



BEMIDJI
STATE UNIVERSITY

Bemidji, Minnesota

2020 Campus Crime and Fire Safety Report

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INTRODUCTION

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

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

Pursuant to the 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. This report is distributed to all potential students and employees. All current students, faculty and staff are sent an email that briefly describes the content of the report and also the exact Internet address where it can be found: <https://www.bemidjistate.edu/services/public-safety/wp-content/uploads/sites/92/2020/07/2020-BSU-Crime-and-Fire.pdf>. Printed copies of the report can be obtained from Admissions (Deputy Hall, Room 102), Human Resources (Deputy Hall, Room 350), or at the Department of Public Safety (Walnut Hall). The report contains information regarding campus safety and security as required by the **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**.

DEPARTMENT OF PUBLIC SAFETY AUTHORITY

The Department of Public Safety at Bemidji State University is recognized as the primary campus department responsible for providing security services for students, faculty, staff and campus visitors. The department is comprised of fulltime professional and part-time paraprofessional officers. Public Safety Officers are **NOT** licensed police officers and do not possess the power of arrest as defined by Minnesota State Statute, but have been granted the authority by the University President to enforce University policy, which is not inconsistent with federal, state or local law, and to make citizens arrests when necessary.

The Bemidji Police Department provides fully licensed police protection for Bemidji State University. The Department of Public Safety has developed a working relationship with the Bemidji Police Department that allows for immediate response to all crimes, emergencies, or requests for service generated by the campus. On occasion, the Department of Public Safety works with other law enforcement agencies such as the Beltrami County Sheriff's Department, the Minnesota Bureau of Criminal Apprehension, the Paul Bunyan Drug Task Force, the Federal Bureau of Investigation, and the Minnesota State Patrol.

It is the policy of Bemidji State University to report all criminal activity to the Bemidji Police Department by reporting incidents directly to their office or to the Department of Public Safety. All crimes or potential crimes that are reported to the Department of Public Safety will be forwarded to the Bemidji Police Department. It is also the University's position that all campus community members are responsible for reporting any criminal activity they become aware of to the Department of Public Safety, Walnut Hall, 218-755-3888, or the Beltrami County Law Enforcement Center, 218-333-9111 (emergency 911).

Bemidji State University urges all campus entities that are excluded from mandatory reporting, such as professional mental health counselors and pastoral counselors, to advise clients who are victims of crime to report those incidents to

campus or local law enforcement authorities, and to report confidential information used strictly for statistical purposes to the Department of Public Safety.

CRIME PREVENTION PROGRAMS

The Department of Public Safety presents crime prevention and personal safety programs throughout the academic year. These programs are designed to inform the campus community regarding security procedures and practices, and to encourage responsibility for personal safety. The programs present personal safety and crime prevention techniques. The programs are presented by a certified Campus Crime Prevention Professional who is a full time staff member with the Department of Public Safety. Free programs are offered one or two times each semester. In addition, a program can be scheduled by request by contacting the Director of Public Safety, Walnut Hall, 218-755-3888.

ESCORT SERVICE

The Department of Public Safety provides an escort service that is available 24 hours a day. Escorts are generally provided within 10-15 minutes of a telephone request to 218-755-3888. Escorts are available to all students, employees and their guests.

FACILITIES SURVEYS

The Director of Public Safety, or a designee, along with the Physical Plant Director, VP for Academic Affairs, and members of the student body do an annual security survey, where they examine physical security issues such as landscaping, locks, alarms, and lighting.

ACCESS TO CAMPUS FACILITIES

Access to all Bemidji State University buildings and facilities are restricted to normal business hours, which is generally from 7:00 a.m. to 10:00 p.m. Monday through Friday during the academic year. Access during summer months and break periods may vary. Use of Bemidji State University facilities is intended for students, faculty, staff, and authorized visitors. Persons not associated with the University may be asked to leave campus and are subject to legal process if non-compliant.

Access to facilities after normal business hours is allowed only by special approval of the individual responsible for a specific space. The individual using a specific space outside of normal business hours must possess verifiable proof of approval. All other use of Bemidji State University facilities outside of normal hours of operation must be approved, and scheduled by the Scheduling Office, Hobson Memorial Student Union, 218-755-3760.

Access to residence halls is restricted to residents and guests only. Residence halls remain locked 24 hours a day and are controlled by an electronic key access system. Contact the Department of Residential Life, 218-755-3750 for further information.

Although the Department of Public Safety routinely patrols all campus facilities, it is impossible to maintain a continuous presence in all facilities at all times. Students, faculty, staff and visitors are urged to take appropriate steps to insure their own personal safety. Please report suspicious individuals and activities or hazardous conditions immediately to the Department of Public Safety, 218-755-3888. Take advantage of the escort service provided by the Department of Public Safety which is available 24 hours a day.

The Department of Public Safety works closely with the campus Physical Plant Office regarding security considerations of facilities. If you encounter what you believe is a safety or security deficiency regarding Bemidji State University facilities, contact the Department of Public Safety, 218-755-3888 and/or the Physical Plant Office, 218-755-3988. The Physical Plant Office and the Department of Public Safety conduct annual campus inspections of campus facilities.

PERSONAL SAFETY RESPONSIBILITY

Department of Public Safety staff members are available to assist you in protecting yourself by providing regular foot and/or vehicle patrols. Additionally, the Department of Public Safety publishes and distributes security and safety related materials throughout campus. However, only you can protect yourself by being aware of your surroundings and taking appropriate precautions to avoid being the victim of a crime.

Call for an Escort! Department of Public Safety Office located in lower Walnut Hall, 218-755-3888, is always staffed and ready to assist you however they can. Public Safety escorts are available 24 hours a day.

RESIDENCE SAFETY

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

PROPERTY PROTECTION

- Personal property (purses, backpacks, calculators, cell phones, etc.) should never be left unattended. Take such items with you if you are leaving the office, classroom, or your residence.
- Take valuables home with you during vacations and school breaks.
- Park your bike where you can keep an eye on it if possible. Always lock your bike.
- Utilize bike racks and always lock your bike. There are several good anti-theft devices available and casehardened heavy locks and chains afford the best protection.

VEHICLE PROTECTION

- Always lock your car doors and never leave your keys in the vehicle.
- Try to park your car in well-lit areas.
- Avoid leaving property where it's visible; utilize your trunk if necessary.

PERSONAL SAFETY

- Avoid walking alone at night.
- Refrain from taking short cuts, walk where there is plenty of light and traffic.
- Avoid walking and jogging alone after dark. If you must travel alone at night, use the Department of Public Safety's Escort Service (218-755-3888) to escort you to your on-campus destination.
- Walk along well-lit routes.
- Be alert to your surroundings. If you suspect you are being followed, run in a different direction, go to the other side of the street and yell for help, or head quickly for a lighted area or a group of people.
- Have your keys ready when returning to your residence hall or apartment and keep personal or valuable items concealed and close to your body.
- Watch for suspicious persons in and around University buildings or parking lots. Do not pursue them. Immediately contact the Department of Public Safety (218-755-3888). Call the Department of Public Safety if you should enter your room and find a stranger, regardless of the "cover story" supplied.
- If you see any suspicious activity or people on or near campus, call the Department of Public Safety (218-755-3888). Do not assume the person is a visitor or University staff member that you have not seen before.

EMERGENCY PHONES

- There are nine emergency blue light tower telephones installed on the University campus. These telephones are identified by a blue light and provide a direct line to the Public Safety Dispatcher.
- All elevators on campus have an emergency phone located within them that provides a direct line to the Public Safety Dispatcher.
- All Residence Hall entrances have an emergency phone located within them that provides a direct line to the Public Safety Dispatcher.

A map of all campus emergency blue light phones may be found at: <https://www.bemidjistate.edu/services/public-safety/wp-content/uploads/sites/92/2014/09/Campus-Blue-Light-Map.pdf>

CRIMES AND SUSPICIOUS ACTIVITY

Students, faculty, staff, and guests of the University are encouraged to immediately report emergencies and criminal activity to BSU Department of Public Safety or the Bemidji Police Department (911). You can reach the Department of Public Safety by calling 3888 from an on-campus phone or 218-755-3888 from an off-campus phone. This number is answered all day, every day. You can also stop by the Department of Public Safety office, which is located in the basement of Walnut Hall.

The dispatcher will alert on-duty public safety officer(s) and call Bemidji Police Department when necessary. The public safety officer will respond, assist any victim(s), and prepare reports and other documentation for follow-up. The public safety officer can also assist crime victims in reporting a crime to the Bemidji Police Department and the public safety officer will report the crime to the Bemidji Police Department if the victim is unable to make such a report.

CRIME REPORTING PROCEDURES/POLICY

If you are the victim of a crime or witness a crime occurring contact the Department of Public Safety at 218-755-3888, Bemidji Police Department at 218-333-9111 (non-emergencies) or 911 (emergencies), or by using the emergency blue light phones located around campus.

All students, faculty, staff, and campus visitors are urged to report any crime they become aware of to the Department of Public Safety and/or the Bemidji Police Department, (non-emergency) 218-333-9111, (emergency) 911.

Individuals reporting to the Department of Public Safety who also elect to file a complaint with the Bemidji Police Department will be provided assistance in making that contact. If the victim is unable to make a police report, the Department of Public Safety will accurately and promptly report the incident to the Bemidji Police Department. In addition, if the Department of Public Safety becomes aware that a crime has been committed, University policy requires this information be forwarded to the Bemidji Police Department in a timely manner.

For on-campus emergencies, dial 911. Emergency services will immediately be dispatched from local agencies to your location, and that information will also be relayed to the Department of Public Safety who will also dispatch personnel to the incident location.

For off campus crimes please contact the Bemidji Police Department. The Bemidji State University Department of Public Safety and Bemidji Police Department have a mutual working agreement and each department augments the other within their jurisdiction during mutual investigations. The Director of Public Safety has regular meetings with the Bemidji Police Chief to exchange ideas and discuss problems which are relevant to the University community as well as the community of Bemidji.

ACCURATE AND PROMPT CRIME REPORTING

Bemidji State University strongly encourages accurate and prompt reporting of all crimes, especially those on or near campus, to local law enforcement and the University. Accurate and prompt crime reports allow the Department of Public Safety, the Bemidji Police Department, and others to effectively track crime patterns and alert the community. BSU Public Safety officers are NOT sworn police officers though Public Safety officers can assist crime victims in making a police report.

CAMPUS SECURITY AUTHORITIES

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act require the declaration of “Campus Security Authorities”. Campus Security Authorities are defined as, “An official of an institution who has significant responsibility for student and campus activities.” Campus Security Authorities are individuals that reports should be made to for the purpose of making Security Alerts and the annual statistical disclosure. Bemidji State University has determined that the following positions fit the criteria:

President and Vice Presidents, Faculty Advisors to student groups and organizations, Athletic Coaches and Trainers, Department of Public Safety employees, Deans, Student Development Officials, Residential Life staff members and other campus officials who have significant responsibilities for student and campus activities.

CONFIDENTIAL REPORTING PROCEDURES

If you are the victim of a crime, and do not wish to pursue action within the college or criminal justice systems, you should still consider making a confidential report. With your permission, the Director of Public Safety, or their designee, may file a report that documents the details of your incident without revealing your identity. With this information, the University can keep accurate records of incidents and better identify crime trends. Reports filed in this matter are counted and disclosed in the annual crime statistics for the institution, but again are entirely confidential.

CAMPUS PASTORAL AND PROFESSIONAL COUNSELORS

Campus pastoral and professional counselors, when acting as such, are not required to report crimes for inclusion in the Annual Crime Report. As a matter of policy, they are encouraged; if and when they deem it appropriate, to inform individuals being counseled, of the procedures to report crimes on a voluntary basis for inclusion in the statistics of the annual crime report.

A “pastoral counselor” is an employee of the institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling, and who is functioning within the scope of that recognition as a pastoral counselor.

A “professional counselor” is an employee of the institution whose official responsibilities include providing psychological counseling to members of the institution’s community, and who is functioning within the scope of his or her license or certification.

TIMELY WARNINGS (AKA “SECURITY ALERTS”)

The Bemidji State University Department of Public Safety will issue a Timely Warning for all Clery Act crimes reported to Campus Security Authorities or local police agencies and considered by Bemidji State University officials to represent a serious or continuing threat to students, faculty and staff. Timely warning will not be limited to violent crimes or crimes against persons, and may include crimes against property or other types of serious or continuing threats.

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

The intent of a Timely Warning is to enable the campus community to protect themselves and will include all information that would promote safety and aid in the prevention of similar crimes or protection from specific threats.

Timely warnings will be posted on bulletin boards throughout campus, and may also be found on the web at: <https://www.bemidjistate.edu/services/public-safety/alerts/>. Timely warnings will remain posted as long as it is determined a threat exists, or will be removed after thirty days if no similar incidents occur. Anyone with information warranting a Timely Warning should report the circumstances to the Department of Public Safety, by phone (218-755-3888) or in person in the basement of Walnut Hall.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Upon confirmation of a significant emergency, or dangerous situation, involving an immediate threat to the health or safety of students or staff occurring on campus, it is the policy of the Department of Public Safety to make every effort available to contact every student, staff, and faculty member, unless issuing a notification will compromise the efforts to contain the emergency.

Bemidji State University has several methods of mass notification. The Department of Public Safety is a user of Blackboard Connect, a system that both calls primary contact phone numbers for students, staff, and faculty, as well as sending an instant e-mail to all campus accounts. Also, currently utilized in all academic and residential buildings at the Bemidji State University Campus is an “Informer” system that acts like a public address system that can be activated by the Department of Public Safety to communicate live messages to the campus community.

The information collected and inputted into the Blackboard Connect system is extracted from registration records that individuals provided upon Bemidji State University entry. The Blackboard Connect system is only used for purposes of emergency communication and will not be sold or used for marketing or any purpose other than emergency communications. "Emergency communications" is defined to be communication that is vital information to help minimize any significant risk to the health and safety of the community.

Procedure

Blackboard Connect may be activated by: the Vice President for Finance & Administration, Vice President for Student Development & Enrollment, Vice President of Academic Affairs, Director of Public Safety or designees.

Blackboard Connect is tested once a semester to ensure the system is in good working order and to assist campus community members with emergency preparedness in the event of an actual emergency.

Registration

1. Learners, faculty and staff are automatically enrolled in Blackboard Connect. Individuals are responsible for providing accurate data. The University assumes no liability or responsibility for improper or outdated data.
2. Learner data is collected from E-services. Every student must assure that their information in E-services is accurate and current for successful Blackboard Connect notification. Students who would like to edit their contact information should log into [MyBSU/MyNTC](#), click on E-services, click on Account Management and then click on Address Info.
3. Faculty and staff data is collected from the BSU/NTC Portal. Faculty and staff who would like to edit their contact information should log into [MyBSU/MyNTC](#), go to Settings in the upper right corner and click on Directory/Contact Info.

The systems mentioned above, along with Bemidji State University's evacuation procedures, are tested independently several times a year. During Minnesota's Severe Weather Awareness Week a full scale test of all emergency notification systems on campus is conducted.

Emergency Procedures Guides are distributed to all campus offices, made available via website (<https://www.bemidjistate.edu/services/public-safety/wp-content/uploads/sites/92/2014/09/Emergency-Procedures-Guide.pdf>), and are also available upon request. These guides include information on the following: 911 addresses for campus, general emergency procedures, severe weather, medical emergency, fire or smoke, mechanical/utility, crime reporting, terrorism, violent intruder, suspicious mail, hazardous materials and bomb threat. Also, all new employees are enrolled in a D2L introduction course to campus emergency procedures.

OFF-CAMPUS CRIME

All Bemidji State University organizations that are off-campus are monitored by the Bemidji Police Department, which shares information with the Department of Public Safety.

The Department of Public Safety includes the off-campus student organizations' crime statistics in its annual report under the classification of "Non-Campus Building or Property". Currently there are no off-campus student organizations recognized by the University.

The Bemidji State University Department of Public Safety creates, keeps and maintains a public crime log recording all crimes reported to the Department of Public Safety. The Bemidji State University log is viewable online at <https://www.bemidjistate.edu/services/public-safety/daily-crime-and-fire-log/>

The public crime log contains information regarding the nature, date, time and general location of each crime and disposition of the crime if known for crimes on campus, off campus property that is controlled by Bemidji State University and public property that borders campus. The purpose of the daily crime and fire log is to record all fires that occur on-campus student housing facilities, criminal incidents and alleged criminal incidents reported to the Department of Public Safety. Any portion of the log that is older than 60 days will be made available within two business days of a request for public inspection. Requests for inspection can be submitted to the Director of Public Safety, Walnut Hall, 218-755-3888.

Exceptions to published crimes in the public crime log include where disclosure of such information is prohibited by law or such disclosure would jeopardize the confidentiality of the victim, jeopardize an ongoing investigation or the safety of the individual, cause a suspect to flee or evade detection, result in the destruction of evidence in which such information may be withheld until that damage is no longer likely to occur from the release of such information. Bemidji State University may disclose any information withheld once the adverse effect described above is no longer likely to occur. The institution can withhold only that information that would cause the adverse effect.

CRIME REPORT STATISTICS: JANUARY 2017 TO DECEMBER 2019

It is the policy of Bemidji State University that the Department of Public Safety is recognized as the office responsible for the collection and publication of crime statistics, as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Statistics in this report are gathered from the following sources: Public Safety Incident Reports, Beltrami County Law Enforcement Records, University Conduct Officials, Campus Security Authorities and Third Party Anonymous Reports.

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

The following definitions are taken from the Higher Education Act of 1965, 485(f) (20 U.S.C. 1092(f)), the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act”, and are used to classify the locations listed in the Bemidji State University 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: Bemidji State University grounds, academic buildings, residential buildings, tunnels and campus parking lots.

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.

Non-campus property includes: The Bemidji Sanford Center and Hobson Union Forest.

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.

Bemidji State University public property includes adjacent streets, parking lots, sidewalks, stairwells.

Types of Crimes required Under the Clery Act (See Appendix I for Terms & Definitions):

Criminal homicide:

- Murder and non-negligent manslaughter
- Negligent Manslaughter

Sex Offenses:

- Rape
- Fondling
- Incest
- Statutory rape

- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson

Arrests and referrals for disciplinary actions, including:

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

Hate crimes, including:

- The number of the following crimes that are determined to be hate crimes:
 - Larceny-theft
 - Simple assault
 - Intimidation
 - Destruction/damage/vandalism of property

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

Race
Gender
Gender identity
Religion
Sexual orientation
Ethnicity
National origin
Disability

Dating violence
Domestic violence
Stalking

The following table is the statistical report of crimes occurring in any of the four geographic areas described above in relation to Bemidji State University (as reported to the Department of Public Safety and/or the Bemidji Police Department). The table reflects crimes reported for the three calendar years of 2017, 2018 and 2019. The categories of crime are those required by the Clery Act. Note: Statistical information under the heading of "Residence Halls" is also included in the total under the heading of "On-Campus". The statistics indicate the number of crimes reported, not necessarily confirmed cases and/or convictions.

BEMIDJI STATE UNIVERSTY CRIME STATISTICS

	On-Campus			Residence Halls ¹			Non-Campus			Public		
	'17	'18	'19	'17	'18	'19	'17	'18	'19	'17	'18	'19
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses : Forcible	6	2	6	5	0	6	0	0	1	0	0	0
- Rape	3	0	3	3	0	3	0	0	0	0	0	0
- Fondling	3	2	3	2	0	3	0	0	1	0	0	0
Sex Offenses : Non-Forcible	0	0	0	0	0	0	0	0	0	0	0	0
- Incest	0	0	0	0	0	0	0	0	0	0	0	0
- Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	1	2	1	1	2	0	0	0	1	0	0	0
Motor Vehicle Theft	0	0	2	0	0	0	0	0	0	1	0	0
Arson	0	0	1	0	0	1	0	0	0	0	0	0
	On-Campus			Residence Halls ¹			Non-Campus			Public		
	'17	'18	'19	'17	'18	'19	'17	'18	'19	'17	'18	'19
Liquor Law Violations : Arrests	2	0	2	0	0	2	0	0	0	0	0	0
Liquor Law Violations : Referrals	128	124	99	108	124	94	0	0	0	1	0	0
	On-Campus			Residence Halls ¹			Non-Campus			Public		
	'17	'18	'19	'17	'18	'19	'17	'18	'19	'17	'18	'19
Drug Law Violations : Arrests	1 ³	0 ³	1 ³	0 ³	0 ³	1 ³	0 ³	1 ³				
Drug Law Violations : Referrals	59	36	41	40	36	41	0	0	0	0	0	2
	On-Campus			Residence Halls ¹			Non-Campus			Public		
	'17	'18	'19	'17	'18	'19	'17	'18	'19	'17	'18	'19
Weapon Law Violations : Arrests	0	0	0	0	0	0	0	0	0	0	0	0

Weapon Law Violations : Referrals	0	0	0	0	0	0	0	0	0	0	0	0
	On-Campus			Residence Halls¹			Non-Campus			Public		
	'17	'18	'19	'17	'18	'19	'17	'18	'19	'17	'18	'19
Domestic Violence	1	0	0	1	0	0	0	0	0	0	0	0
Dating Violence	0	0	1	0	0	1	0	0	0	0	0	0
Stalking	6	0	0	4	0	0	0	0	0	0	0	0

¹Residence Halls are a subset of the On-Campus figures.

²Occurred at Sanford Center or Hobson Union Forest.

³Petty Misdemeanors including Possession of Small Amount of Marijuana and Possession of Drug Paraphernalia are no longer being reported as criminal arrest statistics, but where applicable are being reported as disciplinary referrals.

⁴ The statistics described in this chart are compliant in accordance with the definitions used in the uniform crime reporting system of the Department of Justice and Federal Bureau of Investigation.

⁵ Such statistics shall not identify victims of crimes or persons accused of crimes.

⁶ Statistical information under the heading of "Residence Halls" is also included in the total under the heading of "On-Campus". The statistics indicate the number of crimes reported, not necessarily confirmed cases and/or convictions.

Hate Crime Statistics for 2017, 2018, and 2019

The statistics below have been classified as “Hate Crimes” and are compliant in accordance with the definitions used in the Hate Crime Statistics Act. Hate crimes are defined as crimes in which the victim is intentionally selected because of their actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability of the victim. Such statistics shall not identify victims of crimes or persons accused of crimes.

2019: No (0) Hate Crimes were reported.

2018: No (0) Hate Crimes were reported.

2017: No (0) Hate Crimes were reported

CAMPUS ALCOHOL POLICY AND ENFORCEMENT

Bemidji State University forbids the use (consumption), possession, manufacture, sale, transportation or furnishing of alcoholic beverages on campus. Bemidji State University also forbids the maintenance of unlawful drinking places on campus. The prohibition of possession or consumption of alcoholic beverages on campus applies regardless of age. The only exception is authorized use for special (non-student) functions. Only the President may authorize such use.

Any alcohol related violation of law that the Department of Public Safety becomes aware of, will be referred to the Bemidji Police Department. Violations of law regarding underage consumption or possession may, and frequently do result in criminal prosecution. Violators are also subject to fine and imprisonment. In addition to any action taken by local law enforcement authorities, persons found in violation of the campus alcohol policy will be referred to the University Conduct Officer.

CAMPUS ILLEGAL DRUG USE AND ENFORCEMENT

Bemidji State University forbids the illegal use, possession, sale, manufacture, or distribution of drugs or actions involving drugs that may involve medical or psychological hazards to individuals, or actions involving drugs that may lead to interference with the rights and privileges of others.

Any use of drugs on campus that is a violation of law that the Department of Public Safety becomes aware of, will be referred to the Bemidji Police Department. Violations of law regarding illegal drugs may, and frequently do result in criminal prosecution. Violators are also subject to fine and imprisonment. In addition to any action taken by local law enforcement authorities, persons found in violation of the campus illegal drug policy will be referred to the University Conduct Officer.

DRUG AND ALCOHOL EDUCATION

Bemidji State University's Task Force for Student Safety and the Student Center for Health and Counseling provide ongoing alcohol prevention and education. In addition, the Student Center for Health and Counseling provides alcohol and drug education, counseling resources and treatment referrals. For more information, contact Student Health Services, Cedar Hall, 218-755-2053.

FIREARMS POLICY

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

Definitions.

Employee. "Employee" means any individual employed by Minnesota State Colleges and Universities, its colleges and universities and the system office, including student employees.

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

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

Student. "Student" means an individual who is:

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

Campus property. "Campus property" means the facilities and land owned, leased, or under the primary control of Minnesota State), Minnesota State Colleges and Universities, its Board of Trustees, and system office.

Visitor. "Visitor" means any person who is on campus property, but does not include (1) an employee of the Minnesota State Colleges and Universities acting in the course and scope of their employment; or (2) a student, when that student is on campus property.

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

Employees.

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

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

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

Exceptions. The following are exceptions to this policy:

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

Authorized uses. This policy does not prohibit:

1. Lawful possession or carry related to an academic use or use at a campus shooting range, such as law enforcement programs, approved in writing by the college or university president; or
2. Transport of an unloaded firearm directly between a parking area or parking facility and the location authorized for its use, or transport of an unloaded firearm directly between a parking area or parking facility and a storage facility provided by the college or university.
3. Possession or carry of a pistol by a visitor who has a lawful permit to carry a pistol pursuant to Minnesota Statutes section 624.714, subd. 1a.
4. Possession or carry of a firearm by a licensed peace officer under Minnesota Statutes section 626.84, subd.1(c) or by a qualified law enforcement officer pursuant to 18 United States Code section 926B when possession or carry is otherwise authorized by law.

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

Referral to Law Enforcement. (Minnesota State Institution) may refer suspected violations of weapons law to appropriate law enforcement authorities, and provide access to investigative or other data as permitted by law.

Complete Minnesota State Colleges and Universities policy can be accessed at:

<https://www.minnstate.edu/board/policy/521.html>

CAMPUS POLICY ON SEXUAL VIOLENCE AND RELATED OFFENSES

Bemidji State University's Sexual Violence Policy and Response to Sexual Violence Procedure can be found at <https://www.bemidjistate.edu/offices/president/policies/a-z/>. The policy and procedure follow the Minnesota State Board Policy 1B.3 Sexual Violence and 1B.3.1 Response to Sexual Violence Procedure. The Minnesota State Policy and Procedure can be found at: <https://www.minnstate.edu/board/policy/index.html>.

Bemidji State University 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 the Sexual Violence Policy. Acts of sexual violence may also constitute violations of criminal or civil law that may require separate proceedings. They may also violate other Bemidji State University policies that may require separate proceedings. To further its commitment against sexual violence, Bemidji State University provides reporting options, an investigative and disciplinary process, and prevention training as appropriate.

This policy applies to Bemidji State University students and employees and to others, as appropriate, where incidents of sexual violence on Bemidji State University property have been reported. Reports of sexual violence committed by a student at a location other than on system property are covered by this policy if hazing is involved; if the violation is committed while participating in a university-sanctioned or sponsored activity; if the person who experienced the act of sexual violence is a member of the university community; if the violation constitutes a felony under state or federal law; or the violation adversely affects the educational, research, or service functions of the university. Reports of sexual violence committed by a system employee at a location other than system property are covered by this policy.

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

Allegations of discrimination or harassment are governed by Bemidji State University's Equal Employment and Nondiscrimination in Employment and Education Policy, which follows Minnesota State's 1B.1 Policy with the same name.

SEXUAL VIOLENCE AND RELATED OFFENSES DEFINITIONS

Bemidji State University Property: means the facilities and land owned, leased, or under the primary control of Bemidji State University.

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 Violence: Dating Violence is defined as 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 determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:

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

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

1. By a current or former spouse or intimate partner of the victim;
2. By a person with whom the victim shares a child in common;
3. By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
4. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
5. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Employee: means any individual employed by Bemidji State University including student workers.

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

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

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.

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

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 the Student Code 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: Stalking is defined as 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 in 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.

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

Student: is defined to include all persons who:

1. Are enrolled in one or more courses, either credit or non-credit through a college or university; or
2. Withdraw, transfer or graduate, after an alleged violation of the student conduct code; or
3. Are not officially enrolled for a particular term but who have a continuing relationship with Bemidji State 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 Bemidji State University employees and are not enrolled in the institution but live in a Bemidji State University residence hall.

To prevent sexual violence, educational and training efforts are undertaken on various topics to provide employees and students with important information. This past year the programs provided for various student and/or employee groups included:

- **Residence Hall Staff Training.** August 19, 2019. Topics covered included: what Title IX says and how it is interpreted; forms of sexual violence, affirmative consent and when consent is not present; discrimination and harassment; where to go for information; how to submit a complaint and anonymous complaints; responsible employees; confidential support; the complaint/investigation process; discrimination and harassment and the 1B.1 policy; interim measures, investigator role, common student sanctions; parallel investigations; and saving emergency contacts to phones using keynectup.com.
- **Athletic Team Start-up Training.** August 26, 2019. As a part of their start-up meetings, all athletes and coaches learned about sexual violence statistics; Title IX and 1B.3; forms of sexual violence; affirmative consent and when consent is not present; how to file a complaint and anonymous complaints; investigator role and investigation process; responsible employees and confidential support; local support available; saving emergency contacts to phones using keynectup.com.; and the 1B.1 policy. An additional handout provided information on where to go for help if they have experienced sexual violence or have been accused of sexual violence.
- **Sexual Violence Prevention Training.** All new students and staff are required to complete the online Sexual Violence Prevention Training (SVPT) program as a condition of continued enrollment for the next semester. The deadline for students to complete SVPT to avoid a registration hold is the tenth day of class. The SVPT course addresses personal violence and will provide students with critical information regarding crimes such as sexual assault, rape, dating and relationship violence, stalking, and sexual harassment.
- **Student Health 101 E-newsletter** (monthly). Student Health 101 is a monthly health and wellness interactive e-newsletter sent to first year students. SH101 features articles related to wellness, health and safety. Each issue of Student Health 101 includes at least one article each month specific to [sexual violence prevention](#).
- **Life on Campus and What you Need to Know.** August 24, 2019. This event is a required program for new students during orientation weekend. Presenters included the Associate Vice President for Student Life and Success, Title IX Coordinator, a representative from law enforcement, the Director of Housing & Residential Life, the Health Education Coordinator, a SANE Nurse, and a Student Senate Representative.
- **David Coleman.** August 28, 2019. “Creating One Heartbeat” was presented on campus for students, faculty, and staff in the Hobson Memorial Union ballroom. A segment of the program addressed affirmative consent.
- **Mental Health Panel.** September 11, 2019. A panelist on the mental health panel shared an impact story about trauma from sexual violence. The event was designed to reduce the stigma related to seeking support services and providing resources for treatment.
- **All Campus Health Fair** Oct 9, 2019. This large-scale campus-wide event included advocates from Support Within Reach, the local sexual violence support service. Peer educators also set up a “Watch Your Drink”

tabling display. Over 400 students and employees attended.

- **Restoring the Balance Conference.** October 17-17, 2019. BSU peer educators, the Lifestyle Educators, attended a sexual violence prevention training opportunity with a special focus on violence against American Indian women.
- **National Collegiate Alcohol Awareness Week.** Oct 21-25, 2019. Lifestyle Educators set up a “Watch Your Drink” tabling display on campus with additional information about resources to support victims of sexual violence during this week.
- **Alcohol Savvy October.** November 2019. Alcohol Savvy is a risk reduction presentation led by the Health Education Coordinator and designed for the First Year Experience (FYE) course. During October and November, this presentation was provided to 27 FYE classes. The presentation focuses on risk reduction related to chemical abuse and sexual violence prevention.
- **Self Defense Vigilant Training.** November 18, 2019. The Athletics Department hosted Barb Jordan from Always Bev (<https://www.alwaysbev.com>) to campus to present to student athletes and Lifestyle Educators. The program focused on personal safety skills and teaching how to be aware of your environment.
- **Violence Prevention Employee Resource Group (ERG).** During the 2019-2020 academic year this employee resource group met bi-weekly to develop meaningful primary prevention efforts that focus on sexual violence prevention and safety. This ERG is one of seven groups on campus that help create a welcome and inclusive environment for students, employees, and visitors.
- **BSU It’s On US PSA.** This PSA was developed to expand our campus and community sexual violence prevention efforts. This PSA was widely distributed through several media outlets and played at home athletic events and other venues on the BSU campus. It was played extensively at BSU home hockey games at the Sanford Event Center.
- **Sexual Harassment Prevention Training.** November 14, 2019. A 90 minute training was provided for all supervisors, managers, academic department chairs, coaches, advisors to student clubs and organizations and administrators who had yet to receive this mandatory training. We broadened the audience for training to include chairs of academic departments, coaches, advisors to student clubs and organizations. Title IX Coordinator and Affirmative Action Officer provided the training.
- **Sexual Exploitation in Our Community.** February 12, 2020. The Minnesota Department of Health and the Northwest Regional Navigator presented on the dynamics of sex trafficking and exploitation and identified its negative impacts on our community.
- **Sexual Responsibility Week.** February 10-14, 2020. During this week students at Bemidji State University observed Sexual Responsibility Week. This was an opportunity for peer educators to empower their peers to learn about healthy relationships, responsible choices, and prevent sexual violence. Activities included tabling in the Hobson Memorial Union each day to provide Safer Sex Kits, an ice cream social called Sex and Sundaes at which Safer Sex Kits were distributed, and discussions on the topics of ending HIV in the community, sexual exploitation in the community, and bystander intervention.
- **Cheers to Safe Spring Break Magician and Open Mic.** March 3, 2020. Speakers from Support Within

Reach and Lifestyle Educators offered a variety of to stay safe over spring break week. Speakers presented between magician acts, of performer Nick Bretz. Some of the be safe tips included sexual violence prevention messages including watch your drink, look out for your friends, stay connected and other stay safe in numbers messages.

- **Academic Advising and Registration Programs.** The Admissions office provides information about the required Sexual Violence Prevention Program to new students visiting campus for the Academic Advising and Registration program.
- **Safe Zone Ally Trainings.** During the 2019-2020 academic year, five trainings were provided. Audiences included: Admissions Office staff (August 5, 2019), Housing and Residential Life staff (August 20, 2019), Center for Extended Learning staff (October 30, 2019), BSU Student Senate (November 13, 2019), and the Financial Aid Office staff (February 13, 2020).
- **Other planned activities cancelled due to COVID-19.** Several planned events were cancelled due to federal and state health and safety recommendations regarding the Corona virus pandemic. They are:
 - “There was a sexual assault. Now what?” Sexual violence prevention panel scheduled for March 16, 2020.
 - A bystander intervention training planned for the April 1, 2020 Student Scholarship and Creative Achievement Conference. Planned presentation topics included: defining the rape culture, defining consent, bystander intervention, confidential campus and community resources and reporting options.
 - “Take Back the Night” community event sponsored by Support Within Reach.
 - A “Parent Panel” that would be a part of the Academic Advising and Registration events scheduled for spring semester.

In addition to the events described above, Bemidji State University engages in other actions to prevent sexual violence. These include nightly security patrols of the campus, campus escorts, security alerts, and campus inspections designed to identify and correct facility and grounds deficiencies. Information on sexual violence prevention is made widely available on the Office of Diversity, Equity and Inclusion website, on bulletin boards, at workshops and is available at the Department of Public Safety.

Bemidji State University Student Center for Health and Counseling has a contract for services agreement with Support Within Reach (SWR) from January 2020 – January 2024. Bemidji State University has a long-standing working relationship with Support Within Reach, a local sexual violence resource center. The organization provides numerous prevention and support services resources within the community. As a part of this agreement, Support Within Reach facilitates annual sexual violence prevention and resources trainings for Campus Public Safety staff, Housing and Residential Life staff and are available for other classroom presentations. In addition, Support Within Reach will present during Sexual Responsibility Week in February of each year. Support Within Reach created a virtual support group for sexual assault survivors. Bemidji State University will provide office space, internet access, consultation with marketing strategies, training locations, and management of university services.

BSU employees engage with community organizations involved in sexual violence prevention. The Health Education Coordinator serves on the Support Within Reach Outreach Committee. In addition, the Director of the Student Center for Health and Counseling, the Title IX Coordinator, and the Civil Rights and Title IX Investigator attend monthly meetings of the Beltrami County Sexual Assault Multidisciplinary Action Response Team (B-SMART).

If you have experienced sexual violence, your first priority should be to get to a safe place. Once accomplished, you have options. You may seek medical attention from the Sanford Bemidji Hospital (218-751-5430) or Bemidji State University Student Center for Health and Counseling (218-755-2053) regardless of whether you report the matter to the police. The Department of Public Safety is the office of official record for reports of sexual violence, as it is for all reported law violations. Students, faculty and staff are encouraged to contact the Department of Public Safety to report any information regarding sexual violence. Although the Department of Public Safety also strongly encourages all members of its community to report violations of this policy to law enforcement, it is your choice whether or not to make such a report, and you have the right to decline involvement with the police. The Department of Public Safety (218-755-3888) will assist you with notifying local police if you so desire. The Bemidji Police Department may be reached directly at 218-333-9111 or in person at 613 Minnesota Ave NW, Bemidji, MN 56601. The Department of Public Safety will also assist you in contacting the Title IX Coordinator (218-755-2010) for those that desire to file a formal complaint with that office.

Sexual assault survivors should be aware of the University's responsibility to release information regarding the fact that an assault occurred for the protection and safety of others. If the Director of Public Safety (or a designee) determines that a threat continues to exist for the campus community, information about the reported sexual assault will be reported to the community whether reported by a sexual assault survivor or through a third-party report. Taking care to protect the identity of the survivor, as much detail as possible regarding the incident will be released such as location, date, time, and information that might help identify the assailant. The Department of Public Safety will inform the campus community of the reported sexual assault by posting "Security Alerts".

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.

In addition to reporting sexual violence incidents with the Department of Public Safety, individuals may also file a complaint with the Title IX Coordinator, or provide a "third party" report. Third party reports may prevent the University and the Bemidji Police Department from actively investigating the incident, but they still help provide the Department of Public Safety and the Title IX Coordinator with an accurate understanding of the frequency of sexual violence incidents. Individuals may also file an anonymous complaint of sexual violence by completing an anonymous complaint form on the Office of Diversity, Equity and Inclusion website.

Timely and prompt reporting of a sexual assault within 120 hours is critical in collecting and preserving evidence important in proving a criminal case against the assailant. If you have experienced sexual violence, it is important that you do not bathe, douche, smoke, change clothing or clean the bed/linen/area where the assault took place 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 you do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Even if the 120 hours have passed, you may report incidents of sexual violence at any time.

Those who experience sexual violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to investigators or police.

Filing a report with the Department of Public Safety will not obligate you to pursue prosecution, nor will it subject you to scrutiny or judgment. Filing a report will:

- Ensure that you receive the necessary medical treatment and tests, at no expense to you.

- Provide the opportunity for collection of evidence that is helpful for prosecution, and cannot be obtained later.
- Ensure you have access to free confidential counseling from counselors specifically trained in the area of sexual crisis intervention.

Counseling and medical services are available on campus at the Bemidji State University Student Center for Health and Counseling (218-755-2053) and off campus. The Department of Public Safety has information on additional resources including the Support Within Reach Sexual Violence Resource Center available to those who have experienced sexual violence.

If you have experienced sexual violence, Bemidji State University encourages you to contact one or more of the following:

RESOURCES ON CAMPUS

Public Safety	218-755-3888
Residential Life	218-755-3750
Title IX Coordinator	218-755-2010
Title IX & Civil Rights Investigator	218-755-4053
Counseling Center	218-755-2024
Health Services	218-755-2053

RESOURCES OFF CAMPUS

Bemidji Police Emergency	911
Bemidji Police Non-Emergency	218-333-9111
Support Within Reach Sexual Violence Resource Center	218-444-9524 or 1-800-708-2727
Sanford Hospital	218-751-5430

Each report will be taken as presented by the reporting party. Appropriate criminal classifications will be determined after a review of all the facts presented.

In order to reduce contact between the person who experienced sexual violence and the alleged assailant, Bemidji State University will, at the request of the reporting party, attempt to provide a change in classes, academic schedules, residence hall rooms, transportation or working arrangements as applicable and take other appropriate remedial measures. Bemidji State University will provide written notice to the reporting party of these options. The options are available to individuals who have experienced sexual violence regardless of whether the victim chooses to report the crime to law enforcement or campus authorities.

You have the right to petition for an Order for Protection (OFP) or a Harassment Restraining Order (HRO), the Department of Public Safety has information on where to file for and request an OFP or HRO. Bemidji State University may take actions it deems necessary or appropriate in response to all protection, restraining or no contact orders.

You may contact the Minnesota Crime Victims Reparations Board at 651-201-7300 or toll free at 888-622-8799. The Crime Victims Reparations Board provides financial help to victims and their families for losses incurred as a result of a violence crime. You may also visit <https://dps.mn.gov> for additional information.

Bemidji State University will provide written notification to the person who experienced sexual violence of physical health, mental health, victim advocacy and other support services available on campus and in the community as noted above as well as written explanation of his or her rights and options under Bemidji State University Sexual Violence policy.

The University will take appropriate action to safeguard the person who experienced sexual violence and, at the same time, protect the rights of the person alleged to have committed the sexually violent act.

The University will normally not take any disciplinary action against a member of the campus community without a written complaint and the assistance of the complainant in the disciplinary process, unless the University determines there is a clear danger to the person who experienced sexual violence or the college community.

ASSISTANCE FOR VICTIMS – RIGHTS AND OPTIONS

Regardless of whether a person who has experienced sexual violence elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, Bemidji State University will provide that individual with a written explanation of their rights and options. In Minnesota, those who have experienced domestic violence, dating violence, sexual assault or stalking have the following rights:

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

Further, Bemidji State University 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 should provide a copy to the Bemidji State University Department of Public Safety and the Office of the Title IX Coordinator. 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. The individual may then meet with the Bemidji State University Department of Public Safety to develop a Safety Action Plan, which is a plan for campus officials and the individual to reduce risk of harm while on campus or coming to and going from campus. This plan may include, but is not limited to: escorts, changing classroom location or allowing a student to complete assignments from home, etc.

Bemidji State University cannot apply for a legal order of protection, no contact order or restraining order for a person from the applicable jurisdiction(s). The person who experienced the sexual violence is required to apply directly for these services. Protection from abuse orders may be available through the local county court at no cost.

To the extent of that the person who experienced the sexual violence cooperates and consents, Bemidji State University offices will work cooperatively to ensure that the individual's health, physical safety, work and academic status are protected, pending the outcome of a formal investigation of the complaint. If reasonably available, the individual may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the reporting party 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 individual (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the individual, as defined in 42 USC 1395 (a) (20).) Further, Bemidji State University will maintain as confidential, any accommodations or protective measures provided to the individual to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Those who access the Department of Public Safety, the Title IX/Affirmative Action Office and any office involved in providing services can be assured of the following:

- Campus personnel will treat those involved with dignity;
- The university supports the privacy rights of those involved;
- The university offers fair and respectful healthcare, counseling services, or referrals to such services for those who desire them;
- Campus authorities will provide assistance to individuals in preserving materials relevant to a campus disciplinary proceeding;
- Students who have experienced a sexual violence incident or who have witnessed such an incident and who report the incident in good faith shall not be sanctioned by the university 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;
- Students may decide when to report a description of the incident of sexual violence;
- Students may have 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 students are at fault for the crimes or violations that occurred;
- Campus authorities will not suggest that students 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 students 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 forbids retaliation against anyone who participates in a formal investigation and the university will investigate complaints of retaliation.
- At the request of the student, the university will provide students who experienced and 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;
- Students who file 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 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.

CAMPUS DISCIPLINARY ACTION, SEXUAL VIOLENCE

Those who experience sexual violence or those witnessing any type of sexual violence are strongly encouraged to report the incident to the Department of Public Safety (218-755-3888) and the Bemidji Police Department (218-333-9111), the Title IX Coordinator (218-755-2010), or the Title IX and Civil Rights Investigator (218-755-4053). The Department of Public Safety is the office of official record for reports of sexual assault, as it is in all reported law violations. A report with the Department of Public Safety can ensure that proper steps are taken to ensure the safety of the survivor as well as the safety of the campus community as a whole. Filing a report with the Department of Public Safety can also initiate the Bemidji State University disciplinary process, and is an option for any person wishing to report a case of misconduct.

Bemidji State University will normally not take any disciplinary action against a member of the campus community without a written complaint and the assistance of the complainant in the disciplinary process, unless the University determines there is a clear danger to the reporting party or the Bemidji State University community.

Because of laws concerning government data contained in the Minnesota Government Data Practices Act, Bemidji State University cannot guarantee confidentiality to those who report incidents of sexual violence except where those reports are privileged or confidential communications with licensed health care professionals or similar professionals. On campus licensed health care professionals include the Bemidji State University Counseling Center (218-755-2024).

After receiving a report/complaint, the Title IX and Civil Rights Investigator, who must receive annual investigatory training, shall take the steps listed below to insure a prompt, fair, and impartial process following Bemidji State University's Sexual Violence Policy and Reporting Sexual Violence Procedure:

1. Conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings. Both the complainant and respondent are allowed to have an advisor accompany them through the process.

2. Investigate the complaint without identifying the complainant if, in the judgment of the designated officer, this would increase the likelihood of satisfactory resolution of the complaint;
3. The past sexual history of the complainant and respondent shall be deemed irrelevant except as that history may directly relate to the incident being considered;
4. Inform the complainant, respondent, witnesses and other involved individuals of the prohibition against retaliation and reprisal;
5. Create, gather and maintain investigative documentation as appropriate;
6. Disclose appropriate information to others only on a need to know basis consistent with state and federal law; and provide a data privacy notice (Tennessee warning) in accordance with state law;
7. Inform the complainant and respondent of the status of the investigation at reasonable times until final disposition of the complaint;
8. Conduct further investigation as deemed appropriate;
9. Prepare an investigation report for review by the decision-maker;
10. Take additional investigative measures as requested by the decision-maker;
11. 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;
12. Notify both the victim and the accused party in writing of the outcome of the investigation;
13. Provide the investigation report to the complainant or respondent upon request unless the information is protected under state or federal law;
14. Notify both parties of the opportunity for appeal to the president or president's designee within 10 days after notification of the decision. Grounds for appeal include, a procedural irregularity, new evidence that has become available, or a conflict of interest was discovered for either the Title IX Coordinator, Title IX and Civil Rights Investigator, or decision maker. If one party decides to appeal, the Title IX and Civil Rights Investigator will let the other party know of the appeal.

NOTE: Effective August 14, 2020, Bemidji State University will be required to comply with recently released modifications to Title IX regulations. Over summer 2020, Bemidji State University will be engaged in a review of its policies and procedures for responding to Title IX complaints. Once decisions have been made regarding how to comply, modifications will be made as necessary to the process outlined above.

During the pendency of the appeal, disciplinary or corrective action taken as a result of the decision shall be enforced. In addition, in cases involving sanctions of suspension for ten (10) days or longer, students shall be informed of their right to a contested case hearing under Minnesota Statutes, Chapter §14.

Bemidji State University uses a preponderance of the evidence standard of evidence in determining violations of its Sexual Violence policy.

Students who are found to have violated the Sexual Violence policy could face sanctions up to and including suspension or expulsion from Bemidji State University. Employees found to violate the policy may be disciplined up to and including termination.

During and upon completion of the complaint process, the complaint file shall be in the Title IX and Civil Rights Investigator's office. Access to the data shall 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 or other applicable law.

CAMPUS DISCIPLINARY ACTION

The Bemidji State University disciplinary process is an option for any person wishing to report a case of student misconduct or violation of the campus Code of Conduct. In order for the University to proceed with the conduct process, a written complaint (whether by the victim or a third party) must be filed with the University Conduct Officer. If the complaint is criminal in nature, it will be forwarded to the Department of Public Safety. The Department of Public Safety will inform local law enforcement officials of the complaint. Bemidji State University will, upon written request, disclose to the alleged victim of a crime of violence, or non-forcible sex offense, the results of any disciplinary hearing conducted by the University against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Bemidji State University will provide the results of the disciplinary hearing to the victim's next of kin if so requested.

CAMPUS CODE OF STUDENT CONDUCT

The following information was taken directly from the Bemidji State University Code of Conduct, which is available in its entirety from the Student Development & Enrollment, Deputy Hall, 218-755-2075 and via web (<https://www.bemidjistate.edu/offices/student-life-success/handbook/conduct/>).

Statement of Responsible Behavior:

Students will adhere to federal, state, local, State University Board and Bemidji State University laws / regulations that govern individual actions and relationships among university members for the common good.

Students will work as honest and respectful partners with the University in fulfilling its academic and administrative mission and responsibilities, fulfilling their academic endeavors in an honest and forthright manner.

Students will speak and listen to others with care, seeking personal understanding and maintaining respect and civility.

Students will respect and protect the personal privacy, rights, and safety of others with regard to physical and sexual boundaries, living space, possessions, electronic accounts and academic endeavors. Behaviors that violate these responsibilities and may result in Student Conduct action are contained within the following Student Code of Conduct:

- A. Violation of written policies or regulations contained in any official publication or administrative announcement of the MnSCU Board or Bemidji State University. This includes, but is not limited to, the State University Internal Rules, BSU Student Handbook, Policies and Procedures Manual, Residential Life Agreement terms, Residence Halls Agreement terms, Catalog, etc.
- B. Violation of local, state, or federal law on University property, or off-campus when such violation of the law is directly related to the University Community.
- C. Academic dishonesty, including, but not limited to, cheating and plagiarism. (See Academic Integrity Policy and Related Policies and Procedures on the [Policy Webpage](#).)
- D. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other University activities, including its public service functions on or off campus, or other authorized non-university activities when the conduct occurs on University premises.
- E. Knowingly furnishing false information to the University or other similar forms of dishonesty in University-related affairs, including knowingly making false oral or written statements to any University Conduct Board or Student Conduct Officer.
- F. Forgery, alteration, destruction, or misuse of University documents, records, identification cards, or papers.
- G. Failure to comply with directions of, or to present identification to, University officials or law enforcement officers acting in the performance of their duties. This includes failure to comply with conditions of sanctions resulting from previous University conduct action.
- H. Unauthorized entry into or use of University facilities or equipment, or unauthorized possession, duplication, or use of keys to any university premises.
- I. Use, possession or carrying of firearms (including, but not limited to, pistols, rifles, air guns, shotguns, or ammunition), incendiary devices, smoke devices, hand bills, dangerous knives, explosives, bows and arrows, or other dangerous weapons while on University owned or controlled property, or at University-sponsored or supervised activities, except by authorized law enforcement officers and other persons specifically authorized by the University. (Regarding recent new Minnesota “conceal and carry” gun legislation, it is specifically noted that MnSCU and BSU policy prohibit students from possessing or carrying a firearm while on University property, regardless of whether the student has a permit to carry a firearm, except as otherwise provided by MnSCU or BSU policy. The full [MnSCU policy](#) may be accessed electronically.)

STATEMENT ABOUT ALCOHOL AND DRUGS: Bemidji State University recognizes its educational responsibility to its members regarding the use of alcohol and other drugs. This responsibility includes providing information regarding the effects of alcohol and other drugs, raising issues regarding responsible versus irresponsible use, and establishing written standards and sanctions for illegal use and/or use which results in behavior that violates the University’s Code of Student Conduct, and civil and state laws. Sanctions for violations of the University policy on alcohol and other drugs may include, but are not limited to:

- sanctions outlined in Section III of the Student Code of Conduct, including suspension, dismissal, or expulsion from the university
 - educational programming on alcohol and other drug use
 - disposal of the alcohol
 - notification of law enforcement including citation or arrest for criminal offenses
 - counseling, medical, and/or chemical dependency assessment and referrals
 - loss of privileges, including living in campus housing or participation in intercollegiate athletics
- J. Use, possession, or distribution of alcoholic beverages, except as permitted by law and University policy. (See [Alcohol and Other Drug Policy](#).)
- K. Unauthorized use, possession, manufacture, or distribution of any controlled substance or illegal drugs and / or drug paraphernalia. (See [Alcohol and Other Drug Policy](#).)
- L. Theft of, damage to, or unauthorized use of property of the University or property of any of its members or visitors.
- M. Physical abuse, verbal abuse, threats, or harassment of a person including but not limited to stalking, defamation, intimidation or harassment through other persons, or use of electronic or other communication devices such as video, computers or telephones.
- N. Conduct that threatens or endangers the health or safety of a person, to include oneself.
- O. Engaging, individually or in concert with others, in sexual misconduct; i.e. non-consensual physical conduct of a sexual nature including but not limited to **domestic violence, dating violence, stalking**, sexual physical abuse, rape or any other form of sexual assault, or threat of sexual violence. (In compliance with MnSCU policy 1B.3 and procedure 1B3.1, a separate investigative and decision making process has been established at Bemidji State University for review of complaints of sexual violence. See the Student Handbook page on [Sexual Violence](#)) *Note: Consent does not exist when acts are committed by force, intimidation, coercion, or through use of authority, or the victim's mental or physical incapacity even if that lack of capacity is chemically self induced. The expectation is that consent is clear and mutual.*
- P. Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on University premises or at functions sponsored by, or participated in by, the University or members of the academic community.
- Q. Gambling for money or other things of value, except as permitted by law.
- R. Hazing: An act which endangers the mental or physical health or safety of a person, subjects a person to public humiliation or ridicule, or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a student group or organization. Hazing, whether occurring on or off campus, shall be considered a violation of this code.
- S. Discrimination/Harassment. (In compliance with MnSCU policy 1B.1 and procedure 1B1.1, a separate investigative and decision making process has been established at Bemidji State University for review of

complaints of discrimination and/or harassment. (See the page on [Equal Opportunity and Non Discrimination in Employment and Education.](#))

CAMPUS SEX CRIMES PREVENTION ACT

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

The Minnesota Bureau of Criminal Apprehension administers a predatory offender registration and tracking program. Any questions regarding the program may be directed to the Criminal Assessment Program at 888-234-1248 or 651-603-6748. Information regarding this program can be found at the following website:

<https://por.state.mn.us/Home.aspx>

In addition, information regarding registered sex offenders may be obtained through the Minnesota Department of Corrections at 651-642-0200. An offender locator, for offenders that have the highest risk for re-offense, can be accessed from the Minnesota Department of Corrections website: <https://mn.gov/doc/>

MISSING STUDENT NOTIFICATION POLICY

If at any time a student, faculty or staff member becomes aware or suspects a student is missing for 24 hours, report immediately to the Bemidji State University Department of Public Safety or Bemidji Police Department. Any missing student report by any other Campus Security Authority, will be referred immediately to the Department of Public Safety and/or the Bemidji Police Department.

Students have the option of identifying and designating a contact person or persons whom Bemidji State University shall notify within 24 hours of the determination that the student is missing, as determined by the Bemidji State University Department of Public Safety or local law enforcement agency. Students are advised that their contact information will be registered confidentially and will only be accessible to authorized campus officials. Information may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

In addition to registering an emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by Bemidji State University in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, Bemidji State University will notify that individual no later than 24 hours after the student is determined to be missing. Students who wish to identify a confidential will be given a “Missing Person Emergency Contact Registration Card” at the time of check in. Students wishing to provide this information will be asked to complete the card and either leave it at the hall desk at the time of check in or bring the card to the Department of Public Safety in Walnut Hall. These cards will remain on file at the Department of Public Safety.

If a member of the college community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify Bemidji State University Department of Public Safety (218-755-3888). Upon receiving information that a student cannot be located and may be missing, Public Safety officers in conjunction with Residential Life personnel will initiate an investigation which will include the following:

- Conduct a welfare check into the student's room.
- Call known contacts (parents, guardians, roommates, and friends).
- Contact employers and associates, if known.
- Contact the student's professor to ascertain the student's recent attendance in class.
- If the student has a vehicle, the Public Safety parking officer will attempt to locate the vehicle.

If students are under 18 years of age and not emancipated, Bemidji State University MUST notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. Bemidji State University will notify local law enforcement within 24 hours of the determination that the student is missing, unless law enforcement was the agency that made the determination that the student is missing.

ANNUAL FIRE SAFETY REPORT

If a fire occurs in any Bemidji State University building, pull the alarm and leave the building. When a fire alarm is activated, the elevators in most buildings will stop automatically. Occupants should use the stairs to evacuate the building. If you are caught in the elevator, push the emergency phone button. The emergency phones in elevators on campus ring to the Public Safety dispatcher. After you have safely left the building, call Public Safety and inform the dispatcher of the situation. If you encounter possible evidence of a fire and are unsure if Public Safety has been informed, please immediately contact the dispatcher and advise them of what you have found.

Smoking, open flames and most electrical appliances are banned in residence halls. Specific information on allowable and prohibited items and behavior can be found in the Residential Life Guidebook.

RESIDENTIAL FIRE SAFETY POLICIES

TAMPERING WITH FIRE EQUIPMENT

Fire safety equipment that has been tampered with may fail to operate correctly in an emergency. This could prove fatal. Tampering with fire safety equipment (including but not limited to fire alarm pull stations, fire extinguishers, smoke detectors, sprinkler heads, and exit signs) when there is not a fire or any reason to believe that one exists will result in disciplinary action, civil penalties and possible eviction.

The Department of Public Safety and the Department of Residential Life will pursue prosecution to the full extent of the law of any individuals suspected of creating a false fire alarm or tampering or interfering with any fire alarm system or equipment.

Chapter 609.686 of the Minnesota State Criminal Code states the following regarding fire alarms and tampering with a fire alarm system:

- It is a MISDEMEANOR to intentionally create false fire alarm or to tamper with any fire alarm system, fire protection device or fire pull station.
- It is a FELONY to tamper with a fire alarm system or equipment if one has reason to know that this action creates a potential for bodily harm

FIRE SAFETY REGULATIONS

All students are expected to observe the following fire safety regulations:

- Flammable liquids (i.e. gasoline, white gas, propane, kerosene, etc.) are not permitted in residence halls.
- No ironing or cooking (except microwaves) is permitted in student rooms
- No appliances with heating units, with the exception of hair dryers, coffee makers and hot air popcorn poppers may be used in student rooms. When in use these appliances must not be left unattended. All appliances must be UL or FM approved.
- Smoke detectors must not be tampered with in any way.
- Light fixtures, electrical outlets and switches, etc. are not to be tampered with in any way. Items that might serve as electrical conductors should not be hung from them.

- No candles or other open flame may be burned in student rooms. The burning of incense, sage, sweet grass and cedar is permitted if burned in an appropriate fire safe container. (See University policy)
- Motorbikes or other motorized vehicles may not be stored in student rooms or in any residence hall location.
- Only fire retardant or flame proof materials and decorations may be used. The Holiday Decoration policy is available from any member of the Residential Life Staff.
- Excessive use of paper on a student's door is not permitted. As a guideline no more that 20 percent of the door may be covered.
- Only metal or flame-retardant wastebaskets are allowed in student rooms.
- Only UL approved halogen light fixtures may be used.
- Do not leave cooking food unattended in Residence Hall kitchens.

FIRE EVACUATION PROCEDURES

At the first indication of a fire, whether it is a persistent smoke or fire alarm, smoke, or flames, follow the below procedure.

IF YOU SEE A FIRE

- Leave the area immediately.
- Contact the fire department at (9-911) and/or the Department of Public Safety (3888).

WHEN THE FIRE ALARM SOUNDS

- Always assume there is a fire. Don't ignore it.
- If time permits, take a jacket and shoes, and a towel to cover your face.
- Stay low and crawl to your door. Smoke fills a room from the ceiling down.
- Test the door with the back of your hand.
- If the door is hot, keep the door closed and stay in the room.
- If the door is cool, open it slowly. Walk quickly and calmly to the ground level, closing all doors behind you. Do not use an elevator. An elevator may open at a floor on fire or stop working, trapping you inside.
- If there is smoke in the hallway, crawl to the stairs. Count the doors as you go so you do not get lost. If the smoke and heat are too great, try an alternate escape route. If both escape routes are blocked, return to your room.
- Once you have exited the building move away from the building and stay at least 300 feet away.

IF YOU ARE TRAPPED INSIDE YOUR ROOM

- Close the door between you and the fire.
- Cover up cracks and vents to keep smoke and toxic gases out.
- Put a wet cloth over your nose and wait at a window.
- Open the window a few inches for fresh air. **Do not** break the glass.
- Hang a sheet or some other article out your window to sign the fire department.
- **Do not** panic.

ONCE YOU HAVE EVACUATED THE AREA

- Notify authorities of anyone that may not be able to physically respond to the fire alarm or use sound judgment to evacuate the area (e.g. wheelchair users or someone under the influence of alcohol or drugs).
- Do not reenter the building until you are told to do so by authorities.

FIRE SAFETY EDUCATION AND TRAINING

Floor meetings are conducted at the beginning of each academic semester to provide verbal instructions on safety procedures in the residence halls, including fire safety.

FIRE DRILLS

Fire drills are used to familiarize occupants with the building's alarm system, emergency exits that may not normally be used, and methods of reporting fires. All residents must evacuate when the fire alarm is activated. Residential Life conducts fire drills twice a semester, including one drill per semester between sunset and sunrise. Your cooperation and support is essential during all fire drills.

FIRE SAFETY TIPS

- Evacuate promptly.
- Make a fire escape plan and practice it. Locate two fire exits close to your room and count the number of doors between your room and each exit.
- Make a plan to assist others who are unable to evacuate on their own. Even if it is a temporary disability, plan ahead for fire emergencies.

IF YOUR CLOTHES CATCH FIRE

- Stop, do not run.
- Drop to the ground or floor immediately and cover your face with your hands.
- Roll over back and forth to smother the flames.

FIRE STATISTICS

All statistics are those fires that are defined as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner. The number of incidents reported is per calendar year; January 1-December 31 for the previous three years.

Any student or employee who gains knowledge of a fire occurring in a campus residential facility should be reported immediately to the Department of Public Safety at 218-755-3888.

2019 Statistics

STATISTICS AND INFORMATION REGARDING FIRES IN RESIDENCE HALLS (1/1/2019 TO 12/31/2019)

Res Hall	# Fires in Hall	Fire #	Date	Time	Cause	Number of Injuries that Required Treatment in a Medical Facility	Deaths Related to Fire	Value of Property Damage Caused By Fire
Oak	1	1	8/31/2019	1:43 PM	Burnt light switch	0	0	\$65.00
Pine	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Cedar	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Tamarack	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Linden	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Birch	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Laurel House	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
University Heights	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A

2018 Statistics

STATISTICS AND INFORMATION REGARDING FIRES IN RESIDENCE HALLS (1/1/2018 TO 12/31/2018)

Res Hall	# Fires in Hall	Fire #	Date	Time	Cause	Number of Injuries that Required Treatment in a Medical Facility	Deaths Related to Fire	Value of Property Damage Caused By Fire
Oak	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Pine	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Cedar	1	1	2/6/2018	7:35 AM	Burning incense	1	0	\$102.78
Tamarack	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Linden	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Birch	1	1	12/7/2018	10:30 PM	Electrical	0	0	0
Laurel House	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
University Heights	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A

2017 Statistics

STATISTICS AND INFORMATION REGARDING FIRES IN RESIDENCE HALLS (1/1/2017 TO 12/31/2017)

Res Hall	# Fires in Hall	Fire #	Date	Time	Cause	Number of Injuries that Required Treatment in a Medical Facility	Deaths Related to Fire	Value of Property Damage Caused By Fire
Oak	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Pine	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Cedar	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Tamarack	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Linden	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Birch	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Laurel House	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
University Heights	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A

RESIDENCE HALL FIRE SAFETY AND SPRINKLER SYSTEMS

The table below describes the fire safety systems in place for each residence hall. As residence halls get remodeled or built they will be outfitted with sprinkler systems.

Res Hall	Fire Alarm Monitoring	Smoke Detectors in Rooms *	Sprinkler System	Fire Extinguishers in Public Spaces	Fire Extinguishers in Kitchens	Number of Supervised Fire Drills Per Year
Oak	Yes	Yes	No	Yes	Yes	4
Pine	Yes	Yes	No	Yes	Yes	4
Cedar	Yes	Yes	No	Yes	Yes	4
Tamarack	Yes	Yes	Yes	Yes	Yes	4
Linden	Yes	Yes	Yes	Yes	No	4
Birch	Yes	Yes	Yes	Yes	Yes	4
Laurel House	Yes	Yes	No	Yes	Yes	0
University Heights	Yes	Yes	Yes	Yes	Yes	4

*All smoke detectors are hardwired and are equipped with battery backup.

The Annual Fire and Security Report

Bemidji State University reserves the right to change without notice any of the materials (information, requirements, regulations, procedures) published in this report. Revisions are publicized to the University community through the Department of Public Safety web site and take precedence over information in the printed edition. It is the responsibility of members of the University community to take note of publicized changes on the website. This report is not regarded as a contract and is subject to change without notice.

Aggravated Assault

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

Arson

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

Burglary

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

Consent

Consent is informed, freely given and mutually understood. 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, and the condition was known or would be known to a reasonable person, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

Criminal Homicide – Negligent Manslaughter

The killing of another person through gross negligence.

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

Dating and Relationship Violence

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

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

Drug Law Violations

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

Intimidation

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

Larceny-Theft

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

Liquor law Violations

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

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle.

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

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

Murder and Non-Negligent Manslaughter

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

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

Robbery

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

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

Sexual Assault

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

1. Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to

as “date rape” or “acquaintance rape.” This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.

2. Involvement in any sexual act when the victim is unable to give consent.
3. The intentional touching or coercing, forcing, or attempting to coerce or force another to touch an unwilling person’s intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast).
4. Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

Simple Assault

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

Sex Offenses – Defined

Forcible Sex Offenses

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

Reported offenses may include:

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

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

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

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

Sex Offenses, Non-forcible.

Unlawful, non-forcible sexual intercourse. Reported offenses may include:

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

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

Sexual Violence

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

Stalking

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

Weapons Law Violations

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

Visit the Department of Public Safety

website at:

<https://www.bemidjistate.edu/services/public-safety/>



*Note: Bemidji State University is committed to a policy of nondiscrimination in employment and education opportunity. No person shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in, programs, services, and activity in a local commission as defined by law. Inquiries regarding compliance, rights and other information may be addressed to the Affirmative Action Officer/Americans with Disabilities Coordinator at 218-755-4121.