Bemidji State University and Northwest Technical College
Sexual Violence Protocols

Support for the Student

Bemidji State University and Northwest Technical College adhere to the following rights for students who have experienced sexual violence.

- Campus personnel will treat students with dignity;
- The university/college supports the privacy rights of students who have experienced sexual assault;
- The university/college will offer fair and respectful healthcare, counseling services, or referrals to such services. For confidential personal support and assistance, students will be encouraged and assisted in contacting Support Within Reach Sexual Violence Resource Center for sexual assault advocacy. Resources are available for students who have experienced sexual assault;

University/College Resources

- Department of Public Safety 755-3888
- Student Center for Health and Counseling 755-2024
- Housing and Residence Life 755-3750

Community Resources

- Bemidji Police 333-9111
- Sanford Hospital 751-5430
- Support Within Reach Sexual Violence Resource Center 444-9524 or 1-800-708-2727

- Students may decide whether to report a case to law enforcement, and if they decide to do so, campus authorities will provide assistance in notifying the appropriate law enforcement officials and disciplinary authorities of any incident of sexual violence;
- Campus authorities will provide assistance to the student who has experienced sexual violence/complainant in preserving materials relevant to a campus disciplinary proceeding;
- A student who has experienced a sexual violence incident or a witness to such an incident who reports the incident in good faith shall not be sanctioned by the university/college for admitting in the report to a violation of the institution’s conduct policy on the personal use of drugs or alcohol.
- All sexual violence complaints will be investigated and resolved by the appropriate campus disciplinary authorities;
- The university/college will ensure that the student may decide when to report a description of the incident of sexual violence;
- The university/college supports students having an advocate or attorney present with them for meetings with campus officials that are about the complaint process or disciplinary proceedings;
- Campus authorities will not suggest that the student is at fault for the crimes or violations that occurred;
- Campus authorities will not suggest that the student should have acted in a different manner to avoid the sexual violence;
- During and after the process of investigating a complaint and conducting a campus disciplinary procedure, campus authorities will provide assistance in shielding the student from unwanted contact with the alleged assailant including transferring the student to alternative classes or alternative university-owned housing, if alternative classes or housing are available and feasible;
• The university/college forbids retaliation and will investigate complaints of retaliation against students who have experienced sexual violence by campus authorities, the respondent, organizations affiliated with the respondent, other students and other employees;
• University/college staff, who are “campus security authorities” will inform the Department of Public Safety of reports of sexual assault and can provide anonymous “third party reports” at the request of the student;
• At the request of the student, the university/college will provide students who reported sexual violence to the institution and who subsequently choose to transfer to another postsecondary institution with information about resources for students who have experienced sexual violence at the institution to which the student is transferring;
• A student who filed a complaint of sexual violence will be informed of the outcome of any campus disciplinary proceeding concerning the sexual violence complaint, consistent with the laws relating to data practices.
• Consistent with the laws governing access to student records, the university/college will provide a student who reported an incident of sexual violence with access to the student’s description of the incident as it was reported to the institution, including if that student transfers to another postsecondary institution;
• Campus authorities will inform students who have experienced sexual violence of their rights to assistance from the office of the Crime Victim Ombudsman and the Crime Victim Reparations Board and will provide assistance in contacting these offices.

Reporting Sexual Violence

Students, faculty, staff, and administrators should contact the Department of Public Safety (755-3888) to report any information regarding sexual violence. Individuals who have “significant responsibility for student and campus activities” are considered “campus security authorities” and are required to provide information to the Department of Public Safety regarding any sexual assault that has occurred on campus. The list of persons identified as “campus security authorities” at Bemidji State University/Northwest Technical College can be found at the BSU Public Safety website and at the BSU Affirmative Action website.

Individuals may also file an anonymous complaint of sexual violence by completing an anonymous complaint form on the BSU Affirmative Action website.

Preserving Evidence

Evidence collection must take place no later than 120 hours after the assault. Evidence collection, treatment of STI’s (sexually transmitted infections), and pregnancy prevention is provided to the student at Sanford Hospital or through a health care professional of the student’s choice.

• Individuals who have experienced sexual violence should not bathe, douche, wash face, brush teeth, use the toilet, or change clothing.
• They should note everything they can about the assailant and the location.
• They should seek medical attention immediately regardless of whether they choose to report the matter to the police.
Confidentiality

The Department of Public Safety will make every attempt to maintain the anonymity of the person who has experienced a sexual assault. Names and addresses are shared with the Bemidji Police Department, as required by law. The Bemidji Police Department will investigate in accordance with the privacy rights of the person who has experienced a sexual assault. The name of the individual will not be provided to the media or public by the University without written consent.

Reporting Options for Students Who Have Experienced Sexual Violence

- Report to Bemidji Police Department (333-9111).
- Report to Bemidji Police Department anonymously.
- Report to University Department of Public Safety (755-3888).
- Inform University residence hall staff, student center for health and counseling staff, or faculty/staff person of choosing.
- Submit an anonymous complaint by completing an anonymous complaint form on the BSU Affirmative Action website or an anonymous report to the University Department of Public Safety using a “Third Party Sexual Assault Report” form. This form is also available on the BSU Affirmative Action website.

Department Protocols

University/college departments have also developed internal protocols for working with individuals who have experienced sexual violence. These protocols are in addition to the general rights for students who have experienced sexual violence.

Department of Public Safety

- Incident is reported to University Department of Public Safety.
- Officer responds to location.
- Officer insures complainant’s/reporting party’s safety.
- Medical assistance and/or transportation to Sanford Hospital is provided, if necessary.
- Emergency medical services respond, if requested or required.
- Bemidji Police Department (333-9111) is notified.
- Officer secures and protects the incident scene until law enforcement officials arrive.
- At the direction of law enforcement authorities, the campus security office will provide complete and prompt assistance in obtaining, securing, and maintaining evidence in connection with an incident of sexual violence.
- Officer informs the student of services available.
- Director/Assistant Director of Public Safety is notified and responds as soon as practical to all parties, including the complainant/reporting party.
**Director or Assistant Director of Public Safety**

- Meet with the student to obtain initial report.
- Contact Support Within Reach and request the presence of an advocate for the student.
- Student is provided a “packet” with information regarding on-campus and community services and resources.
- Honor student’s choice to either pursue or decline criminal or university/college conduct review.
- Incident is reported to the Bemidji Police Department as required by law.
- Assist and cooperate with local law enforcement in the investigation of the incident.

**Student Housing and Residential Life**

If a sexual violence is reported to a Student Housing and Residential Life staff member (including PAAs and CAs) the staff person will:

- Listen to the individual and be supportive
- Follow the Departmental Emergency Procedures that include:
  * Communicating with and reporting to professional staff, the Department of Public Safety, and/or Law Enforcement
  * Documenting the incident on report forms
  * Involving law enforcement, emergency medical professionals, and advocacy as appropriate

**Student Center for Health and Counseling (Counseling)**

- Offer immediate support and on-going counseling and referral service options and advise student of available resources and assistance.
- Request the student sign consent forms to enable collaboration with other services.
- If the counselor is the first contact since the sexual violence incident has occurred, assess for personal safety, advise the student of the importance of evidence preservation, and advise and assist with available resources and assistance.
- Provide the student with information about locally available resources including, but not limited to, mental health services and legal assistance;
- Provide the student with information about the process for reporting an incident of sexual violence and sexual harassment to campus authorities or local law enforcement;
- Staff will be trained in all aspects of responding to incidents of sexual violence and sexual harassment including but not limited to best practices for interacting with victims of trauma, preserving evidence, campus disciplinary and local legal processes, and locally available resources for individuals who have experienced these incidents;
- Data shared with confidential resources are classified as sexual assault/violence communication data.

**Student Center for Health and Counseling (Health)**

- Offer immediate support and encourage obtaining an exam for forensic evidence (must be obtained no later than 120 hours after the assault).
- Inform and provide the student reporting and treatment options.
- Refer student to the Sanford Hospital Emergency Room or offer to do the exam at the Student Center for Health if staff are available.
- If the student does not want to report or press charges, strongly recommend that they have pregnancy prevention treatment and STI (sexually transmitted infection) treatment done.
- Inform the student to make an appointment with a counselor and assist in that process.
- Offer further support for the decisions the student is making.
- Request student to sign consent forms to allow collaboration with other services.
University/College Complaint Process

- Students who wish to consider the university complaint process will meet with an officer from BSU/NTC Public Safety, along with a sexual violence advocate or other approved support person, to complete a report and be provided a copy of the Minnesota State Colleges & Universities Sexual Violence Policy and Process (MinnState 1B.3).
- Student’s privacy rights are protected by the University/College in accordance with the Campus SaVE Act, the Minnesota Data Practices Act and FERPA (Family Educational Rights to Privacy Act).
- Students are encouraged, but not required to file a complaint.
- There is no time limit to filing a complaint, however a delay in filing may compromise the evidence for a University/College review.
- If a student decides to file a complaint, she/he will complete and sign a written complaint form and provide it to the Title IX Officer.
- The University/College review will occur in a timely manner considering wishes of the student, possible implications of concurrent criminal proceedings, and other relevant factors. A review, from the point of signed complaint to decision, is usually completed within three to four weeks.
- Both the complainant and accused (respondent) have the opportunity to be accompanied to any meeting or proceeding by an advisor of their choice.
- Both the complainant and accused (respondent) shall be simultaneously informed, in writing, of:
  - the outcome of any institutional disciplinary proceeding
  - the procedures for appealing the result of the proceeding
  - any change to the result; and
  - when such results become final.
- Care will be taken when delivering investigation results to the complainant and respondent.

Depending upon the individual’s choices various protocol options may or may not pertain.  

September 15, 2017