If the Victim requests anonymity or that the College does not pursue an investigation, the College must balance this request in the context of its responsibility to provide a safe environment for all College community members. In cases where the



College cannot respect the wishes of the Victim, the College will consult with the Victim and keep them informed about the College's course of action.

If the report of misconduct discloses an immediate threat to the College campus community, where timely notice must be given to protect the health or safety of the community, the College will maintain the privacy of the Victim or Respondent's identities, understanding that in a small community a Campus Safety Alert may make members of the community feel known or singled out.

The College will assess any barriers to proceeding, including retaliation, and in cases where informal or formal resolution will take place, the College will inform the Respondent that Title IX prohibits retaliation, and the College will take strong responsive action to protect the Complainant.

The College has designated individuals to evaluate requests for privacy once the College is aware of alleged sexual violence. That process is coordinated by the Title IX Coordinator.

**Sexual Misconduct Student and Employee Grievance Process (includes cases of Sexual Assault, Dating Violence, Domestic Violence, and Stalking)**

***\*\*Please note the US Department of Education has proposed new Title IX regulation changes. Once enacted, if those regulations substantively change the procedures outlined below, the institution will distribute those changes via email to the campus community and update the Annual Security Report to reflect the changes. \*\****

For the purpose of addressing formal complaints of sexual misconduct or conduct that constitute sexual harassment as defined by the Department of Education for Title IX, that allege that sexual misconduct occurred within the College's educational program or activity within the United States or they involve a report of sexual violence committed by system employee or student the following 1B.3 Sexual Violence Policy grievance process will be used. Note that in addition to the 1B.3 Sexual Violence Policy, the Student code of Conduct allows for college disciplinary actions for criminal violations outside of campus or campus related activities. Additionally, note that this grievance process is applied equally to both parties, and as such the College will provide remedies to a Complainant where a determination of responsibility for sexual harassment has been made against the Respondent, and by following the grievance process that complies with the process outlined below before any disciplinary sanctions or other actions that are not supportive measures are made against the Respondent.

Both parties will have the opportunity to review all relevant evidence that is collected during the investigation, both inculpatory and exculpatory, and not have any credibility determinations made based on a parties' status as Complainant, Respondent, or witness. As with the sexual misconduct formal administrative process, the Respondent is not found responsible for a violation of any policy until the decision-maker(s) makes the determination for responsible or not responsible for a violation of policy.

The College does strive for reasonably prompt time frames for the grievance process to conclude, and both parties are notified of the time frames allotted to them throughout the process. Should there be a request for a temporary delay in the grievance process or the limited extension of time frames, written notice will be provided to the Complainant and the Respondent of the reason for the delay. Requests for a delay will be considered for good cause considerations, such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. Requests for delays need to be sent to the Title IX Coordinator in writing via email stating the reason for the request and the amount of time that is being requested.

When the decision-maker(s), after all applicable processes, finds a Respondent responsible, the decision-maker(s) will assign appropriate sanctions (as described in "Sanctions" elsewhere in this Annual Report). The decision-maker(s) uses

the preponderance of the evidence standard when determining if the Respondent is responsible or not responsible for a violation of policy. **Preponderance of the evidence means the adjudicator(s) finds it is more likely than not the respondent is responsible or not responsible for a violation of this policy based on the information presented to the adjudicator.**

At the conclusion of the hearing process both parties will have the ability to appeal the outcome provided by the decision-maker(s), for the following reasons:

- Procedural irregularity that affected the outcome of the matter,
- New evidence that was not readily available at the time the determination regarding responsibility or dismissal was made, that could have affected the outcome of the matter; and
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

### **Dismissal of a Formal Complaint of Sexual Misconduct**

If the conduct alleged in a formal complaint would not constitute sexual harassment as defined by the Department of Education for Title IX, or did not occur with the College's educational program or activity, or did not occur against a person in the United States, or involve a report of sexual violence committed by system employee or student, then the College must dismiss the formal complaint with regard to that conduct for purposes of sexual violence under this policy. When the dismissal of a formal complaint occurs, the Complainant may still be able to move forward with a formal process under the Student Code of Conduct, found online at:

<https://www.century.edu/sites/default/files/3.6%20Student%20Conduct%20Policy.pdf>; or in the Employee Code of Conduct, found online at: <https://www.minnstate.edu/board/procedure/1c0p1.html>.

Formal complaints may also be dismissed during the investigation or hearing process for the following reasons.

- the Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein;
- the Respondent is no longer enrolled or employed by the College; or
- specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Should there be a dismissal of a formal complaint the College will promptly send written notice of the dismissal and reason for the dismissal to both parties. Both parties will have the right to appeal if the College dismisses the formal complaint prior to a hearing.

### **Consolidation of a Formal Complaint of Sexual Misconduct**

The College may consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, such as with an organization or team, or by more than one Complainant against one or more Respondents, or where the allegations of sexual harassment arise out of the same fact pattern or circumstances.

### **Investigation of a Formal Complaint of Sexual Misconduct**

In the formal grievance process for possible violations of sexual misconduct, both parties will have the opportunity to meet with the investigator, provide any witnesses, including expert witnesses, and share any evidence they wish to provide to the investigator. The parties can provide to the investigator sensitive personal information, such as medical records, only if they provide voluntary written consent with the documents.

Each party is able to have an advisor of their choice at any related meeting or proceeding related to the investigation and the formal grievance process. See the definition of advisor for additional information on the role of the advisor. If a party does not have an advisor, one would be appointed at no cost to the individual.

Both parties will be provided the opportunity to review and inspect all evidence that was obtained as part of the investigation. Both parties and their advisors will be provided with copies of the draft investigative report and all evidence that has been collected, for review and inspection, where they will have 10 (ten) business days to review, inspect, and provide a response that will be included in the final investigative report. Once the investigative report is completed, the parties and their advisor will again receive the investigative report, at least 10 business days prior to any hearing that may occur, for their review and written response.

### **Live Hearings for a Formal Complaint of Sexual Misconduct**

Formal hearings for sexual misconduct complaints will be conducted by the Office of Administrative Hearings pursuant to the rules for administrative hearings. If either the complainant or respondent does not have an advisor for the formal hearing, the college must provide an advisor without fee or charge to the complainant or respondent. At the conclusion of the formal hearing, the administrative law judge will issue a written recommendation for a final decision made by the college decision-maker. The administrative law judge will ask relevant questions of both parties and will allow for each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those that challenge credibility.

At the request of either party, the College must provide for the live hearing to occur with the parties in separate rooms with technology allowing for the parties and the decision-maker(s) to all see and hear the party or witness answering questions. The College can also make the determination to have a virtual hearing without the request from either party. Only questions that are relevant may be asked, and the administrative law judge will first determine if the question is relevant before a party answers the question. If the administrative law judge excludes a question, they will provide an explanation of why the question is being excluded. If a party does not have an advisor at the time of the hearing, then the College will provide an advisor to that party for the purpose of asking cross-examination questions to the other party. A party is not permitted to question the other party directly at the live hearing. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are provided to prove that someone other than the Respondent committed the alleged conduct, or if the questions and evidence regarding the prior sexual behavior with respect to the Respondent are offered to prove consent.

Any live hearing will be recorded in an audio or audiovisual recording, or transcript, and the recordings will be made available to the parties for inspection and review.

### **Determination Regarding Responsibility a Formal Complaint of Sexual Misconduct**

The decision-maker(s) must issue a written determination regarding responsibility at the conclusion of the live hearing. This notification must be provided to both parties simultaneously, and the determination regarding responsibilities becomes final either at the time the parties are provided a written determination of the result of an appeal, if an appeal is filed, or the date that the appeal window closes if an appeal is not filed.

The written determination must include:

- Identification of the allegations potentially constituting sexual violence or sexual harassment as defined by the Department of Education under Title IX
- The procedural steps taken from the initial formal complaint through the determination, including notifications to parties, when interviews took place, site visits, methods used to gather evidence, and hearings held.
- Finding of fact supporting the determination
- Conclusion regarding the application of the College's Policies to the facts
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on the Respondent, and whether remedies

designed to restore or preserve equal access to the College's educational program or activity will be provided by the College to the Complainant; and

- The procedures and permissible bases for and appeal afforded to both parties.

### **Appeals of a Formal Complaint of Sexual Misconduct**

The College will offer to both parties the opportunity to appeal a determination regarding responsibility and if there is a dismissal of a formal complaint or any allegations, on the following bases:

- Procedural irregularity that affected the outcome of the matter,
- New evidence that was not reasonable available at the time the determination regarding responsibility or dismissal was made, that could have affected the outcome of the matter; and
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

Both parties will have ten (10) business days to submit a written explanation of their appeal to the Title IX Coordinator. When an appeal is received the Title IX Coordinator will notify both parties that an appeal was received and provide notice of the appeal procedures. The appeal will be heard by the college president or designee. Both parties will have the opportunity to submit a written statement in support of, or challenging the outcome, that will be considered by the college president or designee for the appeals process. Both parties will be provided with a written decision simultaneously that describes the result of the appeal and the rationale for the result.

### **Informal Resolution of a Complaint of Sexual Misconduct**

A Complainant who has signed a formal complaint can request for an informal resolution process which both parties must voluntarily agree to before the College facilitates an informal resolution. A formal complaint needs to be signed for a formal grievance process or for informal resolution. The College also reserves the option to offer informal resolution to both parties in certain circumstances. The informal resolution process is voluntary and both parties must provide their written consent to participate in the process. Informal resolution will not be allowed in reported incidents where an employee sexually harassed a student as defined by Title IX.

The informal resolution does not involve a full investigation and adjudication provided that the College still provides the parties with written notice that discloses the allegations, the requirements of the informal resolution process, and that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the formal grievance process with respect to the formal complaint, and any consequence resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

### **Outcomes of Informal Resolution**

The informal resolution process may include, but is not limited to, the following outcomes:

- Facilitated agreement between the Complainant and the Respondent
- Formal restorative conference
- Informal restorative conference
- Counseling sessions
- Alcohol education
- Extension of No Contact Order
- Completion of education plan

## Records

All resolution proceedings, whether informal or formal, are conducted in compliance with the requirements of FERPA and College policy. No information shall be released from such proceedings except as required or permitted by law and College policy.

Other than College expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's disciplinary record:

1. Disciplinary records are maintained by Student Conduct Office.
  - a. Within 45 days of graduation, all hard copies of student disciplinary records shall be destroyed for students involved in disciplinary matters resulting in sanctions other than College suspension or College expulsion. Personal identifiers are removed from electronic disciplinary records. However, the College maintains numeric identifiers which are discoverable if the College receives a subpoena or search warrant. Disciplinary records of students involved in a pending College disciplinary proceeding, criminal matter, or civil matter related to a Clery Act-specific crime (Rape, Fondling, Statutory Rape, Incest, Stalking, Domestic Violence or Dating Violence) requiring retention of the record may be retained for seven years from the date of the initial report to the College.
  - b. All records from the Title IX Grievance Process will be retained for seven years from the date of the initial report to the College. This includes each sexual harassment investigation, any audio or audio-visual recording of the live hearing, records of any sanctions imposed on the Respondent, and any remedies provided to the Complainant. Additionally, all records from the appeal process, if either party submitted an appeal, and any documents from any informal resolution process under the Title IX Grievance Process will be retained.
  - c. Disciplinary records of students who have been suspended will be retained for at least seven years after graduation or withdrawal. "Suspension" will be noted on the transcript for the duration of the suspension.
  - d. Disciplinary records of students who have been expelled will be retained indefinitely in addition to a permanent notation on the student's transcript.
  - e. Disciplinary records of students who have withdrawn from the College and have not been suspended, expelled, involved in a pending criminal matter, or those found responsible for a violation of the Sexual Violence and Title IX Sexual Harassment policy, specifically, sexual assault, domestic violence, dating violence, stalking, and sexual harassment will be retained for at least seven years after the date of the incident.
2. Information and disciplinary records are generally not released to third parties without the student's permission. There are two main areas of exception:
  - a. The College may release information to parents without student consent when deemed appropriate and is not otherwise prohibited by FERPA or other applicable laws. The College's complete FERPA policy may be found on the College's website here: <https://www.century.edu/students/data-privacy>.
  - b. Information and/or records may be produced in response to a subpoena, warrant, or court order.
3. In situations involving both a Respondent(s) and a student Complainant who is the victim or target of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the records of the Respondent and Complainant students.
4. For cases involving a report, complaint, investigation, or informal conduct resolution, or formal conduct resolution under the purview of the Sexual Violence and Title IX Sexual Harassment Policy, specifically for students found responsible for sexual assault, domestic violence, dating violence, stalking, and sexual harassment, the Dean of Students Office will retain a record of the report, complaint, investigation, informal, and/or formal conduct resolution for a period of no less than seven years after graduation or withdrawal. Personal identifiers will be removed from all records in accordance with the disciplinary records retention policy. These cases are discoverable by search warrant, subpoena, or federal audit.

5. Affirmative findings of responsibility in matters resolved through formal conduct resolution are part of a student's conduct record. Such records shall be used in reviewing any further conduct or in developing sanctions and shall remain a part of a student's conduct record until graduation.
6. Students seeking transfer to other schools or participation in off-campus study programs may also be requested or required to release their disciplinary records. Graduate schools, medical schools, law schools, and some governmental agencies may also request disclosure of student disciplinary records.
7. Regarding students who withdraw from Century College with outstanding charges of a violation of the Sexual Violence and Title IX Sexual Harassment Policy: Upon receiving the appropriate release of information form signed by the student or former student, institutions and agencies (e.g., Common Application) inquiring as to a student's conduct record and/or eligibility to return or re-enroll at Century College may be provided with information regarding the outstanding charges.

### **College-initiated Range of Protective Measures**

In addition to those protective measures previously described, the Title IX Coordinator, Human Resources, or designee will determine whether interim interventions and protective measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to:

- College order of No Contact;
- Safety escort;
- Academic, employment, living or transportation arrangements;
- Leave of absence;
- Reassignment to a different supervisor or position;
- Emotional support; and/or
- Emergency removal - to provide for the safety of any person or the broader campus community, or for any other lawful purpose, the College may remove a Respondent from a Century College education program or activity on an emergency basis. The College will undertake an individualized safety and risk analysis to determine whether an immediate threat to the physical health or safety of any community member or other individual arising from the allegation of sexual misconduct justifies the removal. The College will provide the Respondent with notice and an opportunity to challenge the decision immediately following the decision.

These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined the Title IX Coordinator or Associate Vice President of Human Resources.

### **Sanctions for a Formal Complaint of Sexual Misconduct**

Below is a list of all sanctions that may be assigned by a, Student Conduct Administrator, Student Rights and Responsibilities Board, Adjudicator, Appeals Officers, Provost, Dean of Students Affairs or Associate Vice President of Human Resources. This group will be referred to here after as Conduct Administrator. If a party is found responsible for a violation of policy, the following sanctions may be imposed upon any party found to have violated the Student Code Conduct the Employee Code Conduct, or The Sexual Violence and Title IX Sexual Harassment Policy. Additionally, the sanctions below can be assigned when there is a finding of responsible, by the decision-maker(s), for violations of policy under the Sexual Violence and Title IX Sexual Harassment Policy.

When determining the appropriate sanctions, the conduct administrator may take into account any previous violations or sanctions imposed in a prior conduct proceeding. The conduct administrator may issue one or a combination of the following or similar types of sanctions:

- A. **College Expulsion** – permanent separation of the student from the College. A letter will be sent to parents or guardian notifying them of this sanction. Records will be permanently maintained by the College, and the transcript will note the expulsion.
- B. **College Suspension** – separation of the student from the College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. Students who are suspended forfeit all fees that have been paid to the College; and are ineligible to visit the campus unless permission is granted by the conduct administrator. In addition, a “suspension” notation is placed on their college transcript until the term of suspension has expired. Students must seek readmission as outlined in College policy.
- C. **Revocation of Admission** – Applicants and admitted students are expected to abide by the same code of conduct as Century College students and are covered by the same Code of Conduct. Century College reserves the right to revoke admission to admitted or deposited students for fraud, misrepresentation, violation of college standards, or for other serious violations committed by a student prior to enrolling at Century College.
- D. **Withholding and/or Revocation of Degree** – Century College reserves the right to withhold or revoke a degree awarded from the College for sexual assault and other violations of sexual misconduct.
- E. **Withholding Diploma** – the College may withhold a student’s diploma for a specified period of time. The student may also be denied participation in commencement exercises while charges are pending or as a sanction. In addition, the College may withhold a student’s transcript if the student has judicial charges pending or the student was found responsible for violating Policy.
- F. **Conduct Probation** – a written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions, such as suspension or expulsion, if the student is found to violate any institutional regulation(s) during the probationary period.
- G. **Loss of Privileges** – denial of specified privileges for a designated period of time. This includes, but is not limited to, loss of position in club or organization, suspension from athletic team or performing group, loss of privileges to use specified facilities, or prohibition from participation in co-curricular activities
- H. **Restitution** – compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- I. **Discretionary Sanctions** – work assignments, essays, behavioral contracts, alcohol and drug assessment or substance use advising, service to the College, community service, or other related discretionary assignments.
- J. **No contact directive** – the College may impose a “no contact” directive in cases where an agreement cannot be reached or is not applicable. Generally, “no contact” is defined as having no direct or indirect contact at any time. This includes, but is not limited to, communication that is written, verbal, or physical. Written communication is understood to include all electronic means of communication; including, but not limited to, email, instant messaging and text messaging. Verbal communication is understood to include phone calls and voice mail messages. A “no contact” directive may include additional restrictions and terms. Students found responsible for violation of the no contact may face sanctions that result in immediate removal from campus, suspension, or expulsion.
- K. **Educational Activity** – the student is required to complete a project or activity designed to help the student understand why the behavior was inappropriate. The educational activity is designed to correspond to the severity and nature of the violation and to clarify the impact of that behavior on members of the College Community. Educational activities may include, but are not limited to, assessments of behaviors, community service, workshops, papers and similar assignments.

**Student Group or Organization Sanctions may also include, but are not limited to:**

- A. **Student Group Expulsion.** Permanent loss of privileges, including College recognition. When a student group fails to fulfill the College’s expectations of previously imposed conduct probation or has what a reasonable person would consider an egregious violation of college policy, conduct administrator may decide to permanently terminate the recognition of the student group. This could include actions taken by unauthorized/unrecognized members, or violations by individuals acting on behalf of the group while suspended from campus.

- B. **Student Group Suspension.** Loss of all privileges, including College recognition, for a specified period of time. When a student group fails to fulfill the College's expectations or violates the terms of previously imposed conduct probation, the conduct administrator may decide to terminate the recognition of or suspend the organization.
- C. **Event Probation.** A loss of privilege to host events on campus or off-campus for a specified period of time.
- D. **Loss of selected rights and privileges** for a specified period of time.

**Employee Sanctions may include but are not limited to:**

- A. **Training** – the employee will be required to complete training to help the employee understand why their behavior was inappropriate. The training is designed to correspond to the severity and nature of the violation and to clarify the impact of that behavior on members of the College community.
- B. **Verbal Warning** - the verbal warning is the first official step in the College's progressive discipline process for employees. The purpose of the verbal warning is to remind the employee of their personal responsibility and to set guidelines for acceptable behavioral changes required to satisfactorily address the concern. This action is only appropriate in cases that are relatively minor.
- C. **Written Letter of Reprimand**- a written letter of reprimand is used to identify and describe the continuing problem and to restate the essentials of desired performance or behavior and the employee's obligation to meet it.
- D. **Suspension Without Pay** - occasionally, the employee may be suspended without pay while the College conducts an investigation into the alleged violation of misconduct.
- E. **No Contact Directive** - the College may impose a "no contact" directive in cases where an agreement cannot be reached or is not applicable. Generally, "no contact" is defined as having no direct or indirect contact at any time. This includes, but is not limited to, communication that is written, verbal, or physical. Written communication is understood to include all electronic means of communication; including, but not limited to, email, instant messaging, and text messaging. Verbal communication is understood to include phone calls and voice mail messages. A "no contact" directive may include additional restrictions and terms. Employees found responsible for violation of the no contact may face sanctions that result in immediate removal from campus, suspension, or expulsion.
- F. **Restrictions of Professional Development Funds or Limited Travel** - on occasion, professional development funds may be restricted, or a travel ban for professional work may be instituted.
- G. **Termination of Employment**- for the most egregious kind of conduct or after all measures of progressive discipline have been established, termination of employment may be appropriate

## **1B.3 Sexual Violence Policy**

### **Part 1. Policy Statement**

Sexual violence is an intolerable intrusion into the most personal and private rights of an individual and is prohibited at Century College. Century College is committed to eliminating sexual violence in all forms and will take appropriate remedial action against any individual found responsible for acts in violation of this policy. Acts of sexual violence may also constitute violations of criminal or civil law or of other Board Policies that may require separate proceedings. To further its commitment against sexual violence, Minnesota State provides reporting options, an investigative and disciplinary process, prevention training, and other related services as appropriate.

#### **Subpart A. Application of policy to students, employees, Board of Trustees and others**

This policy applies to all Century College students and employees, system office employees, Board of Trustees and to others, as appropriate, where incidents of sexual violence on college property have been reported. Reports of sexual violence committed by a student at a location other than on college property are covered by this policy pursuant to the factors listed in Board Policy 3.6, Part 2. Reports of sexual violence committed by a college employee at a location other than College property are covered by this policy.



Reports of sexual violence committed on college property by individuals who are not students or employees are subject to appropriate actions by Century College, including but not limited to pursuing criminal or civil action against them.

Allegations of discrimination or harassment are governed by Board Policy 1B.1.

## **Part 2. Definitions**

The following definitions apply to this policy and College Procedure 1B.3.1.

### **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.

### **Dating, intimate partner, and relationship violence**

Violence including 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 law.

### **Employee**

Any individual employed by Minnesota State, its colleges and universities and system office, including student workers.

### **Non-forcible sex acts**

Non-forcible acts include unlawful sexual acts where consent is not relevant, such as sexual contact with an individual under the statutory age of consent, as defined by Minnesota law, or between persons who are related to each other within degrees wherein marriage is prohibited by law.

### **Sexual assault**

An actual, attempted, or threatened sexual act with another person without that person's affirmative consent. Sexual assault is often a criminal act that can be prosecuted under Minnesota law, as well as form the basis for discipline under Century College student codes of conduct 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 of a person's intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast); or coercing, forcing, or attempting to coerce or force another to touch a person's intimate parts.
4. Offensive sexual behavior directed at another, such as indecent exposure or voyeurism.

### **Sexual violence**

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.

### **Stalking**

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

### **Student**

All persons who:

1. Are enrolled in one or more courses, either credit or non-credit, at Century College; or
2. Withdraw, transfer, or graduate after an alleged violation of the code of student conduct; or
3. Are not officially enrolled for a particular term but who have a continuing relationship with the college or university; or
4. Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid; or
5. Are not college or university employees and are not enrolled in the institution but live in a college or university residence hall.

### **College property**

The facilities and land owned, leased, or under the primary control of Century College including the public property immediately adjacent to and accessible from campus.

## **1B.3.1 Response to Sexual Violence and Title IX Sexual Harassment Procedure**

### **Part 1. Purpose**

This procedure provides a process through which individuals alleging sexual violence may pursue a complaint, pursuant to Board Policy 1B.3 Sexual Violence Policy prohibiting sexual violence.

This procedure is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation and reprisal.

### **Part 2. Definition**

The definitions in Policies 1B.3 and 1B.1 also apply to this procedure.

#### **Campus security authority**

Campus security authority includes the following categories of individuals at a college or university:

1. A college or university security department;
2. Any individual who has campus security responsibilities in addition to a college or university security department;
3. Any individual or organization identified in a college or university security policy as an individual or organization to which students and employees should report criminal offenses;
4. An official of a college or university who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings; advisors to recognized student organizations; and athletic coaches. Professional counselors, whose official responsibilities include providing mental health counseling, and who are functioning within the scope of their license or certification, are not included in this definition.

#### **Complainant**

An individual who is alleged to be the victim of conduct that could constitute sexual harassment (as defined by Title IX).

#### **Educational program or activity**

Includes locations, events, or circumstances over which the college or university exercised substantial control over both the respondent and the context in which the sexual harassment (as defined by Title IX) occurs, and also includes any building owned or controlled by any officially recognized student organization of the college or university.

#### **Formal complaint**

A document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment (as defined by Title IX) against a respondent and requesting that the college or university investigate the allegation of sexual harassment. At the time of filing the formal complaint of sexual harassment (as defined by Title IX), a complainant must be participating in or attempting to participate in the education program or activity of the college or university with which the formal complaint is filed.

#### **Respondent**

An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment (as defined by Title IX).

### **Supportive measures**

Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or respondent before or after the filing of a formal Title IX complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient's educational environment, or deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

### **Title IX Coordinator**

Employee(s) designated by the president to coordinate the college or university's efforts to comply with its Title IX responsibilities and Board Policies 1B.1 and 1B.3. A campus can delegate Title IX responsibilities to, for example, a deputy or deputies, and/or an investigator.

### **Title IX Sexual Harassment**

For purposes of Title IX, sexual harassment means conduct on the basis of sex that occurs in a college or university's program or activity in the United States that satisfies one or more of the following:

1. An employee of the college or university conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct.
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the
3. college or university's education program or activity; or
4. Sexual assault; dating, intimate partner, and relationship violence; and stalking as defined in Board Policy 1B.3

## **Part 3. Reporting Incidents of Sexual Violence**

### **Subpart A. Prompt reporting encouraged**

Complainants of sexual violence and sexual harassment (as defined by Title IX) may report incidents at any time but are strongly encouraged to make reports promptly in order to best preserve evidence for a potential legal or disciplinary proceeding.

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

### **Subpart B. Assistance in reporting**

When informed of an alleged incident of sexual violence and sexual harassment (as defined by Title IX), all Century College students and employees are urged to encourage and assist complainants, as needed, to report the incident to local law enforcement, local victim/survivor services, campus Title IX coordinator, or campus security authorities.

Campus security authorities, when informed of an alleged incident of sexual violence and sexual harassment (as defined by Title IX), shall promptly assist the complainant, as requested, including providing guidance in filing complaints with outside agencies, such as law enforcement; obtaining appropriate assistance from victim/survivor services or medical treatment professionals; and filing a complaint with the Title IX Coordinator.

When appropriate, Century 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. A college or university may take actions it deems necessary or appropriate in response to all protection, restraining, or no-contact orders.

### **Subpart C. Required reports**

Any campus security authority or any college employee with supervisory or student-advising responsibility who has been informed of an alleged incident of sexual violence and sexual harassment (as defined by Title IX), shall follow college procedures for making a report for the annual crime statistics report. In addition, the campus security authority or any college employee with supervisory or student-advising responsibility who has been informed of an alleged incident of sexual violence and sexual harassment (as defined by Title IX) shall report to the Title IX Coordinator, in order to initiate any applicable investigative or other resolution procedures.

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

### **Subpart D. Mandatory reporting of abuse or neglect of children or vulnerable adults**

Minnesota law provides special protection for children under 18 and vulnerable adults. These laws, Minnesota Statutes sections 626.556 and 626.557, identify those who are mandated to report neglect or abuse of children under 18 and maltreatment of vulnerable adults. Faculty, student teachers or clinical participants, day care personnel, and others involved in education or services to children or vulnerable adults may be considered mandated reporters under both of these laws. Reports of abuse or neglect of a child or vulnerable adult, must be made to law enforcement or state or county social service agencies.

## **Part 4. Confidentiality of Reporting**

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

## **Part 5. Policy Notices**

### **Subpart A. Distribution of policy to students**

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

### **Subpart B. Distribution of policy to employees**

Century College shall make available to all employees a copy of the sexual violence and sexual harassment (as defined by Title IX) policy and procedure.

Distribution may be accomplished by posting on an Internet or Intranet website, provided

all employees are directly notified of the exact address of the policy and procedure as well as the option of receiving a paper copy upon request.

### **Subpart C. Required notice**

Century College shall have a sexual violence and sexual harassment (as defined by Title IX) policy, which must include the notice provisions in this part.

1. **Notice of Title IX Coordinator.** Each college and university must notify applicants for admission and employment, students, employees, and all unions holding collective bargaining agreements with the college or university of the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator.
2. **Notice of non-discrimination.** Each college and university must notify applicants for admission and employment, students, employees and all unions holding collective bargaining agreements with the college and university that the college or university does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX not to discriminate in such a manner. Inquiries about the application of Title IX may be referred to the Title IX Coordinator and/or to the United States Department of Education.

### **3. Notice of complainant options**

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

- a. Where and how to obtain immediate medical assistance. Complainants should be informed that timely reporting and a medical examination within 72 hours are critical in preserving evidence of sexual assault and proving a criminal or civil case against a perpetrator. Complainants should be told, however, that they may report incidents of sexual violence at any time.
- b. Where and how to report incidents of sexual violence to local law enforcement officials, and/or appropriate contacts for employees, students, and others. Such contacts should be identified by name, location, and phone number for 24-hour availability, as applicable.
- c. Resources for where and how complainants may obtain on- or off-campus counseling, mental health, or other support services.

### **4. Notice of complainant rights**

Complainants must be notified of the following:

- a. Their right to make a report with local law enforcement officials in sexual assault cases.
- b. 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.
- c. 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.
- d. Assistance available from campus authorities in preserving for a sexual violence complainant materials relating to a campus disciplinary proceeding.
- e. Complaints of incidents of sexual violence made to campus security authorities must be promptly and appropriately resolved.
- f. Upon a sexual assault complainant's request, the college may take action and other supportive measures to prevent unwanted contact with the alleged assailant, including, but not limited to, transfer of the complainant and/or the respondent to alternative classes, or to a work site or to alternative college-owned housing, if such alternatives are available and feasible.

- g. Upon request, students who reported sexual assaults to the 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.

## **Part 6. Investigation and Disciplinary Procedures**

### **Subpart A. General principles**

College investigation and disciplinary procedures concerning allegations of sexual violence and sexual harassment (as defined by Title IX) against employees or students must:

1. Be respectful of the needs and rights of individuals involved and treat them with dignity;
2. Not suggest the complainant was at fault for the sexual assault or should have behaved differently to prevent the assault;
3. Proceed as promptly as possible;
4. 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;
5. Afford employees the right to representation consistent with the appropriate collective bargaining agreement or personnel plan;
6. Be conducted in accordance with applicable due process standards and privacy laws;
7. Simultaneously inform both the complainant and respondent of the outcome in a timely manner, as permitted by applicable privacy law.
8. Be based on a preponderance of evidence standard, meaning that it is more likely than not that the policy, procedure, or code has been violated.

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

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

### **Subpart B. Relationship to parallel proceedings**

In general, Century College investigation and disciplinary procedures for allegations of sexual violence and sexual harassment (as defined by Title IX) will proceed independent of any action taken in criminal or civil courts. Century College need not, and in most cases should not, delay its proceedings while a parallel legal action is ongoing. If Century 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 Century College procedures.

### **Subpart C. Memorandum of understanding with local law enforcement**

Century College enters into a memorandum of understanding with the primary law enforcement agencies that serve its campuses. Prior to the start of each academic year, Century College shall distribute an electronic copy of the MOU to all employees on the campus that are subject to the memorandum.

### **Subpart D. False statements prohibited**

Century College takes allegations of sexual violence and sexual harassment (as defined by Title IX) very seriously and recognize the consequences such allegations may have on a respondent as well as the complainant. Any individual who knowingly provides false information regarding the filing of a complaint or report of sexual violence, or who provides

false information during the investigation of such a complaint or report, may be subject to discipline or, under certain circumstances, legal action.

Complaints of conduct that are found not to violate policy are not assumed to be false.

#### **Subpart E. Sanctions**

Sanctions that may be imposed if a finding is made that sexual violence and sexual harassment (as defined by Title IX) has occurred include, but are not limited to, discipline up to and including suspension, or expulsion of students, or discipline, up to and including termination from employment, as provided in the applicable bargaining agreement or compensation plan, 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 Century College for admitting in the report to a violation of the student conduct policy on the use of alcohol or drugs.

#### **Subpart F. 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.

### **Part 7. Investigation and Resolution**

Century College has a duty to take timely and appropriate action to stop behavior prohibited by Century College Policy 1B.3, conduct investigations and take appropriate action to prevent recurring misconduct.

#### **Subpart A. Informal resolution**

Century College may offer an informal resolution process if a formal complaint is filed and after providing both parties a notice of allegations. The parties must voluntarily consent, in writing, to the informal resolution process. At any time before agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the process with respect to the formal complaint. This procedure neither prevents nor requires the use of informal resolution by individuals who believe they have been subject to conduct in violation of Century College 1B.3.

Informal resolution shall not be used to resolve allegations that an employee sexually harassed a student.

#### **Subpart B. Information privacy**

Confidentiality of information obtained during an investigation cannot be guaranteed; such information, however, will be handled in accordance with applicable federal and state data privacy laws.

#### **Subpart C. Processing the complaint**

The Title IX Coordinator must be contacted in order to initiate a complaint under this procedure. The Title IX Coordinator shall determine the process used in each complaint based on the complexity of the allegations, the number and relationship of individuals involved, and other pertinent factors.

1. **Jurisdiction.** The Title IX Coordinator shall:
  - a. determine whether the complaint is one which should be processed through another system office, college or university procedure available to the complainant;
  - b. if appropriate, direct the complainant to that procedure as soon as possible; and
  - c. for sexual harassment complaints, (as defined by Title IX), determine whether or not the complaint involves the education program or activity of the college and whether the incident occurred in the United States.



2. **Conflicts.** If the Title IX Coordinator identifies any real or perceived conflict of interest for the decision-maker, and/or for any person designated to facilitate an informal resolution for a specific complaint another Title IX Coordinator, decision-maker, or person facilitating an informal resolution must be assigned.
3. **Information provided to complainant.** At the time the complaint is made, the Title IX Coordinator shall:
  - a. inform the complainant of the provisions of the Century College Policy 1B.3 and this procedure;
  - b. provide a copy of or Web address for Century College Policy 1B.3 and this procedure to the complainant;
  - c. determine whether other individuals are permitted to accompany the complainant during investigatory interviews and the extent of their involvement;
  - d. inform the complainant of the provisions of Board Policy 1B.3 prohibiting retaliation;
  - e. discuss the availability of supportive measures; and
  - f. explain the process for filing a formal Title IX complaint.
4. **Complaint documentation.** The Title IX Coordinator shall ensure that the complaint is documented in writing. The Title IX Coordinator may request, but not require the complainant to document the complaint in writing using the complaint form of Century College
5. **Information provided to the respondent.** At the time initial contact is made with the respondent, the Title IX Coordinator shall inform the respondent in writing of the existence and general nature of the complaint and the provisions of the sexual violence policy, including the name of the complainant. At the initial meeting with the respondent, the Title IX Coordinator shall:
  - a. provide a copy of or Web address for Century College Policy 1B.3 and this procedure to the respondent;
  - b. provide sufficient information to the respondent consistent with federal and state data privacy laws to allow the respondent to respond to the substance of the complaint;
  - c. explain to the respondent that in addition to being interviewed by the Title IX Coordinator, the respondent may provide a written response to the allegations;
  - d. determine whether other individuals are permitted to accompany the respondent during investigative interviews and the extent of their involvement;
  - e. discuss the availability of supportive measures;
  - f. inform the respondent of the provisions of Century College Policy 1B.3 prohibiting retaliation; and
  - g. utilize the template notice of allegations.
6. **Investigatory process.** The Title IX Coordinator shall:
  - a. conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings;
  - b. inform the witnesses and other involved individuals of the prohibition against retaliation;
  - c. create, gather and maintain investigative documentation as appropriate;
  - d. disclose appropriate information to others only on a need-to-know basis consistent with state and federal law, and provide a data privacy notice in accordance with state law;
  - e. handle all data in accordance with applicable federal and state privacy laws
  - f. include an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence.

- g. Presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the investigation process.
- h. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
- i. For formal Title IX complaints, before completing the investigation report, send to both the complainant and the respondent and their advisors, if any, the evidence subject to inspection and review. Both the complainant and the respondent must have at least ten (10) calendar days to submit a written response to the evidence, which the Title IX Coordinator will consider before completing the investigative report. Both parties and their advisors may use the information solely for purposes of proceedings pursuant to this policy.
- j. Create an investigative report that fairly summarizes relevant evidence and, at least ten (10) calendar days prior to a formal hearing, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

## 7. Interim actions

- a. **Employee reassignment or administrative leave.** Under appropriate circumstances, Century College, in consultation with system legal counsel and labor relations, reassign or place an employee on administrative leave at any point in time during the report/complaint process. In determining whether to place an employee on administrative leave or reassignment, consideration shall be given to the nature of the alleged behavior, the relationships between the parties, the context in which the alleged incidents occurred and other relevant factors. Any action taken must be consistent with the applicable collective bargaining agreement or personnel plan.
  - b. **Student summary suspension or other action.** Under appropriate circumstances, Century College may summarily suspend a student at any point in time during the report/complaint process. A summary suspension may be imposed only in accordance with Century College Policy 3.6 and associated system procedures. After the student has been summarily suspended, the report/complaint process should be completed within the shortest reasonable time period, not to exceed nine (9) class days. During the summary suspension, the student may not enter the campus or participate in any college activities without obtaining prior permission from the college. Other temporary measures may be taken in lieu of summary suspension where the college determines such measures are appropriate.
8. **No basis to proceed.** At any point during the processing of the complaint, the Title IX Coordinator may determine that there is no basis to proceed under Board Policy 1B.3. The Title IX Coordinator may refer the complaint as appropriate to other college officials. If the conduct alleged in the formal Title IX complaint would not constitute Title IX sexual harassment even if proved, did not occur in the college's education program or activity, or did not occur against a person in the United States, then the college or university must dismiss the formal complaint.

The college may dismiss a formal Title IX complaint or any allegations therein any time during the investigation or hearing if a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the college; or specific circumstances prevent the college from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. The college must promptly notify both the complainant and the respondent of any dismissal.

9. **Timely completion.** Century College shall provide resources sufficient to complete the investigative process and issue a written response in a timely manner after a complaint is made, unless reasonable cause for delay exists. Reasonable cause may include considerations such as the absence of the party, a party's advisor or a witness;

concurrent law enforcement activity or the need for language assistance or accommodation of disabilities. The Title IX Coordinator shall notify the complainant and respondent if the written response is not expected to be issued within a timely manner. The college, university or system office must meet any applicable shorter time periods, including those provided in the applicable collective bargaining agreement.

#### **Subpart D. Decision process**

If the above methods, including the informal resolution process, have not resolved the complaint within a reasonable period of time to the satisfaction of the Title IX Coordinator, the procedures in this subpart must be followed.

1. **Title IX Coordinator.** The Title IX Coordinator shall:
  - a. Prepare an investigation report.
  - b. Refer the matter for a formal hearing.
2. **Formal Hearing.** Formal hearings for Title IX sexual harassment complaints will be conducted by the Office of Administrative Hearings pursuant to the rules for administrative hearings. If either the complainant or respondent does not have an advisor for the formal hearing, Century College must provide an advisor without fee or charge to the complainant or respondent. Century College shall maintain a roster of advisors for this purpose. The role of the advisor for the respondent is to conduct cross-examination on behalf of the respondent. At the conclusion of the formal hearing, the administrative law judge will issue a written recommendation for a final decision made by the college decision-maker.
3. **Decision-maker.** After receiving the report and recommendation prepared by the administrative law judge, the decision-maker shall:
  - a. Decide whether the policy has been violated; and
  - b. On appropriate sanctions if the policy has been violated;
  - c. Issue a written determination that must include:
    - i. identification of the allegations potentially violating this policy;
    - ii. a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearing help;
    - iii. findings of fact supporting the determination;
    - iv. conclusions regarding application of the policy to the facts;
    - v. a statement of, and rationale, for the result as to each allegation, including determination regarding responsibility, any disciplinary sanctions the college imposes on the respondent, and whether remedies designed to restore or preserve equal access to the college's education program or activity will be provided by the college to the complainant; and
    - vi. the college's procedures and permissible bases for the complainant and respondent to appeal.

The written determination may satisfy these elements by adopting portions of the report and recommendation. The decision-maker must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final on

1. The date of an appeal is no longer considered timely, or
2. If an appeal is filed, the date the appeal determination is issued and provided to the parties

The college shall take the appropriate corrective action based on results of the investigation, and the Title IX Coordinator shall make appropriate inquiries to ascertain the effectiveness of any corrective or disciplinary action. Complainants are encouraged to report any subsequent conduct that violates Century College Policy 1B.3, as well as allegations of retaliation. Disciplinary action for students may include any sanctions the college imposes for any student conduct matters, up to and including expulsion.

Disciplinary action for employees may include any discipline allowed under the applicable collective bargaining agreement or personnel plan, up to and including termination.

Written notice to parties relating to discipline, resolutions, and/or final dispositions resulting from the report/complaint process is deemed to be official correspondence from the college. In accordance with state law, the college is responsible for filing the complaint disposition concerning complaints against employees with the Commissioner of Minnesota Management and Budget within 30 days of final disposition.

## Student Sanctions

Below is a list of all sanctions that may be assigned by the decision maker. If a student is found responsible for a violation of Century College Policy 1B.3, the following sanctions may also be imposed upon any student found to have violated the Student Code. When determining the appropriate sanctions, the decision maker may take into account any previous violations or sanctions imposed in a prior conduct proceeding. The decision maker may issue one or a combination of the following or similar types of sanctions:

- a) **College Expulsion** – permanent separation of the student from the College. Records will be permanently maintained by the College, and the transcript will note the expulsion.
- b) **College Suspension** – separation of the student from the College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. Students who are suspended forfeit all fees that have been paid to the College; and are ineligible to visit the campus unless permission is granted by the Dean of Student Affairs. In addition, a “suspension” notation is placed on their college transcript until the term of suspension has expired (notation changed to “withdrew” after suspension ends). Students must seek readmission as indicated in their sanction letter.
- c) **Revocation of Admission** – Applicants and admitted students are expected to abide by the same code of conduct as Century College students and are covered by the same Code of Conduct. Century College reserves the right to revoke admission to admitted or deposited students for fraud, misrepresentation, violation of college standards, or for other serious violations committed by a student prior to enrolling at Century.
- d) **Withholding and/or Revocation of Degree or Diploma** – Century College reserves the right to withhold or revoke a degree awarded from the College for sexual assault and other violations of sexual misconduct.
- e) **The student may also be denied participation in commencement** exercises while charges are pending or as a sanction. In addition, the College may withhold a student’s transcript if the student has judicial charges pending or the student was found responsible for violating Policy.
- f) **Conduct Probation** – a written reprimand for violation of specified regulations. Probation is for a designated period and includes the probability of more severe disciplinary sanctions, such as suspension or expulsion, if the student is found to violate any institutional regulation(s) during the probationary period.
- g) **Loss of Privileges** – denial of specified privileges for a designated period of time. This includes, but is not limited to, loss of position in club or organization, suspension from athletic team or performing group, loss of privileges to use specified facilities, prohibition from participation in co-curricular activities, or loss of privilege to have car on campus.
- h) **Restitution** – compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- i) **Discretionary Sanctions** – work assignments, essays, behavioral contracts, alcohol and drug assessment, or substance use advising, service to the College, community service, or other related discretionary assignments.
- j) **No-contact Order** – the College may impose a “no contact order” in cases where an agreement cannot be reached or is not applicable. Generally, “no contact” is defined as having no direct or indirect contact at any time. This includes, but is not limited to, communication that is written, verbal, or physical. Written communication is understood to include all electronic means of communication; including, but not limited to, email, instant messaging, and text messages. Verbal communication is understood to include phone calls and voice mail messages. A “no contact” directive may include additional restrictions and terms. Students found

responsible for violation of the no contact may face sanctions that result in immediate removal from campus, suspension, or expulsion.

**Student Organization Sanctions may also include but are not limited to**

- a) **Organizational Expulsion** – Permanent loss of privileges, including College recognition. When a college organization fails to fulfill the College's expectations of previously imposed conduct probation or has what a reasonable person would consider an egregious violation of college policy, the Vice President of Student Affairs and Dean of Students may decide to permanently terminate the recognition of the organization. This could include actions taken by unauthorized/unrecognized members, or violations by individuals acting on behalf of the group while suspended from campus. The Vice President of Student Affairs and Dean of Students may consult with the Student Conduct Judicial Hearing Board on the question of expulsion of the College organization, if The Vice President of Student Affairs and Dean of Students so chooses.
- b) **Organizational Suspension** – Loss of all privileges, including College recognition, for a specified period of time. When a college organization fails to fulfill the College's expectations or violates the terms of previously imposed conduct probation, the Vice President for Student Affairs and Dean of Student Affairs may decide to terminate the recognition of or suspend the organization. The Vice President for Student Affairs and Dean of Student Affairs may consult with the Student Senate on the question of suspension of a college organization, or the termination of the recognition of a college organization, if Vice President for Student Affairs and Dean of Student Affairs so chooses.
- c) **Loss of selected rights and privileges for a specified period of time.**

**Employee Sanctions**

Below is a list of all the discipline that may be assigned by the decision maker if an employee is found responsible for a violation of the 1B.3 Sexual Violence policy. When determining the appropriate discipline, the decision maker may take into account any previous violations or discipline imposed in a prior conduct proceeding. The decision maker may issue one or a combination of the following discipline in accordance with the progressive discipline language in the collective bargaining contracts or employment plans:

- a) **Written Warning** – Records will be permanently maintained by the College.
- b) **Suspension Without Pay**– separation of the employee from the College for a definite period of time, after which the employee is eligible to return.
- c) **Dismissal** – Termination of the employee's employment in accordance with the applicable progressive discipline language in the appropriate collective bargaining contract or employment plan.
- d) **No-contact Order** – the College may impose a "no contact order" in cases where an agreement cannot be reached or is not applicable. Generally, "no contact" is defined as having no direct or indirect contact at any time. This includes, but is not limited to, communication that is written, verbal, or physical. Written communication is understood to include all electronic means of communication; including, but not limited to, email, instant messaging and text messaging. Verbal communication is understood to include phone calls and voice mail messages. A "no contact" directive may include additional restrictions and terms. Employees found responsible for violation of the no contact may face further discipline that result in immediate removal from campus.

## **Part 8. Appeal**

### **Subpart A. 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) calendar days after notification of the decision. The appeal must state specific reasons why the complainant or respondent believes the decision or sentence were 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. In addition, for a formal Title IX complaint, both the complainant and respondent may appeal a dismissal of a formal complaint.

### **Subpart B. Appeal process**

The Vice President of Student Affairs, or designee shall review the record and determine whether to affirm or modify the decision.

Grounds for appeal include,

- procedural irregularity that affected the outcome,
- new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter, (or)
- a conflict of interest or bias by the Title IX Coordinator, or decision-maker that affected the outcome of the matter.

The Vice President of Student Affairs may receive additional information if they or their designee believes such information would aid in the consideration of the appeal. The decision on appeal must be made within a reasonable time and the complainant, respondent and Title IX Coordinator must 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 respondent's administrative remedies under this procedure except as provided herein.

## **Part 9. Education and Training**

Century College shall provide education and training programs to promote awareness and prevent discrimination/harassment, such as educational seminars, peer-to-peer counseling, operation of hotlines, self-defense courses, and informational resources. Education and training programs should include education about Century College Policy 1B.3 and this procedure. Century College shall promote awareness of Century College Policy 1B.3 and this procedure and shall publicly identify the Title IX Coordinator. Century College must ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution policy, received training on Title IX sexual harassment complaints. Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process on handling formal Title IX complaints must be made publicly available on the college's website.

### **Subpart A. Campus-wide training**

Century College shall:

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

### **Subpart B. Other training and education**

Century College student organizations are encouraged to develop educational programs, brochures, posters, and other means of information to decrease the incidence of sexual violence and advise individuals of the legal and other options available if they are the complainants of an incident or if they learn of such an incident.

### **Subpart C. Training for individuals charged with decision-making authority**

Prior to serving as either an investigator or decision-maker for complaints under this procedure, administrators shall complete investigator or decision-maker training provided by the system office.

Investigators/decision-makers, campus security officers, and anyone else involved in the adjudication process must receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

## **Part 10. Maintenance of Report/Complaint Procedure Documentation**

During and upon the completion of the complaint process, the complaint file must be maintained in a secure location in the office of the Title IX Coordinator for the college, for a period of seven (7) years, in accordance with the applicable records retention schedule. Access to data must be in accordance with the respective collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act, and other applicable law. Information on reports of incidents of sexual violence that are made to campus security authorities must be documented in accordance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, codified at 20 U.S.C. § 1092 (f). The information will be used to report campus crime statistics on college campuses as required by the Clery Act.

Century College shall annually report statistics on sexual assaults to the Minnesota Office of Higher Education. Additionally, the report must be published on each college website in accordance with state law.

## **Campus Violence and Weapons Policy 6.22**

[https://www.century.edu/sites/default/files/6.22\\_Campus-Violence-and-Weapons-Policy.pdf](https://www.century.edu/sites/default/files/6.22_Campus-Violence-and-Weapons-Policy.pdf)

### **Part 1.**

Century College strives to achieve a respectful environment which is free from threats and acts of violence. To attain a safe and secure environment, the college upholds specific regulations regarding weapons and maintains a zero-tolerance stance against violence of any type and from any source, including employees, students, and visitors. It is the intent of Century College to take measures towards prevention, reduction, and management of such threats or acts that have or may occur on college leased, owned, or operated properties.

### **Part 2. Definitions**

#### **Employee (Faculty and Staff)**

Any person who is listed in the campus payroll system, regardless of the percentage of time associated with the person's employment, including a staff retiree who has been recalled for college employment and other individuals to whom the College is contractually obligated to provide access to college property equivalent to that allowed to college employees.

#### **Student**

All Persons or group of persons who:

1. Are enrolled in one or more courses, either credit or noncredit, through the College;
2. Withdraw, transfer, or graduate, after an alleged violation of the Student Code of Conduct;
3. Are not currently enrolled for a particular term but who have been enrolled previously and have a continuing relationship with the College;

4. Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid

#### Part 3.

Century College prohibits possession of weapons and does not tolerate acts of violence including, but not limited to threats, harassment/sexual harassment, hazing, bullying, assault/sexual assault, stalking, property damage or defacement, intentionally injuring another person, or retaliation against those who, in good faith, report acts of violence or weapons violations. This policy applies to acts of violence by or against employees, students, visitors, volunteers, contracted workers, temporary workers, vendors, or other third parties on properties leased, owned, or operated by the college.

This policy is in addition to, and does not amend or replace other statutes, policies, procedures, or contract language about violence applicable to the college including, but not limited to the Minnesota State 1B.3 Sexual Violence Policy, Minnesota State Procedure 1C.0.1 Employee Code of Conduct, Minnesota State Procedure 1C.0.2 Respectful Workplace, and Century College Student Code of Conduct. Third parties who have executed agreements with the college for use of space may have provisions that are more, but not less restrictive about violence, firearms, or enforcement of other college policies.

#### Part 4.

Century College will actively work to prevent, reduce, and manage acts of violence by:

- Treating each threat or act of violence seriously, promptly investigating, and taking action as needed.
- Empowering college employees, students and visitors to report the presence of weapons on campus, acts of violence, and threats or other behaviors that may lead to violence to Century College Public Safety (see “Reporting and Responsibilities”).
- Involving law enforcement agencies when appropriate.
- Issuing disciplinary action up to and including discharge from state employment for staff, or code of conduct sanctions for students; as each situation warrants.
- Complying with laws about firearms and other dangerous weapons and working to enforce our weapons regulations as outlined in this policy.
- Supporting criminal prosecution of those who threaten or commit violence against its employees, students, and visitors.
- Providing human resources and services dedicated to violence prevention and reduction measures such as establishing safety policies and practices; educating about violence; assessing threats and creating intervention plans; providing conflict resolution; and communicating regularly about the resources available to assist with the emotions or life events that might lead to violence (IE. Employee Assistance Program, Counseling Center, etc.).
- Providing staff, committees, and services dedicated to responding to threats or violent acts such as Public Safety, Behavioral Assessment Intervention Team, Counseling, and Emergency Operations Team.

#### Part 5. Weapons Regulations

Century College prohibits the possession of any weapon on college leased, owned, or operated properties by any person.

The following exceptions apply:

- Licensed peace and/or law enforcement officers in the jurisdiction of college properties may possess weapons to the extent they are legally permitted.
- In the course of work application, faculty and staff may possess and use implements to complete course work or job tasks such as a knife longer than 3 inches for food preparation.



- Weapons related to an academic use or special event/performance, such as a prop for a theatrical show or a history lesson on weapons from a particular time period, are permitted if approved in writing by the Director of Public Safety.
- Permit to Carry (In accordance with the Minnesota Citizens' Personal Protection Act of 2003 and MN Stat. 624.714):
  - Lawful possession or carry of firearms is permitted in a parking area or parking facility.
  - Employees: Employees who are acting in the scope and course of their employment, even those holding a permit to carry, are prohibited from carrying firearms. Employees may securely stow firearms, for which they have a permit, in their vehicle in a college parking area. An employee may also use a personal vehicle in which a firearm is stored while acting in the scope and course of employment. Employees who are on college property outside the scope and course of their employment, are treated as visitors (see "Visitors" below).
  - Students: Students, even those holding a permit to carry, are prohibited from bringing firearms on college leased, owned, or operated properties. Students may securely stow firearms, for which they have a permit, in their vehicle in a college parking area.
- Visitors: Visitors with a lawful permit to carry are permitted to do so on college leased, owned, or operated properties. Special provisions apply to areas of the college that are leased by outside parties (see "Private Lessees" below).

#### Sub-Part A. Weapons List

For purposes of this Policy and Procedure, the following items are considered weapons:

- any weapon which, per applicable law, is illegal to possess;
- any firearm, loaded or unloaded, assembled or disassembled. Firearms include pistols, revolvers, shotguns, rifles, carbines, machine guns, submachine guns, rocket launchers, pellet or "BB" guns, potato guns, compressed air guns, and similar items;
- replica of firearms, as defined in Minn. Stat. 609.713;
- swords, rapiers, foils, axes, hatchets, or other similarly bladed instruments;
- any "switchblade" knife, "butterfly" knife, straight razor, or any other knife or similar instrument with a blade length of more than three inches;
- "brass knuckles," "metal knuckles," and similar weapons;
- bows, cross-bows and arrows;
- explosives and explosive devices, including ammunition, fireworks, and incendiary devices;
- "throwing stars," "nun chucks," clubs, saps, and any other item commonly used as, or primarily intended for use as, a weapon;
- taser, stun-gun, or other similar incapacitating weapon;
- any object that has been modified to serve as, or has been employed as, a dangerous weapon.

#### Part 6. Reporting and Responsibilities

Century College encourages all persons on, in, and around college leased, owned, or operated properties to be alert for signs of potential violence. For the safety of all, employees and students must report all actual threats, acts of violence, and/or violations of the weapons regulations to the Police (9-911) and all perceived safety concerns to Public Safety (651-747-4000).

Managers and supervisors have primary responsibility for ensuring a safe and professional work environment. Managers and supervisors are specifically empowered to take immediate action to resolve or stabilize violent situations in the workplace, and to protect people from harm. Supervisors will ensure that, when violations of this policy occur, appropriate incident response resources are notified immediately. Supervisors and managers will also ensure that

appropriate disciplinary responses to internal workplace violence and aggression are made, in consultation with the Human Resources Office.

Employees and their managers and supervisors are directed to Minnesota State Board Procedure 1C.0.2 in responding to unprofessional or disrespectful behaviors that are non-violent in nature.

Pursuant to Minnesota Statute 15.86, this policy does not create any civil liability on the part of the State of Minnesota.