



# **Annual Security and Fire Safety Report**

## **2017**

**Includes 2014, 2015, and 2016 Statistics**

## Contents

AUTHORITY AND JURISDICTION .....	4
PUBLIC SAFETY.....	4
THE CAMPUS SECURITY ACT .....	5
HOW DO I REPORT A CRIME .....	6
RESPONSE TO REPORTED CRIME.....	7
SECURITY OF AND ACCESS TO CAMPUS FACILITIES, INCLUDING CAMPUS RESIDENCES .....	7
SECURITY CONSIDERATIONS IN THE MAINTENANCE OF CAMPUS FACILITIES .....	7
CAMPUS SECURITY AUTHORITY (CSA) .....	8
POLICY 101.2 – TIMELY WARNING/CRIME ALERT POLICY .....	9
DAILY CRIME LOG .....	9
EMERGENCY PREPAREDNESS .....	9
EMERGENCY RESPONSE AND NOTIFICATION .....	10
SAFE RIDE .....	10
EMERGENCY NOTIFICATION SYSTEMS .....	11
EMERGENCY PHONES .....	11
PROCEDURES FOR DRILLS, TRAININGS, AND EXERCISES .....	11
EDUCATION PROGRAMS .....	11
EMERGENCY PREPAREDNESS CHECK OFF LIST .....	12
CRIME PREVENTION TIPS.....	12
THE SEXUAL ASSAULT VICTIM’S BILL OF RIGHTS .....	13
DISCRIMINATION, HARASSMENT, SEXUAL MISCONDUCT, STALKING, AND RETALIATION POLICY.....	13
PROCEDURES FOR INVESTIGATIONS FOR TITLE IX .....	20
WHAT TO DO IF YOU ARE SEXUALLY ASSAULTED.....	30
WHAT TO DO IF YOU EXPERIENCE RELATIONSHIP VIOLENCE OR STALKING.....	31
BYSTANDER INTERVENTION AND SEXUAL MISCONDUCT PREVENTION AND AWARENESS CAMPAIGNS .....	32
SEXUAL AND VIOLENT OFFENDER REGISTRY.....	32
CAMPUS RESOURCE ORGANIZATIONS .....	33
LAW ENFORCEMENT RELATIONSHIP WITH THE UNIVERSITY .....	33
SAFETY WALKS .....	34
SAFETY AND SECURITY .....	34
ALCOHOL POLICY .....	34
DRUG FREE CAMPUS POLICY .....	38
MEDICAL MARIJUANA .....	39
DRUG AND ALCOHOL EDUCATION PROGRAMS .....	39
RIGHT OF PRIVACY, RELEASE OF CONFIDENTIAL RECORDS (FERPA) .....	40
DANGEROUS OR DISRUPTIVE STUDENT .....	40
SUICIDE ATTEMPTS .....	41
QUESTION PERSUADE AND REFER (QPR) PROGRAM .....	41
MISSING STUDENT POLICY AND PROCEDURE .....	41
CRIME STATISTICS .....	42
HOW DO WE COMPILE THESE STATISTICS?.....	42
DEFINITIONS OF REPORTABLE CRIMES IN THE CAMPUS SECURITY ACT .....	43
HATE CRIME .....	45
OFF-CAMPUS RESOURCES .....	47
CRIME REPORTS .....	48
FIRE SAFETY STATEMENT .....	55
ON-CAMPUS STUDENT HOUSING AND LIFE SAFETY SYSTEMS .....	55
MANDATORY SUPERVISED FIRE DRILLS .....	55
FIRE EVACUATION GUIDELINES .....	55
FIRE LOG .....	57
EMERGENCY RESPONSE AND EVACUATION PROCEDURES TESTS .....	58

RESIDENCE HALLS .....59  
FIRE DRILLS & FIRE EQUIPMENT .....59  
TRAINING .....60



Chief of Police Don Guiberson

**For emergencies, call:**

**Public Safety: 911 or 9-911**

**Dean of Students: (406) 683-7900**

**(406) 925-9782**

**Security/Facility Services: (406) 683-7141**

## **Authority and Jurisdiction**

The University of Montana Western does not have its own Police Department on campus. The University of Montana Western has authority and jurisdiction to enforce campus policies and handle disciplinary procedures for policy violations. The University of Montana Western maintains a Memorandum of Understanding (MOU) with the Dillon City Police. Under the MOU, the University may request assistance for aid from the Dillon City Police Department during the response or investigation of a call for service and the Dillon City Police will patrol the campus during all hours of the day. The Dillon City Police will communicate with the University when they need to come on campus to investigate an alleged crime and will have authority to make arrests. UMW does not have any non-campus locations of student organizations officially recognized by the institution, including student organizations with non-campus housing facilities. The University of Montana Western and Dillon City Police will work together to insure the campus is safe and campus policies along with local laws are followed.

## **Public Safety**

The University of Montana Western encourages and supports safety and security for all who live, learn, and enjoy the beautiful environment on our campus. The Dean of Students Office along with the administration at Montana Western, Dillon City Police, Beaverhead County Sheriff, Safety and Security Committee, and Facilities work together to create and maintain a safe campus environment. Montana Western provides safety and security information to students during Bulldog Bound (summer registration days), floor projects, orientation, and various activities, workshops, drill exercises and presentations. Topics include personal safety, alcohol awareness, tobacco use, sexual misconduct, violent assaults, healthy living, emergency procedures, and safety drills.

The Dean of Students Office seeks external and internal relationships to secure a safe community to promote learning, living, and working at the University of Montana Western. The Dean of Students Office along with outside community help encourages information and educational safety and security opportunities in an effort to increase a safe campus.

Programs the Dean of Students Office offers:

- EverFi – Haven (sexual assault awareness) and Alcohol EDU (yearly)
- New student Bulldog Bound and orientation (summer and beginning of each semester)
- Sexual misconduct prevention (twice a year)
- Alcohol awareness (once a year)
- Safety information and trainings (one to two times a year)
- Annual Fire Alarm Drills (yearly)
- Residence Life safety training for Resident Assistants and Hall Directors (yearly and throughout the year during weekly meetings)
- Annual employee training (once a year)
- Athletic Coaches training (once a year)

- Emergency Operation Plan (monthly meetings)
- Emergency Check-off list in all classrooms/offices (yearly)
- Timely warnings posted on “Regroup” and through email to inform campus community about criminal incidents considered to be potentially threatening to students and employees (as needed)
- Campus wide emails, Regroup notifications for faculty, staff, and students, and voice mails activated in case of an emergency (as needed)
- Crime logs available for public review (daily upon request)
- Educational programs for residence halls, student organizations, employee, and campus wide programs that provide awareness and prevention on safety and security issues (several times a year)
- Tobacco Free Awareness (yearly)
- Violent Assault Prevention (several presentations throughout the year)
- Mental Health Issues (at least yearly)
- Health and Wellness surveys and trainings for all students (yearly)
- Facility Services annually evaluates the safety of campus during different times of the day (several times a year)
- Confidential crime reports gathered and compiled in the Dean of Students Office through a computer program Maxient (yearly or as needed)

## **The Campus Security Act** *(also known as the Clery Act)*

The Campus Security Act requires colleges and universities to:

- Publish an annual report every year by October 1 that contains three years of campus crime statistics and certain campus security policy statements.
- Publish crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. (The statistics must be gathered from campus security, local police, and other University officials who have “significant responsibility for student and campus activities.”)
- Publish “timely warning” notices where a crime has occurred on or near campus that, in the judgment of the Chancellor, constitutes an ongoing or continuing threat to members of the University community.
- Make available for public inspection a daily public crime log of “any crime that occurred on campus and is reported to the Dean of Students.”

The Dean of Students is responsible for preparing and distributing the annual report. The Dean of Students works with other administrative departments and law enforcement agencies to compile the information incorporated in the report.

We encourage members of the University community to use this report as a guide for safe practices on and off campus. The report is available on the Web at <https://www.umwestern.edu/images/clery/Clery-and-Fire-Safety-Report-2017.pdf>. Each member of the University community receives an e-mail that describes the report and

provides its Web address. For more information, contact Nicole Hazelbaker at 683-7900, or e-mail [Nicole.hazelbaker@umwestern.edu](mailto:Nicole.hazelbaker@umwestern.edu).

## **How do I report a crime?**

Crime is a reality at the University of Montana Western, as it is on every college campus. Preventing crime is everyone's responsibility. Unreported crime is a criminal's greatest ally. If you suspect a criminal act has taken place, contact the Dean of Students located in the Dean of Students Center at 528 Poindexter Street.

- For emergencies call 911
- For non-emergencies call (406) 683-7388 during office hours or (406) 925-9782 after hours
- You may also report a crime online on the University of Montana Western website: <https://cm.maxient.com/reportingform.php?UnivofMontanaWestern>

**To report to someone while still maintaining victim confidentiality:** Professional counselors in the Dean of Students Center are available for victims or witnesses to report a crime and know that this information will be kept confidential and will not be reported to the Dean of Students or the Police unless the victim chooses to have the University involved or Law Enforcement. You can call 406-683-7388 to make an appointment with one of the licensed counselors or you can come to the Dean of Students Center located at 528 Poindexter Street to visit with a counselor.

**If you are the victim of or witness a crime:** Report the incident immediately to 911. If you can, gather pertinent information, such as sex, race, hair color and length, body size, clothing description, scars and other noticeable characteristics, modes of travel, type of vehicle, color and license information, and information about location.

**Suspicious persons:** If you see anyone acting suspiciously, call 911 or 406-683-7388. Do not approach the individual yourself. Report the type of suspicious behavior and the location. Relay pertinent information concerning the person including: age, sex, dress, vehicle and direction of travel.

**What to report:** When calling 911 or the Dean of Students to report an incident, please provide the following information:

1. Your name
2. Location of incident
3. Type of incident
4. Description of suspect, vehicles or other pertinent information
5. Return telephone number

**Medical Response:** When faced with a medical emergency, call 911. Provide as much information as possible regarding the nature of the injury or illness and the state of the person needing assistance.

## **Response to reported crime**

Dillon City Police will respond to reports of crime against persons and all property owned, controlled, leased or operated by The University of Montana Western. On a 24-hour basis, dispatchers can instantly dispatch Dillon City Police, Dillon Volunteer Fire Department and emergency medical services, and if needed, will request assistance from Beaverhead County Sheriff's Office.

All reports of criminal activity occurring within the jurisdiction of The University of Montana Western will be investigated by the Dillon City Police. If the investigation confirms a violation of the state criminal code, the matter will be referred to the Beaverhead County Attorney or Dillon City Attorney for prosecution. The Dean of Students may also investigate to determine if a campus policy has been violated. Reports of criminal activity received by The University of Montana Western occurring outside its jurisdiction will be referred to the appropriate city or county law enforcement agency.

## **Security of and access to campus facilities, including campus residences**

Access to campus buildings and grounds is a privilege extended to students, faculty, staff, and guests. The University encourages an open environment with limited constraints to ensure the reasonable protection of all members of the community. Most campus facilities are open during weekday business hours. Individuals who wish to access campus facilities during non-business hours or for special events should contact Conference and Event Services (7566) or Facility Services (7141).

The Residence Life Office is responsible for the overall management and administration of the five residence halls on campus. The Director of Residence Life is responsible for supervising a team of staff that includes Hall Directors (HDs) and Resident Assistants (RAs) who live on the floors. The Residence Life Office is located on the 2<sup>nd</sup> floor in Davis Hall. The Residence Life Office is responsible for developing and implementing safety measures, procedures, and programs that promote the greatest possible security for the residence halls.

## **Security considerations in the maintenance of campus facilities**

The University of Montana Western is committed to campus safety and security. Exterior lighting and landscape control is a critical part of that commitment. Representatives from various departments conduct security checks to ensure campus lighting is adequate and that the landscape is appropriately controlled. Campus security conducts routine checks of lighting on campus during regularly assigned patrol duties. If lights are not working, officers will initiate an immediate work order, which is acted upon by a representative of the appropriate maintenance office, usually by the next business day. We encourage

community members to report any instances of inadequate lighting to Facility Services at 683-7142.

Maintenance staff are available to respond to calls for service regarding unsafe facility conditions, or for personal safety and property protection. These conditions also may include unsafe steps or handrails, unsafe roadways on campus, and unsecured equipment.

## **Campus Security Authority (CSA)**

A Campus Security Authority (CSA) is an individual who is an official of the institution that has significant responsibility for student and campus activities, including but not limited to:

- Student Housing
- Student Discipline
- Director of Athletics and team coaches
- Advisor to a student group
- Dean of Students
- Student Resident Assistants (RA) or Hall Director (HD)
- Securitas
- Safety/Security Committee
- Student Senate
- ASUMW Office Manager
- Employees of ASUMW
- Title IX Coordinators
- Peer Educators and advisor
- Athletic Trainers
- Title IX Investigators

Under Clery a crime is reported when a victim, witness, other third party or even the offender brings it to the attention of a Campus Security Authority (CSA). It does not matter whether or not the individual/s involved in the crime or reporting the crime are associated with the institution. If a CSA receives the crime information and believes it was provided in good faith, he or she should document it as a crime report and **PROVIDE THIS REPORT THROUGH MAXIENT**. In “good faith” means there is a reasonable basis for believing that the information is not simply rumor or hearsay.

There are two (2) individuals who, although they have significant responsibilities for students and campus activities, are not considered CSA’s under Clery. They are pastoral counselors and professional counselors. A pastoral counselor is defined as a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor. A professional counselor is defined as a person whose official responsibilities include providing mental health counseling to members of the institutions community and who is functioning within the scope of his or her license of certification. This definition applies to professional



counselors who are not employees of the institution but are under contract to provide counseling at the institution.

## **Policy 101.2 – Timely Warning/Crime Alert Policy**

Date Adopted: 10/27/08 Issuing Office: Chancellor

References: The Jeanne Clery Disclosure of Campus Security Policy & Campus Crime Statistics Act of 1990

### **I. POLICY**

As circumstances warrant, the University prepares and distributes – either selectively or throughout the campus – printed crime alerts. The Dean of Students decides to issue a special alert with advice from the Chancellor and/or the Provost and the Vice Chancellor for Administration & Finance/Student Affairs.

### **II. PURPOSE**

The purpose of this policy is to protect the safety of those on the campus of the University of Montana Western.

### **III. PROCEDURES**

If a situation arises on or off campus that the Dean of Students deems to be an ongoing or continuing threat, a campus-wide timely warning/crime alert may be posted across campus.

Depending on the circumstances of the crime, the timely warning may be posted in each residence hall mailbox, on a bulletin board in each building, or at the doorway to each campus building. This holds true for all situations that potentially pose an ongoing threat to the community.

Typically, circumstances that warrant alerts and warnings are crimes reported to the Dean of Students, other campus security authorities, and/or the Dillon City Police Department (DPD). The University has requested the DPD inform UMW when crimes are committed on or near campus that might be potential or ongoing threats to the UMW community. This will assist UMW in determining the need for a timely warning/crime alert.

Individuals with information they believe warrants a timely warning/crime alert should report it to the Dean of Students at 406-683-7900 or in person at the Dean of Students Office, Davis Hall.

### **IV. AUTHORITY**

The Jeanne Clery Disclosure of Campus Security Policy & Campus Crime Statistics Act of 1990.  
(<http://www.securityoncampus.org/schools/cleryact/index.html>)

### **V. RESPONSIBILITY**

Chancellor, Provost, Vice Chancellor for Administration & Finance/Student Affairs, Dean of Students.

## **Daily Crime Log**

Since the University of Montana Western does not have sworn campus police, we are not required to keep a daily crime log. However, a log of Clery reportable crimes is kept in the Director of Residence Life office. The information is collected from several different offices on campus.

The log is available for all to see by contacting the Director of Residence Life at 683-7664.

## **Emergency Preparedness**

The University of Montana Western recognizes the need to be prepared for critical incidents. Under the guidance of the Campus Emergency Operation Plan, several departments and offices work together to prepare for, prevent, respond to, and recover from emergency situations. In conjunction with local government first responders, such

as the Dillon City Police, Beaverhead County Sheriff, Dillon Fire Department, and Beaverhead Ambulance. The University is well prepared to respond to a full range of critical incidents.

The University also works with the Beaverhead County emergency preparedness team and our county coroner to ensure our emergency protocols and plan are updated as needed.

## **Emergency Response and Notification**

The Campus Emergency Operation Plan and the Check Off List includes information about emergency guidelines for the campus community. The University conducts numerous emergency response exercises each year, such as tests of its emergency notification system, fire alarm drills, and table-top exercises. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. Safety and Security Committee and trained campus personnel have received training in Incident Command and Responding to Critical Incidents on campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the Dean of Students, Dillon City Police, Dillon Fire Department, and Beaverhead Ambulance. All departments typically respond and work together to manage the incident. Depending on the nature of the incident, other University departments and other local or federal agencies could also be involved in responding to the incident. General information about the emergency response and evacuation procedures for The University of Montana Western are publicized each year as part of the institution's Clery Act compliance efforts.

An emergency notification will go out to the campus community through Regroup (text message to individual phones), email, and or phone calls. This is done through the Dean of Students office and is coordinated with the Dillon City Police. Emergency notifications will be sent if there is an on-going threat to the community at large or isolated to the campus. The University of Montana Western will without delay and taking into account the safety of the community determine the content of the notification and initiate Regroup, unless issuing a notification will, in the professional judgment of the Dean of Students, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

## **Safe Ride**

Safe Ride is a program that provides safe transportation for students from the downtown area to their residences on and off campus. The vans run from 11:00 pm to 2:00 am every Wednesday, Friday, and Saturday nights during the academic year, with the exception of holidays and block breaks.

## **Emergency Notification Systems**

Montana Western is able to get emergency information to our community in several ways. They are as follows:

**Email:** We are able to send a mass email to all faculty, staff, and students informing them of an emergency and what to do to protect themselves and those around them.

**Phone:** We are able to send a mass message to any on campus phone line. This would show as a message on the line so the user would need to be able to access the message on a particular phone line. These messages can be retrieved at the phone or off campus by accessing the message area of the phone line.

**Regroup:** We are able to send a mass message to students through text messaging or email. We are able to send emergency messages as well as information about events, activities, academic information, or general information.

To enable these systems, you must be authorized and have passwords to activate the systems. Messages will be approved by administration before broadcast unless the information is considered an emergency and time is of the essence.

## **Emergency Phones**

Blue light emergency phones are installed at various locations throughout the campus. One is located between the Roe House and Administration Building and the other is between the Library and the Student Union Building. When using the blue light phones, make sure you remain by the phone so the emergency personnel will be able to find you when they arrive at the phone.

## **Procedures for Drills, Trainings, and Exercises**

Each year the safety/security committee works on drills, trainings, and exercises. At the beginning of Fall semester the committee schedules fire drills throughout all campus buildings. Information on the drills can be found under Fire Log at the end of this document. Any repairs or changes are handled during this drills. Trainings are offered throughout the year for Faculty, Staff, and Students through a variety of resources. Peer Educators train and present in classes, clubs, and athletic teams, twice a year during mandatory employee meetings trainings are offered, and table top exercises are done with first responders and the campus community. The Dean of Students helps plan these drills, trainings, and exercises to make sure they are done regularly.

## **Education Programs**

Each year during orientation and Bulldog Bound, our students are made aware of safety issues, crime prevention, sexual assault awareness, and our alcohol policy. Throughout

the year Student Affairs hosts programs and speakers to create a greater understanding of each topic.

## **Emergency Preparedness Check-Off List**

Every office, classroom, or room has an Emergency Preparedness Check Off List posted on the wall. The list addresses what to do in case of a specific emergency, who to contact, and what to do until help gets to the area of concern. Some of the areas addressed are weapons, hostage situation, bomb threat, fire, earthquake, and assaults.

## **Crime Prevention Tips**

Here are some tips to help keep you and your property safe:

- Report all suspicious persons/circumstances to the Dean of Students at (406) 683-7388 or contact Dillon City Police at 911 or (406) 683-3701.
- Avoid walking alone at night regardless of gender. Contact the Hall Director on duty at (406) 925-9828 or Facility Services at (406) 683-7141.
- Do not allow tailgating into any building (letting someone follow you through a locked door). Remember that residence halls are restricted to the students who live there and their guests.
- Know the locations of the emergency telephones and the emergency call boxes located around campus. One is located between the Library and the BARC parking lot and a second one is located between the Business and Technology Building and Main Hall.
- Add the Dean of Students cell phone to your cell phone contacts (406) 925-9782.
- Inventory your personal property and insure it with personal insurance coverage. Take and keep photos of valuable items.
- Backup your computer daily in case it gets stolen.
- Lock up bicycles using proper locking procedures and a good quality lock.
- Always lock car windows and doors when leaving your car.
- If you know that you will be returning to your vehicle when it's dark outside, use well-lit parking lots. Park under a streetlight if possible.
- Do not leave valuables in your car. If you must, put valuables in your trunk prior to arrival at your destination.

- Carry only those items of value that you need on your person; e.g. limit the amount of cash and the number of credit cards you carry, and never carry your social security card in your purse or wallet.
- Never leave valuables (wallet, purses, books, laptops, etc.) unattended and unsecured – even for a bathroom break.
- Always lock the door to your residence hall room, whether or not you are there. Keep windows closed and locked when you are away.
- Do not leave messages on your door advertising that you are leaving or when you are returning. This alerts thieves to your absence.

Anyone with information about crimes or potential threats to the campus community should report them to the Dillon City Police at (406) 683-3701 or call 911.

## **The Sexual Assault Victim’s Bill of Rights**

The Sexual Assault Victim’s Bill of Rights (P.L. 102-325) requires each institution receiving federal funding under Title IV to develop and distribute with the Security Report a policy statement regarding programs to prevent sexual offenses and procedures to follow when a sexual offense occurs. The policy must include the following:

### **Policy 101.4 – Discrimination, Harassment, Sexual Misconduct, Stalking, and Retaliation**

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#### **I. POLICY**

The University of Montana Western is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based upon race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation. Such an environment is necessary to a healthy learning, working, and living atmosphere because discrimination and harassment undermine human dignity and the positive connection among all people at our University. Acts of discrimination, harassment, sexual misconduct, stalking, and retaliation will be addressed consistent with this policy.

Consistent with state and federal law, reasonable accommodation will be provided to persons with disabilities.

This policy applies to all members of the University community, including students, faculty, staff, applicants, program and activity participants. The policy applies in all University programs and activities, including, but not limited to, discrimination in athletics, instruction, grading, university housing, and university employment. In addition, the law prohibits retaliation against an individual for opposing any practices forbidden under this policy, for bringing a complaint of discrimination or

harassment, for assisting someone with such a complaint, for attempting to stop such discrimination or harassment, or for participating in any manner in an investigation or resolution of a complaint of discrimination or harassment. It is central to the values of this University that any individual who believes they may have been the target of unlawful discrimination or harassment feel free to report their concerns for appropriate investigation and response, without fear of retaliation or retribution.

## II. PURPOSE

This policy shall not be construed or applied to restrict academic freedom at the University of Montana Western, nor shall it be construed to restrict constitutionally protected expression, even though such expression may be taken as offensive, unpleasant, or even hateful.

All complaints or any concerns about conduct that may violate this policy and retaliation should be directed to either the Equal Employment Opportunity Officer, Liane Forrester or one of the two Title IX Coordinators, Liane Forrester or Nicole Hazelbaker. Their contact information is below. Liane Forrester is primarily responsible for matters involving employees. Nicole Hazelbaker is primarily responsible for matters involving students.

### Title IX Coordinators

#### Liane Forrester

Director of Business and Campus Service  
Title IX/EEO/AA Officer  
Office of Business Services  
710 S. Atlantic  
Short Administration Building  
Dillon MT 59725  
(406) 683-7530  
Email: [liane.forrester@umwestern.edu](mailto:liane.forrester@umwestern.edu)

#### Nicole Hazelbaker

Dean of Students  
Title IX/ADA Coordinator  
Dean of Students Office  
750 E. Cornell  
Davis Hall 205  
Dillon MT 59725  
(406) 683-7900 or (406) 925-9782  
Email: [nicole.hazelbaker@umwestern.edu](mailto:nicole.hazelbaker@umwestern.edu)

Upon receiving a complaint, the EEO Officer or the Title IX Coordinators will follow the Equity Grievance Procedures.

**Important Note!** Please do not wait to report conduct of concern until harassment becomes sufficiently serious (i.e., severe, pervasive, or persistent) to create a hostile environment. The EEO Officer or Title IX Coordinators, designees, and other University officials can take proactive steps to prevent harassment from continuing and perhaps escalating and to protect or otherwise assist the person harassed. For example, the University can arrange for no-contact orders, counseling and changes in class schedules, living arrangements, class requirements, and testing schedules as needed. The Title IX Coordinators or EEO Officer and designees can also provide expertise and advice to help identify conduct that might be a warning sign of or constitute sexual harassment or hostile environment harassment prohibited by this policy and address any concerns or complaints appropriately.

## III. UNIVERSITY POLICIES ON Discrimination, Harassment, Sexual Misconduct, Stalking, and Retaliation

### Discriminatory Conduct

1. *Discrimination* is conduct that is based upon an individual's race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex,

- age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation that excludes an individual from participation, denies the individual the benefits of, treats the individual differently or otherwise adversely affects a term or condition of an individual's employment, education, living environment or participation in a University program or activity. This includes failing to provide reasonable accommodation, consistent with state and federal law, to persons with disabilities.
2. *Harassment* is covered under this policy if it is based upon an individual's race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation. Harassing conduct may take various forms, including, name-calling, graphic, spoken or written statements (including the use of cell phones, landlines, or the Internet), or other conduct that may be physically threatening, harmful, or humiliating. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Sex-based harassment includes sexual harassment, which is further defined below, and non-sexual harassment based on stereotypical notions of what is female/feminine v. male/masculine or a failure to conform to those gender stereotypes.

Harassment violates this policy when it creates a hostile environment, as defined in Section II.B, below.

A. Sexual Harassment

*Sexual Harassment* can include unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, including sexual assault. Sexual harassment, including sexual assault, can involve persons of the same or opposite sex.

Consistent with the law, this policy prohibits two types of sexual harassment:

1. Tangible Employment or Educational Action

This type of sexual harassment occurs when the terms or conditions of employment, educational benefits, academic grades or opportunities, living environment or participation in a University activity is conditioned upon, either explicitly or implicitly, submission to or rejection of unwelcome sexual advances or requests for sexual favors, or such submission or rejection is a factor in decisions affecting that individual's employment, education, living environment, or participation in a University program or activity. Generally, perpetrators will be agents or employees with some authority from the University.

2. Hostile Environment

Sexual harassment may create a hostile environment as defined in section II.B below.

B. Hostile Environment Harassment

A *Hostile Environment* based on race, color, religion, national origin, creed, service in the uniformed services, veteran status, sex, age, political ideas, marital or family status,

pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation exists when harassment:

- is sufficiently serious (i.e., severe, pervasive, or persistent) and objectively offensive so as to deny or limit a person's ability to participate in or benefit from the University's programs, services, opportunities, or activities ; or
- when such conduct has the purpose or effect of unreasonably interfering with an individual's employment.

Harassment that creates a hostile environment ("hostile environment harassment") violates this policy.

A hostile environment can be created by anyone involved in a university program or activity (e.g., administrators, faculty members, students, and even campus guests). Mere offensiveness is not enough to create a hostile environment. Although repeated incidents increase the likelihood that harassment has created a hostile environment, a serious incident, such as a sexual assault, even if isolated, can be sufficient.

In determining whether harassment has created a hostile environment, consideration will be made not only as to whether the conduct was unwelcome to the person who feels harassed, but also whether a reasonable person in a similar situation would have perceived the conduct as objectively offensive. Also, the following factors will be considered:

- The degree to which the conduct affected one or more students' education or individual's employment;
- The nature, scope, frequency, duration, and location of incident or incidents;
- The identity, number, and relationships of persons involved;
- The nature of higher education.

3. *Sexual Misconduct* includes sexual assault, inducing incapacitation for sexual purposes, sexual exploitation, and relationship violence. While sexual assault and other sexual misconduct is often considered a subset of "sexual harassment," for purposes of this policy and the consequences that may result from violating this policy, the terms are distinct.

A. *Sexual Assault* means an actual or attempted sexual contact with another person without that person's consent. Sexual assault includes, but is not limited to:

- Involvement in any sexual contact when the victim is unable to consent.
- Intentional and unwelcome touching of, or coercing, forcing, or attempting to coerce or force another to touch a person's intimate parts (defined as genital area, groin, inner thigh, buttocks, or breast).



- Sexual intercourse without consent, means penetration (anal, oral or vaginal) by a penis, tongue, finger, or an inanimate object, however slight the penetration or contact. As well as acts commonly referred to as “rape.”

*Consent* is informed, freely given, and mutual. If coercion, intimidation, threats, or physical force are used there is no consent. If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption, or being asleep or unconscious. There is no consent when there is force, expressed or implied, or use of duress or deception upon the victim. Silence does not necessarily constitute consent. Past consent to sexual activities does not imply ongoing future consent. Whether an individual has taken advantage of a position of influence over an alleged victim may be a factor in determining consent.

- B. *Inducing incapacitation for sexual purposes* includes using drugs, alcohol, or other means with the intent to affect or having an actual effect on the ability of an individual to consent or refuse to consent (as “consent” is defined in this policy) to sexual contact.
- C. *Sexual Exploitation* occurs when a person takes non-consensual or abusive sexual advantage of another for anyone’s advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the preceding sexual misconduct offenses. Examples of behavior that could rise to the level of sexual exploitation include:
- Prostituting another person;
  - Non-consensual visual (e.g., video, photograph) or audio-recording of sexual activity;
  - Non-consensual distribution of photos, other images, or information of an individual’s sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information;
  - Going beyond the bounds of consent (such as letting your friends hide in the closet to watch you having consensual sex);
  - Engaging in non-consensual voyeurism;
  - Knowingly transmitting an STI, such as HIV, to another without disclosing your STI status;
  - Exposing one’s genitals in non-consensual circumstances, or inducing another to expose his or her genitals;
  - Possessing, distributing, viewing or forcing others to view illegal pornography;
- D. *Relationship Violence* is abuse or violence between partners or former partners involving one or more of the following elements:
- Battering that causes bodily injury;
  - Purposely or knowingly causing reasonable apprehension of bodily injury;
  - Emotional abuse creating apprehension of bodily injury or property damage;
  - Repeated telephonic, electronic, or other forms of communication -- anonymously or directly -- made with the intent to intimidate, terrify, harass, or threaten;

4. *Stalking* includes repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device or method that purposely or knowingly causes substantial emotional distress or reasonable fear of bodily injury or death.
  
5. *Retaliation* is action taken by an accused individual or an action taken by a third party against any person because that person has opposed any practices forbidden under this policy or because that person has filed a complaint, testified, assisted, or participated in any manner in an investigation or proceeding under this policy. This includes action taken against a bystander who intervened to stop or attempt to stop discrimination, harassment, or sexual misconduct. Retaliation includes intimidating, threatening, coercing, or in any way discriminating against an individual because of the individual's complaint or participation. Action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this policy.

#### **IV. Off-Campus Conduct**

Conduct that occurs off campus can be the subject of a complaint or report and will be evaluated to determine whether it violates this policy, *e.g.* if off-campus harassment has continuing effects that create a hostile environment on campus. Allegations of off-campus sexual misconduct are of particular concern and should be brought to the University's attention.

#### **V. Mandatory Employee Reporting of Sex-based Discrimination, Sexual Harassment and Sexual Misconduct Involving Students**

In order to enable the University to respond effectively and to stop instances of sex-based discrimination, sexual harassment and sexual misconduct involving students at the University proactively, all University employees must, within 24 hours of receiving the information, report information they have about alleged or possible sex-based discrimination, sexual harassment, and sexual misconduct involving students to one of the Title IX Coordinators. Employees who are statutorily prohibited from reporting such information are exempt from these reporting requirements, including licensed health-care professionals. Please note that this policy does not reach curriculum or in any way prohibit or abridge the use of particular textbooks or curricular materials.

Upon receiving a report of alleged or possible sex-based discrimination, sexual harassment, or sexual misconduct, a Title IX Coordinator will evaluate the information received and determine what further actions should be taken. A Coordinator will follow the procedures described in the Equity Grievance Process. A Coordinator will take steps, either directly with the complainant or through a reporting employee, to provide information about the University's Equity Grievance Process, as well as available health and advocacy resources and options for criminal reporting. It is important to note that Title IX Coordinators are charged with taking appropriate action to prevent the creation of a hostile environment, even if a report does not result in an investigation or a finding of a policy violation.

#### **VI. Sanctions and Corrective Action**

Violations of this policy will be addressed through the Equity Grievance Process. Consequences for violating this policy will depend upon the facts and circumstances of each particular situation. Sanctions

and Corrective Action could include: a requirement not to repeat or continue the discriminatory, education, harassing, or retaliatory conduct, a reprimand, a no-contact order, reassignment, suspension or termination. The severity of sanctions or corrective action will depend on the frequency and severity of the offense and any history of past discriminatory, harassing or retaliatory conduct. A finding of discrimination, harassment that creates a hostile environment or results in a tangible employment or educational action, or sexual misconduct may be cause for disciplinary action, up to and including the discharge of employees and the expulsion of students, in accordance with applicable University procedures and collective bargaining agreements.

## **VII. Amnesty for Drug or Alcohol Possession and Consumption Violations**

The University strongly encourages students to report instances of sex-based discrimination, sexual harassment, and sexual misconduct involving students. Therefore, students who report information about sex-based discrimination, sexual harassment, or sexual misconduct involving students will not be disciplined by the University for any violation of the University's drug or alcohol possession or consumption policies in which they might have engaged in connection with the reported incident.

## **VIII. Free Speech and Academic Freedom**

The University of Montana Western has a long tradition of, and a deep commitment to, academic freedom. The welfare and strength of the University and of society at large depend upon the ability to engage in free expression in the search for meaning. To this end, the University of Montana Western recognizes and protects full freedom of inquiry, teaching, research, discussion, study, publication, and for artists, the creation and exhibition of works of art, without hindrance, restriction, equivocation, or reprisal. This right extends to other facets of campus life to include the right of a faculty member or student to speak on general educational questions or about the Administration and operation of his/her own institution and the Montana University System.

Constitutionally protected speech and traditional notions of academic freedom are valued in higher education. These ideals help to create the stimulating and challenging learning environment that should characterize higher education. In the spirit of a true university environment, individuals are encouraged to invite, rather than inhibit, discourse on ideas. In addressing all complaints and reports under this policy, the University will take all permissible actions to ensure the safety of students and employees while complying with free speech requirements for students and employees. For more information about free speech requirements in the context of sexual harassment complaints, please see U.S. Department of Education, Office for Civil Rights, 2001 Revised Sexual Harassment Guidance at <http://www2.ed.gov/about/offices/list/ocr/docs/shguide.html> at section XI. While the University will vigilantly protect students' and employees' rights against sex discrimination under this policy, this policy does not apply to curriculum or in any way prohibit or abridge the use of particular textbooks or curricular materials.

## **IX. External Complaints**

If you filed a complaint with either the EEO Officer or the Title IX Coordinators and believe the University's response was inadequate, or you otherwise believe you have been discriminated against by the University on the basis of race, color, creed, gender identity, sexual orientation, national origin, sex, including sexual harassment, disability, age, religion, political ideology, or retaliation, you may file a complaint with the Office for Civil Rights (OCR) of the U.S. Department of Education based in Seattle or the Educational Opportunities Section (EOS) of the Civil Rights Division of the U.S. Justice Department of Justice, and a complaint based on religion with EOS of the U.S. Justice Department.

As a student or employee, if you filed a complaint with either the EEO Officer or the Title IX Coordinators and believe the University's response was inadequate, or you otherwise believe you have been discriminated against by the University on the basis of race, color, national origin, sex, including sexual harassment, disability, age, religion, creed, pregnancy, marital status, familial status (housing only), or political beliefs, or retaliation, you may file a complaint with the Montana Human Rights Bureau: <http://erd.dli.mt.gov/human-rights-bureau.html>, 406-444-4356.

## X. AUTHORITY

**Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 et seq.; Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. Section 1092(f); 34 C.F.R. Part 668.46; and Family Educational Rights & Privacy Act, 20 U.S.C. Section 1232g; 34 C.F.R. Part 99 Titles IV, VI, and VII of the Civil Rights Act of 1964; 34 C.F.R. pt. 100; Title IX of the Education Amendments of 1972; 28 C.F.R. pt. 54 and 34 C.F.R. pt. 106; Section 504 of the Rehabilitation Act; 34 C.F.R. pt. 104; Age Discrimination Act of 1975; 34 C.F.R. pt. 110; and Titles I and II of the Americans with Disabilities Act; 28 C.F.R. pt. 35; Montana Human Rights Act and Governmental Code of Fair Practices, Title 49, Montana Code Annotated; Board of Regents Policy 507**

## XI. RESPONSIBILITY

Chancellor, Vice Chancellors, Dean of Students, Title IX Coordinators

# PROCEDURES FOR INVESTIGATIONS FOR TITLE IX

The University will act on any formal or informal complaint or notice of violation of the policy on Discrimination, Harassment, Sexual Misconduct, Stalking, and Retaliation, that is received by the Title IX Coordinators, Equity/AA Officer, Dean of Students, a member of the Equity Grievance Panel (who is not an advocate) or a member of the administration.

The procedures described below will apply to all complaints involving students, staff or faculty members (with the exception that unionized or other categorized employees will be subject to the terms of their respective collective bargaining agreements/employees' rights to the extent those agreements do not conflict with federal or state compliance obligations). Redress and requests for responsive actions for complaints brought against non-members of the community are also covered by these procedures. When students are NOT involved, the procedure will be under the direction of the EEO/AA Officer.

### 1. Equity Grievance Panel (EGP)

Members of the EGP are trained in all aspects of the grievance process, and can serve in any of the following roles, at the direction of the Title IX Coordinators:

- To provide sensitive intake and initial counseling of complaints
- To serve in a mediation role in conflict resolution
- To investigate complaints
- To serve on hearing panels for complaints
- To serve on appeal panels for complaints

EGP members also recommend proactive policies, and serve in an educative role for the community. The Chancellor, in consultation with the Title IX Coordinators, appoints the

panel, which reports to the Title IX Coordinators. EGP members receive annual training organized by the Title IX Coordinators, including a review of University policies and procedures, so that they are able to provide accurate information to members of the community. All EGP members are required to attend this annual training.

## **2. Filing a complaint**

Any member of the community, guest or visitor who believes that the policy on Discrimination, Harassment, Sexual Misconduct, Stalking, and Retaliation has been violated should contact the Title IX Coordinators, EEO/AA Officer, Dean of Students, or a member of the EGP. It is also possible for employees to notify a supervisor, or for students to notify an administrative advisor or faculty member, or any member of the community may contact the Police. These individuals will in turn notify the Title IX Coordinators. The University website also includes a reporting form at <http://my.umwestern.edu/studentlife/> which may serve to initiate a complaint.

All employees receiving reports of a potential violation of University policy are expected to promptly contact the Title IX Coordinators, within 24 hours of becoming aware of a report or incident. All initial contacts will be treated with the maximum possible privacy: specific information on any complaints received by any party will be reported to the Title IX Coordinators, but, subject to the University's obligation to redress violations, every effort will be made to maintain the privacy of those initiating a report of a complaint. In all cases, the University will give consideration to the complainant with respect to how the complaint is pursued, but reserves the right, when necessary to protect the community, to investigate and pursue a resolution when an alleged victim chooses not to initiate or participate in a formal complaint.

## **3. Complaint Intake**

Following receipt of notice or a complaint, the Dean of Students will determine if the complaint can be handled from the Dean's office or if further investigation is needed. Normally, within two business days, an initial determination is made whether a policy violation may have occurred and/or whether conflict resolution might be appropriate. If the complaint does not appear to allege a policy violation or if conflict resolution is desired by the complainant, and appears appropriate given the nature of the alleged behavior, then the complaint does not proceed to investigation.

A full investigation will necessarily be pursued if there is evidence of a pattern of misconduct or a perceived threat of further harm to the community or any of its members. The Title IX Coordinators<sup>1</sup> will, promptly assign EGP members to work as investigators. The University aims to complete all investigations within a 60 business day time period, which can be extended as necessary for appropriate cause by the Title IX Coordinators with notice to the parties.

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<sup>1</sup> If circumstances require, the Chancellor or Title IX Coordinators may designate another person to oversee the process below, should a complaint be made against one of the Coordinators or the Coordinator is otherwise unavailable or unable to fulfill their duties.

#### **4. Interim Remedies**

The University may provide interim remedies intended to address the short or long-term effects of harassment, discrimination and/or retaliation, i.e., to redress harm to the alleged victim and the community and to prevent further harassment or violations. Interim remedies may also be used when the safety or well-being of any member(s) of the campus community may be jeopardized by the presence on campus of the accused individual or the ongoing activity of a student organization whose behavior is in question.

These remedies may include referral to counseling and health services, timely warning, altering the housing situation of an accused student or resident employee (or the alleged victim, if desired), altering work arrangements for employees, providing campus escorts, implementing contact limitations between the parties, offering adjustments to academic deadlines, course schedules, etc.

The University may interim suspend a student, activities of a student organization, or place an employee on administrative leave pending the completion of EGP investigation and procedures. In all cases in which an interim remedy is imposed, the student, employee or student organization will be given the opportunity to meet with the Title IX Coordinators prior to such suspension being imposed, or as soon thereafter as reasonably possible, to show cause why the suspension should not be implemented. The University has sole discretion to implement or stay an interim suspension under the policy on Discrimination, Harassment, Sexual Misconduct, Stalking, and Retaliation and to determine its conditions and duration. Violation of an interim suspension under this policy will be grounds for expulsion or termination.

During an interim suspension or administrative leave, a student or employee may be denied access to University housing and/or the University campus/facilities/events. As determined by the University, this restriction includes classes and/or all other University activities or privileges for which the student might otherwise be eligible. At the discretion of the University alternative coursework options may be pursued to ensure as minimal an impact as possible on the accused student.

#### **5. Investigation**

If a complainant wishes to pursue a formal complaint or if the University, based on the alleged policy violation, wishes to pursue a formal complaint, then the Title IX Coordinators appoint EGP members to conduct the investigation. Investigation of formal complaints will be completed expeditiously. University action will not be altered or precluded on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced. All investigations will be thorough, reliable and impartial, and will entail interviews with relevant parties and witnesses, obtaining available evidence and identifying sources of expert information, if necessary.

#### **6. Complaint Resolution**

During or upon the completion of investigation, the investigators will meet with the Title IX Coordinator. Based on that meeting, the Title IX Coordinator will make a decision if a policy violation has occurred. If the Title IX Coordinator decides that no policy violation has occurred or that the preponderance of evidence (i.e., whether it is more likely than not that the accused individual committed each alleged violation) does not support a finding of a policy violation, then the process will end unless the complainant requests that the Title IX

Coordinator makes an extraordinary determination to re-open the investigation or to forward the matter for a hearing. This decision lies in the sole discretion of the Title IX Coordinator. If there is a preponderance of evidence of a violation, then the Title IX Coordinator may recommend conflict resolution, a resolution without a hearing or a formal hearing, based on the below criteria.

**a. Conflict Resolution**

Conflict resolution is often used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the formal hearing process to resolve conflicts. The Title IX Coordinators will determine if conflict resolution is appropriate, based on the willingness of the parties, the nature of the conduct at issue and the susceptibility of the conduct to conflict resolution. In a conflict resolution meeting, the Title IX Coordinators will facilitate a dialogue with the parties to an effective resolution, if possible. Sanctions are not possible as the result of a conflict resolution process, though the parties may agree to appropriate remedies. The Title IX Coordinators will keep records of any resolution that is reached, and failure to abide by the accord can result in appropriate responsive actions.

Conflict resolution will not be the primary resolution mechanism used to address complaints of sexual misconduct or violent behavior of any kind or in other cases of serious violations of policy, though it may be made available after the formal process is completed should the parties and the Title IX Coordinators believe that it could be beneficial. It is not necessary to pursue conflict resolution first in order to make a formal EGP complaint, and anyone participating in conflict resolution can stop that process at any time and request a formal hearing.

**b. Resolution without a Hearing**

Resolution without a hearing can be pursued for any behavior that falls within the policy on Discrimination, Harassment, Sexual Misconduct, Stalking, and Retaliation at any time during the process. The Title IX Coordinators will provide written notification of a complaint to any member of the University community who is accused of an offense of harassment, discrimination, or retaliation. The respondent may choose to admit responsibility for all or part of the alleged policy violations at any point in the process. If so, the Title IX Coordinators will render a finding that the individual is in violation of University policy for the admitted conduct, and will normally proceed to convene a formal hearing on any remaining disputed violations. For admitted violations, the Title IX Coordinators will recommend or determine an appropriate sanction or responsive action. If the sanction/responsive action is accepted by both the complainant and respondent, the Title IX Coordinators will implement it, and act promptly and effectively to remedy the effects of the admitted conduct upon the victim and the community. If either party rejects the sanction/responsive action, an EGP hearing will be held on the sanction/responsive action only, according to the EGP process below, except in the case of at-will employees for whom findings and responsive actions will be determined by the Director of Human Resources based on the results of the investigation.

**c. Formal Hearing**

For any complaints that are not appropriate for conflict resolution and which are not resolved without a hearing, the Title IX Coordinators will initiate a formal hearing for students. For employees refer to policy 705.5.

## **7. Formal EGP Process**

### **a. Hearing Panels**

The Title IX Coordinators will appoint a non-voting panel Chair and three members of the EGP to the hearing panel, none of whom have been previously involved with the complaint. An EGP members who served as investigators will be witnesses in the hearing of the complaint and therefore may not serve as hearing panel members. Hearing panels may include both faculty and non-faculty employees (with a least one faculty employee selected in a complaint against a faculty member). Any student members of the EGP do not serve on hearing panels. No member of the panel may be a practicing attorney. The panel will meet at times determined by the Chair.

### **b. Notification of Charges**

At least one week prior to the hearing, or as far in advance as is reasonably possible if an accelerated hearing is scheduled with the consent of the parties, the EGP chair will send a letter to the parties with the following information. Once mailed, emailed and/or received in-person, notice will be presumptively delivered. The letter will contain:

- A description of the alleged violation(s), a description of the applicable procedures and a statement of the potential sanctions/responsive actions that could result;
- The time, date and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities. If any party does not appear at the scheduled hearing, the hearing will be held in their absence. For compelling reasons, the chair may reschedule the hearing.
- The parties may have the assistance of an EGP panel member, or other advisor/advocate at the hearing. Typically, advisors are members of the campus community, but the Title IX Coordinators may grant permission for an outside advisor upon request. Both parties have a right to be represented by legal counsel. If either party chooses to be represented by legal counsel, University Legal Counsel will be present to ensure that the rights of all interested persons and the University are respected. The role of a party's attorney shall be limited to consultation with the attorney's client and client witnesses. The parties to the hearing are expected to ask and respond to questions on their own behalf, without representation by their advisor. The advisor may consult with the advisee quietly or in writing, or outside the hearing during breaks, but may not speak on behalf of the advisee to the panel.
- Hearings for possible violations that occur near or after the end of an academic term will be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by the University and remain within the 60-day goal for resolution.

### **c. Hearing Procedures**

EGP Hearings will be convened, usually within one to two weeks of the completion of the investigation, and will be conducted in private. The EGP has the authority to hear all collateral misconduct, meaning that it hears all allegations of discrimination, harassment and retaliation, but also may hear any additional alleged policy violations that have



occurred in concert with the discrimination, harassment or retaliation, even though those collateral allegations may not specifically fall within EGP jurisdiction. Accordingly, investigations should be conducted with as wide a scope as necessary.

Participants will include the non-voting Chair, the three members of the panel, the investigator(s) who conducted the investigation on the complaint, the complainant and respondent(s) (or three organizational representatives in a case where an organization is charged), advisors/advocates to the parties and any called witnesses. The Chair will exchange the names of witnesses the University intends to call, all pertinent documentary evidence and any written findings from the investigators between the parties at least two business days prior to the hearing. In addition, the parties will be given a list of the names of each of the EGP panel members at least two business days in advance of the hearing. Should either (any) party object to any panelist, he/she must raise all objections, in writing, to the Chair immediately. Panel members will only be unseated if the Chair concludes that their bias precludes an impartial hearing of the complaint. Additionally, any panelist or Chair who feels he/she cannot make an objective determination must recuse himself or herself from the proceedings when notified of the identity of the parties and all witnesses in advance of the hearing.

The Chair, in consultation with the parties and investigators, may decide in advance of the hearing that certain witnesses do not need to be physically present if their testimony can be adequately summarized by the investigator(s) during the hearing. All parties will have ample opportunity to present facts and arguments in full and question all present witnesses during the hearing, though formal cross-examination is not used between the parties. If alternative questioning mechanisms are desired (screens, Skype, questions directed through the Chair, etc.), the parties should request them from the Chair at least two business days prior to the hearing.

Once the procedures are explained and the participants are introduced, the investigator will present the report of the investigation first, and be subject to questioning by the parties and the EGP. The investigator(s) will be present during the entire hearing process, but will only be present during deliberations at the request of the Chair. The findings of the investigation are not binding on the panel, though any undisputed conclusions of the investigation report will not be revisited, except as necessary to determine sanctions/responsive actions. Once the investigator(s) is/are questioned, the EGP will permit questioning of and by the parties, and of any present witness. Questions may be directed through the panel at the discretion of the Chair.

Formal rules of evidence will not apply. Any evidence that the panel believes is relevant and credible may be considered, including history and pattern evidence. The Chair will address any evidentiary concerns prior to and/or during the hearing, may exclude irrelevant or immaterial evidence and may ask the panel to disregard evidence lacking in credibility. The Chair will determine all questions of procedure and evidence. Anyone appearing at the hearing to provide information will respond to questions on his/her own behalf.

Unless the Chair determines it is appropriate, no one will present information or raise questions concerning: (1) incidents not directly related to the possible violation, unless

they show a pattern, or (2) the sexual history of or the character of the victim/complainant.

There will be no observers in the hearing. The Chair may allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the panel or the parties involved. The panel does not hear from character witnesses, but will accept up to two letters supporting the character of the individuals involved.

In hearings involving more than one accused individual or in which two complainants have accused the same individual of substantially similar conduct, the standard procedure will be to hear the complaints jointly; however, the Title IX Coordinators may permit the hearing pertinent to each respondent to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each respondent.

Proceedings are private. All persons present at any time during the hearing are expected to maintain the privacy of the proceedings, subject to University consequences for failure to do so. While the contents of the hearing are private, the parties have discretion to share their own experiences if they so choose, and should discuss doing so with their advisors/advocates.

The chair will provide a summary of the hearing to be added to the Maxient report.

**d. Decisions**

The EGP will deliberate in closed session to determine whether the respondent is responsible or not responsible for the violation(s) in question. The panel will base its determination on a preponderance of the evidence (i.e., whether it is more likely than not that the accused individual committed each alleged violation). If an individual respondent or organization is found responsible by a majority of the panel, the panel will recommend appropriate sanctions to the Title IX Coordinators.

The Chair will prepare a written deliberation report and deliver it to the Title IX Coordinators, detailing the finding, how each member voted, the information cited by the panel in support of its recommendation and any information the hearing panel excluded from its consideration and why. The report should conclude with any recommended sanctions. This report should not exceed two pages in length and must be submitted to the Title IX Coordinators within two days following the end of deliberations.

The Title IX Coordinators (or designee) will inform the respondent and the complainant of the final determination within three business days after receiving the report. Notification will be made in writing and may be delivered by one or more of the following methods: in person; mailed to the local or permanent address of the parties as indicated in official University records; or emailed to the parties' University -issued email account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered and received.

**e. Sanctions**

Sanctions or responsive actions will be recommended by the EGP to the Title IX Coordinators. Factors considered when determining a sanction/responsive action may

include:

- The nature, severity of, and circumstances surrounding the violation
- An individual's disciplinary history
- Previous complaints or allegations involving similar conduct
- Any other information deemed relevant by the EGP
- The need for sanctions/responsive actions to bring an end to the Discrimination, Harassment, Sexual Misconduct, Stalking, and Retaliation discrimination, harassment and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment and/or retaliation
- The need to remedy the effects of the Discrimination, Harassment, Sexual Misconduct, Stalking, and Retaliation on the victim and the community

### 1) Student Sanctions

The following are the usual sanctions that may be imposed upon students or organizations singly or in combination:

- *Warning*: A formal statement that the behavior was unacceptable and a warning that further infractions of any University policy, procedure or directive will result in more severe sanctions/responsive actions.
- *Probation*: A written reprimand for violation of the Code of Student Conduct, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any University policy, procedure or directive within a specified period of time. Terms of the probation will be specified and may include denial of specified social privileges, exclusion from co-curricular activities, non-contact orders and/or other measures deemed appropriate.
- *Suspension*: Termination of student status for a definite period of time not to exceed two years, and/or until specific criteria is met. Students who return from suspension are automatically placed on probation through the remainder of their tenure at the University. This sanction will be noted as a Conduct Suspension on the student's official transcript.
- *Expulsion*: Permanent termination of student status, revocation of rights to be on campus for any reason or attend University -sponsored events. This sanction will be noted as a Conduct Expulsion on the student's official transcript.
- *Withholding Diploma*. The University may withhold a student's diploma for a specified period of time and/or deny student participation in commencement activities if the student has a complaint pending or as a sanction if the student is found responsible for an alleged violation.
- *Revocation of Degree*. The University reserves the right to revoke a degree awarded from the University for fraud, misrepresentation or other violation of University policies, procedures or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- *Organizational Sanctions*. Deactivation, de-recognition, loss of all privileges (including University registration), for a specified period of time.
- *Other Actions*: In addition to or in place of the above sanctions, the University may assign any other sanctions as deemed appropriate.

### 2) Employee Sanctions

Responsive actions for an employee who has engaged with a student in

Discrimination, Harassment, Sexual Misconduct, Stalking, and Retaliation include warning, required counseling, demotion, suspension with pay, suspension without pay and termination.

**f. Withdrawal or Resignation While Charges Pending**

Students: Should a student decide to leave and not participate in the investigation and/or hearing, the process will nonetheless proceed in the student's absence to a reasonable resolution and that student will not be permitted to return to the University unless all sanctions have been satisfied.

Employees: Should an employee resign while charges are pending, the records of the Title IX Coordinators will reflect that status, as will University responses to any future inquiries regarding employment references for that individual. The Title IX Coordinators will act to promptly and effectively remedy the effects of the conduct upon the victim and the community.

**g. Appeals**

All requests for appeal considerations must be submitted in writing to the Title IX Coordinators within three business days of the delivery of the written finding of the EGP.

A three-member panel of the EGP designated by the Title IX Coordinators who was not involved in the complaint previously will consider all appeal requests. Any party may appeal, but appeals are limited to the following:

- A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.).
- To consider new evidence, unknown or unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.
- The sanctions fall outside the range of sanctions the University has designated for this offense.

The appeals panel of the EGP will review the appeal request(s). The original finding and sanction/responsive actions will stand if the appeal is not timely or is not based on the grounds listed above, and such a decision is final. When any party requests an appeal, the other party (parties) will be notified and joined in the appeal. The party requesting appeal must show that the grounds for an appeal request have been met, and the other party or parties may show the grounds have not been met, or that additional grounds are met. The original finding and sanction are presumed to have been decided reasonably and appropriately.

Where the EGP appeals panel finds that at least one of the grounds is met, and proceeds, additional principles governing the hearing of appeals include the following:

- Appeals decisions by the EGP panel are to be deferential to the original decision, making changes to the finding only where there is clear error and to the sanction/responsive action only if there is a compelling justification to do so.
- Appeals are not intended to be full rehearing's of the complaint. In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal.

Appeals granted based on new evidence should normally be remanded to the original hearing panel for reconsideration.

Other appeals may be remanded at the discretion of the Title IX Coordinators or heard by the three-member panel of the EGP.

- Sanctions imposed are implemented immediately unless the Title IX Coordinators or designee stays their implementation in extraordinary circumstances, pending the outcome of the appeal.
- The Title IX Coordinators will normally, after conferring with the EGP appeals panel, render a written decision on the appeal to all parties within three business days from hearing of the appeal.
- All parties should be informed of whether the grounds for an appeal are accepted and the results of the appeal decision.
- Once an appeal is decided, the outcome is final: further appeals are not permitted.

#### **h. Failure to Complete Sanctions/Comply with Responsive Actions**

All respondents are expected to comply with conduct sanctions/responsive/corrective actions within the time frame specified by the Title IX Coordinators. Failure to follow through on conduct sanctions/responsive/corrective actions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions/responsive/corrective actions and/or suspension, expulsion and/or termination from the University and may be noted on a student's official transcript. A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinators.

#### **i. Records**

In implementing this policy, records of all complaints, resolutions, and hearings will be kept by the Title IX Coordinators indefinitely in the Maxient Title IX Coordinators database.

#### **j. Statement of Complainant's Rights and Respondent's Rights**

- To be treated with respect by University officials.
- To take advantage of campus support resources (such as Counseling Services, and Health Services for students, or Employee Assistance Program (EAP) services for employees).
- To experience a safe living, educational and work environment.
- To have an advisor/advocate during this process.
- To refuse to have an allegation resolved through conflict resolution procedures.
- To receive amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.
- To be free from retaliation.
- To have complaints heard in substantial accordance with these procedures.
- To full participation of the injured party in any EGP process whether the injured party is serving as the complainant or the University is serving as complainant.
- To be informed in writing of the outcome/resolution of the complaint, sanctions where permissible and the rationale for the outcome where permissible.

## **8. Revision**

These procedures will be reviewed and updated annually by the Title IX Coordinators. The Title IX Coordinators may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party. However, the Title IX Coordinators may also vary procedures materially with notice (on the institutional web site, with appropriate date of effect identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and procedure. Procedures in effect at the time of its implementation will apply. Policy in effect at the time of the offense will apply even if the policy is changed subsequently, unless the parties consent to be bound by the current policy.

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

## **Personal Safety Options**

If you are sexually assaulted, resources are available on and off campus to help you. It is important to preserve evidence in case you decide to press charges.

If you are raped or sexually assaulted on campus:

- Get to a safe place as soon as you can.
- Try to preserve all physical evidence. Do not wash, use the toilet or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper bag (no plastic bags).
- You have the option to notify law enforcement. Call the Dillon City Police at (406) 683-3701 or 911. The Title IX Coordinator can help you report to law enforcement. Notifying the Title IX coordinator will help you determine whether the University can provide interim measures such as changes to your living situation or academic accommodations and can start the conversation about a campus investigation.
- Get medical attention as soon as possible to make sure you are physically well and to collect important evidence in the event you may later wish to take legal action. Call 911 or get to the hospital for safe and private environment.
- Talk with an advocate or a counselor serving in a professional role in which communication is privileged under Montana law (e.g. medical providers, licensed professional counselors, rape crisis counselors), who can help explain your options, give you information, and provide emotional support. On campus, the counseling office located in the Dean of Students Center provides confidential counseling services to UMW students who have experienced sexual or relationship violence, stalking or harassment (406-683-7388). These resources do not have to report to the Title IX Coordinator as other employees would. Talking with them does not start a campus or law enforcement investigation.

Community Health Center is available to UMW students (406-683-4440). CHC can assist with most medical concerns, including pregnancy and STD testing following an assault. CHC does not collect evidence in cases of sexual assault. CHC providers do not have to report to the Title IX Coordinator. Talking with them does not start a campus or law enforcement investigation.

## **What To Do If You Experience Relationship Violence Or Stalking**

### **If you are in an abusive relationship:**

You have choices. Remember, no one deserves to be abused; it is not your fault. The following are recommendations to assist you in dealing with this crime. You can:

- Seek medical attention for any injuries; visit Community Health or a hospital, or consult a private physician; ask your physician about documenting your injuries.
- Try to preserve all physical evidence. Do not wash, use the toilet or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper bag (no plastic bags).
- Find someone you can safely talk to about the situation, such as a friend, family member, and/or contact Women's Resource Community Support Center for more information or support. An advocate or counselor will talk with you about your options and rights, and offer you any referrals you may need. Call them on their 24 hour hotline 800-253-9811.
- Report abuse to law enforcement or to the University's Title IX Coordinator. The Title IX Coordinator can help you report to law enforcement. Notifying the Title IX Coordinator will allow her to help you determine whether the University can provide interim measures such as changes to your living, academic, or on-campus working situations and can start the conversation about a campus investigation.
- Obtain a Temporary Order of Protection; for assistance, contact the Women's Resource Community Support Support Center (406-683-6106).
- Develop a safety plan.
- Speak with a University counselor. For an appointment, contact Counseling Services (406-683-7388).

### **If you are being stalked:**

You have choices. Early intervention is critical. Most stalking does not end on its own. Recognizing stalking behavior is the first step. Many people minimize the seriousness of

stalking, assuming that the stalker has poor social skills or misplaced romantic notions. There are several signs that indicate stalking behavior. Trust your feelings. The following are recommendations to assist you in dealing with this crime. You can:

- Develop a safety plan. You can contact counseling services for assistance (406-683-7388).
- Develop a network of support, such as resident assistants, friends, or family.
- Clearly state that you are not interested in the attention of the stalker and that you want the behavior to stop.
- Try to preserve all physical evidence.
- Develop documentation of stalking incidents.
- Report the behavior to law enforcement (406-683-3701 or 911).
- Obtain a Temporary Order of Protection; for assistance, call Women's Resource Community Support Center (406-683-6106).
- The Title IX Coordinator can help you report to law enforcement. Notifying the Title IX Coordinator will allow her to help you determine whether the University can provide interim measures such as changes to your living, academic, or on-campus working situations and can start the conversation about a campus investigation.

## **Bystander Intervention and Sexual Misconduct Prevention and Awareness Campaigns**

The University of Montana Western is able to provide research based rape prevention programming on campus. Montana Western received a Rape Prevention Education Grant through the CDC and brought in the bystander intervention program, Step Up, to campus. The Montana University system has purchased the Everfi program HAVEN Understanding Sexual Assault for new Montana Western Students and Montana Western is requiring all faculty and staff to complete the HAVEN Understanding Sexual Assault for Employees program. Montana Western has also brought in speakers who talk about the importance of rape prevention. Montana Western's Peer Education program PATH (Peers Advocating Towards Health) also provide programming to students throughout the year on consent and healthy relationships. Montana Western also utilizes promotional items for all rape prevention efforts.

## **Sexual and Violent Offender Registry**

The Montana's Sexual and Violent Offender Registration Act is designed to protect the public from sexual or violent offenders by requiring offenders to register with local law



enforcement agencies in the jurisdiction where they reside. Information about these offenders is then made available to the public.

This registry provides an up-to-date listing of sexual and violent offenders who are required to register their whereabouts. The registry can be found on the Montana Attorney General's office website (<https://app.doj.mt.gov/apps/svow/search-results.aspx>).

## **Campus Resource Organizations**

### **Emergency Response Team**

The Emergency Response Team responds if a situation should warrant the need to involve campus. The emergency operation plan is updated yearly and time is spent re-training those on the team throughout the year.

### **Emergency Preparedness Check-Off List**

Each classroom and office on campus has this check-off list posted on the wall. This is for immediate information for those involved in an emergency. The list has who to contact and what to do before emergency personnel can get to the situation.

### **Bulldog Bound**

At the beginning of each year, new student orientation has a section about sexual assault prevention, alcohol prevention, and safety and security on campus. All first time students are required to attend Bulldog Bound.

### **P.A.T.H (Peers Advocating Towards Health)**

An organized group of students who go through intense training on healthy life style choices. They give classroom presentations, organize workshops, rallies, and presentation on campus for students to be aware of the different ways to keep themselves safe and healthy.

### **Residence Hall Floor Projects**

Resident Assistants on each floor do prevention floor projects to help students be prepared and safe on and off campus.

### **Health and Wellness**

The Health and Wellness Coordinator sponsors activities and awareness of safety in the Monday Memo, EverFi surveys, and Stall Street Journal located in every bathroom across campus.

## **Law Enforcement Relationship with the University**

The University of Montana Western strives to maintain a professional and cooperative relationship with the Dillon Police Department and Beaverhead County Sheriff's Department. When a crime occurs within the campus community, the Dillon Police Department serves as the University's campus police with the help of the Sheriff's office.

The University routinely cooperates with the Police and Sheriff in the investigation of, and response to, this type of activity when it is brought to the University's attention.

## **Safety Walks**

Campus Development Committee and Facilities personnel and students conduct periodic "safe walks" to identify and resolve potential environmental safety issues. Inadequate lighting, physical obstructions and other potential safety hazards related to crime prevention through environmental design and maintenance are noted so that changes can be made.

The campus and local community is encouraged to report safety and security issues and concerns to Facilities Office at 406-683-7142.

## **Safety and Security**

The health and safety of students, faculty, staff, and visitors are of primary concern to Montana Western. This document, in compliance with the Drug-Free Schools & Communities Act and the Student Right To Know & Campus Security Act (Clery Act) outlines policies and procedures to aid in a safe and productive learning, working, and living environment.

The Campus Security Office is a part of Facilities Services. This operation is a 24-hour-a-day function. During normal weekday working hours (Monday through Friday 8 a.m. to 5 p.m.) safety and security issues and questions should be addressed by calling 683-7142. On weekends, holidays or outside normal weekday working hours, call 683-7141 or cell phone 596-2222.

Campus Security is responsible for a full range of public safety services including vehicle violations, maintaining instructional integrity and building security, fire safety, key issuance, preparing and submitting incident reports, as well as keeping a nightly log book. Security personnel are to make assessments based on established laws and policies, direct training, and personal judgment.

Creating and maintaining a healthy and safe environment requires the cooperation and involvement of everyone. All students, faculty, staff, and visitors must assume responsibility for their personal health and safety and the security of their personal belongings. Precautionary measures are the key. For example, although the campus is well lit, anyone (male or female) may contact Campus Security at 683-7141 or cell phone 596-2222 for an escort if traveling across campus late at night.

## **Alcohol Policy**

### **I.POLICY**

Consumption of alcoholic beverages on property belonging to the Montana University System is prohibited except as expressly permitted (Board of Regents Policy 503.1). Specifically, the use or possession of alcoholic beverages is prohibited:

1) in University of Montana Western buildings, grounds, and athletic fields, 2) at on-or-off campus university-sponsored events, and 3) at on- or off-campus university-recognized student club events, except in limited approved circumstances.

Except for the limited exceptions listed below, no event involving the serving of alcoholic beverages may take place without the prior written approval of the Chancellor or his/her designee. Alcoholic beverages *may* be limited to beer and wine.

## **II. PURPOSE**

The purpose of this policy is to provide regulations governing the use and possession of alcoholic beverages on university-owned or controlled property, for university-sponsored events, and for events by university-recognized student clubs.

## **III. PROCEDURES**

It is the University's intent to comply with applicable laws pertaining to the sale, possession, and consumption of alcoholic beverages and to foster responsible attitudes toward alcohol among members of the University community, including students, faculty, staff, and visitors.

### **A. Definitions**

University clubs, organizations, and campus events include, but are not limited to, sport groups, academic honoraries, athletic teams, service organizations, sponsored parties, tailgate parties, dances, picnics, banquets, field trips, sponsored recreational events, and social functions. "Alcoholic beverage" means any beverage subject to the "Montana Alcoholic Beverages Code."

### **B. Exceptions**

The consumption of alcoholic beverages at university-recognized events is allowed with advance written approval by the Chancellor or his/her designee providing certain stipulations are met. Guidelines, procedures and Alcohol Registration Forms are available from the Conference & Event Services Office (see UMW Policy 600.3). Alcoholic beverages may be consumed in the privacy of a Family Housing apartment, the Chancellor's residence, and university rental houses, in accordance with local, state, and federal laws and existing university student conduct regulations.

### **C. On Campus Events**

Alcoholic beverages on University property shall conform to the following conditions:

1. All events held on University property that involve serving of alcoholic beverages, except those in Family Housing apartments, the Chancellor's residence, and university rental houses, must be scheduled with the UMW Conference & Event Services Office.
2. Consumption shall be in connection with a substantive event, such as a banquet, official entertainment, reception, or approved tailgate party.

3. Food and nonalcoholic beverages shall be available.
4. The event shall be monitored to prevent consumption by persons not of legal age.
5. All events involving alcoholic beverages must have appropriate licenses and permits.
6. The sale of alcoholic beverages or any indirect means of collecting money to pay for alcoholic beverages is prohibited unless a licensed alcohol vendor caters the event or a temporary alcohol permit is obtained from the State. The vendor must possess a current Montana all-beverage license and an annually renewable catering permit.
7. University or student club funds may not be used to buy alcoholic beverages.
8. Each club or organization sponsoring an event shall adhere to the risk management guidelines contained in this policy.
9. Unreasonable or irresponsible conduct or violation of any regulation or noncompliance with any limitation outlined herein will justify discontinuance of the event and subsequent denial of University service and facilities.
10. UMW Foundation events serving alcoholic beverages on campus are not subject to this policy unless co-sponsored by a student club. Events are approved through the catering policy.

#### D. Off Campus Events

University-sponsored events must meet the same requirements that apply to on-campus events.

Any university-recognized student club that sponsors any gathering, meeting, or other activity off-campus that involves alcoholic beverages must meet the same requirements that apply to on-campus events, with the exception of the following privileges and restrictions:

1. Student officers or officials must meet with the club's advisor to ensure their risk management plan adheres to university alcohol policies and risk management guidelines and have the event approved by the Chancellor.
2. A University-recognized student club that sponsors an event involving alcoholic beverages off University property must have the event catered by a licensed vendor, if fifteen (15) or more persons attend the event. Vendor approval by Conference & Event Services is not required.
3. A University-recognized student club that sponsors an event involving alcoholic beverages off University property is not required to have the event catered by a licensed vendor if fourteen (14) or fewer persons attend the event. However, the sale of alcohol is prohibited unless a licensed vendor caters the event. Event participants may contribute personal funds to purchase alcoholic beverages for the event. Students who organize and participate in this type of event assume the responsibility for serving alcohol and monitoring its use in accordance with local ordinances, state, and federal laws, and Board of Regents and UMW policies.

4. University-recognized student clubs may not apply for a special permit from the State of Montana Liquor Division.
5. Violations of university alcohol regulations are also violations of the UMW Student Conduct Code. Violators are subject to disciplinary action pursuant to the Code. The University, including ASUMW, may deny privileges to a student club or impose other sanctions for alcohol violations.

#### E. Alcohol Risk Management Guidelines

Risk Management guidelines are intended to help safeguard the University community against potential harm and exposure to legal liability. Therefore, it is imperative that policies are consistently enforced and the following strategies be incorporated into planning and implementing any event.

1. Alcohol-free events should be promoted.
2. Reasonable amounts of food and nonalcoholic beverages must be available at the same place and featured as prominently as alcoholic beverages.
3. Alcoholic beverages **must not be** served to minors. Adults risk criminal liability, as well as civil liability, when minors consume alcoholic beverages.
4. At social functions where alcoholic beverages are provided by the sponsoring organization, direct access should be limited to designated servers and consumption permitted only within designated and monitored areas.
5. Drinking competitions are prohibited.
6. Activities promoting forced consumption of alcohol are not allowed and could subject those individuals providing alcohol to liability.
7. Service and consumption of alcoholic beverages must not exceed four (4) hours. Exceptions may apply.
8. Service must be refused to anyone who appears to be intoxicated.
9. A plan must be implemented for controlling and limiting the quantity of alcohol served.
10. Access to the event must be controlled.
11. Assistance should be provided to individuals who are abusing alcohol.
12. Safe transportation to and from events should be encouraged and/or provided, including a designated driver program.
13. Alcohol consumption at tailgate parties may begin no earlier than two (2) hours before the scheduled start of the game, and may continue no later than the start of the second half of the game.
14. Ongoing education should be provided by the University to inform individuals about the potential risks associated with excessive use of alcohol.
15. Alcohol may not be the focus of the event.
16. The amount of alcohol may not be used as an inducement to attend or participate in an event, and event promotional material may not make reference to the amount of alcohol available for consumption, such as number of beer kegs.
17. Event advertisements should mention the availability of nonalcoholic beverages as prominently as alcohol.
18. Alcoholic beverages are not to be provided as free awards to individual students or campus groups.

#### F. Advertising & Promotion Involving Alcohol

For any University-related event or activity, The University of Montana Western will not:

1. Use beer, wine, or liquor products (name, trademark, or logo) in advertisements and promotions for, or as sponsors of, any University event or activity, regardless of location.
2. Use any University logo, trademark, or name in conjunction with alcoholic beverage products or symbols.
3. Make alcohol the focus of any University event, or use availability of beer or other alcoholic beverages to promote any University event.

#### IV. AUTHORITY

Board of Regents Policy 503.1, UMW Policy 600.3

#### V. *RESPONSIBILITY*

Chancellor, Vice Chancellor for Administration & Finance, Dean of Students,  
Conference & Event Service

## **Drug Free Campus Policy**

### **I. POLICY**

University of Montana Western is committed to providing a drug-free campus. The unlawful manufacture, distribution, sale, possession, or use of a controlled substance on University-owned or controlled grounds is prohibited.

### **II. PURPOSE**

The purpose of this policy is to comply with the Drug-Free Schools & Communities Act of 1989.

### **III. PROCEDURE**

Any faculty member, staff member, or student who violates this prohibition, or who does not cooperate with the University in its attempts to maintain a drug-free environment, will face disciplinary action up to and including expulsion or dismissal from Western. Such persons also may be required, as a condition of continuing their relationship with the University, to enroll, at their own expense, in a substance abuse counseling and/or treatment program.

Individuals violating any town ordinances, state criminal laws, or federal laws relating to alcohol or drug use also risk fines and imprisonment.

If questions arise related to any of these guidelines or policies, contact the Student Affairs Office for the appropriate department for referral. Faculty, staff, and students are encouraged to familiarize themselves with resources available in the area of substance

abuse, counseling, and treatment. In addition, the Campus Counseling Program is available to assist students with substance-related problems.

#### **IV. AUTHORITY**

Drug-Free Schools & Communities Act of 1989

#### **V. RESPONSIBILITY**

Chancellor, Dean of Students, Campus Counselor

### **Medical Marijuana**

Although Montana state law permits the use of medical marijuana, (i.e., use by persons possessing lawfully issued medical marijuana cards), federal laws prohibit marijuana use, possession and/or cultivation at educational institutions and on the premises of other recipients of federal funds. The use, possession, or cultivation of marijuana for medical purposes is therefore not allowed in any University of Montana Western housing or any other University of Montana Western property; nor is it allowed at any University-sponsored event or activity off campus.

### **Drug and Alcohol Education Programs**

According to the U.S. Department of Education's Drug-Free Schools and Campuses regulations, each Institution of Higher Education is required to develop and implement a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. Such a program must include two components: 1) annual notification of: standards of conduct, a description of sanctions for violating federal, state, and local law and campus policy, a description of health risks associated with alcohol and other drugs (AOD), a description of treatment options and 2) a biennial review of the program's effectiveness and the consistency of the enforcement sanctions.

Regarding annual notification, the primary tool used by The University of Montana Western is AlcoholEdu, which each student is required to complete upon their arrival. Self-Over-Substance alcohol risk management classes are required for all students who receive sanctions for on-campus alcohol violations or MIP's in the Dillon community. Montana Western peer educators (PATH) provide peer education and leadership regarding alcohol risk management. In addition, our campus maintains a relationship with the Beaverhead County DUI Task Force which provides programming to minimize the impact of drunk driving in the Dillon and Beaverhead County. Regarding treatment options, outpatient drug and alcohol counseling and education services are available free to students from Montana Western Student Counseling. Counseling services can also help students to coordinate care in the Dillon community and other communities for students seeking or needing higher level care such as outpatient services, residential treatment, and withdrawal management services.

A biennial review of Montana Western's AOD Prevention Plan will be completed as follows. It has been suggested we do the annual review on even number of years and we must do an annual notification before doing the review. This year we will do the annual notification and next year, an even number year, we will do the review. This review will assess the effectiveness of the above-mentioned programs and propose enhanced ways of annual notification for staff, faculty, and students of standards of conduct, description of sanctions, and descriptions of health risks of AOD.

## **Right of Privacy, Release of Confidential Records (FERPA)**

The Family Educational Rights and Privacy Act of 1974 (FERPA) grants students certain rights, privileges, and protections relative to individually identifiable student educational records that are maintained by Montana Western. Specifically:

- 1) Students' educational records (with the exception of directory information) will be released to third parties only with the written consent of the student.
- 2) Students have the right to inspect and review their own individually identifiable educational records. This right may be exercised by contacting the Registrar.
- 3) Students have the right to challenge information contained in individually identifiable educational records. Contact the Registrar for information.
- 4) A copy of the policy statement describing Montana Western's regulations for this Act is contained in the University Catalog.

FERPA permits the release of directory-type information to third parties without written consent of the student provided the student has been given the opportunity to withhold such disclosure. Montana Western releases, upon inquiry from third parties and for Montana Western's News & classification, class schedules, photos of students (if available), class, major, dates of attendance, and degrees, honors, and awards conferred; and/or the height, weight, name of high school attended and year of graduation of members of athletic teams.

Students may withhold directory information by checking the appropriate box on Montana Western's registration form for that particular semester/term, or by contacting the Registrar's Office, ADM-105, (406) 683-7371.

NOTE: While a request to withhold directory information may be made at any time, students wishing to have directory information withheld from the student directory for a specific term/semester should submit their requests no later than the end of the second week of classes for that particular term.

## **Dangerous or Disruptive Student**

Montana Western is concerned about the physical, mental, and emotional welfare of its students. The University believes that all students have a responsibility for self-welfare, self-guardianship, and self-care. In addition, students are responsible for conducting



themselves in a manner that is not violent or disruptive. Any behavior that may threaten the well being of Montana Western students will be dealt with in a sensitive and appropriate manner.

Montana Western strives to promote the health and safety of individual students with those of the broader campus community. When, in the judgment of appropriate University administration, a student's behavior constitutes a disruption or danger to the living/learning environment which the University seeks to create, the University will intervene.

## **Suicide Attempts**

Montana Western will consider all suicide attempts as serious. The University views any decision to attempt suicide as an indication of problems that are beyond the student's immediate ability to cope. The counseling office will assist in the identification of resources for students in need of immediate help. In addition, Montana Western recognizes that others in the community are affected by suicide attempts.

Upon notification of a Montana Western student attempting suicide the University will provide crisis intervention. The Counselor, Residence Life Director, and Dean of Students are to be notified immediately so that appropriate intervention may be coordinated.

The Dean of Students may arrange for any student who attempts suicide to withdraw from the University, effective immediately, so that the student can give full attention to recovering. Students who would like to re-enroll must follow the University's re-admission procedures for returning to Montana Western.

## **Question Persuade and Refer (QPR) Program**

Montana Western Student Affairs recently implemented the Question, Persuade, and Refer program for suicide prevention on campus. QPR is an intervention taken when warning signs are apparent in someone known to a QPR-trained person. QPR training is designed for all employees. The campus counselor offers workshops throughout the year to train employees and students on warning signs of suicide, how to talk to someone who appears to be at risk, and how to get that person the help they need.

## **Missing Student Policy and Procedure**

Purpose: To establish procedures for the University's response to report a missing student, as required by the Higher Education Opportunity Act of 2008.

The University of Montana Western takes student safety very seriously. To this end, the following policy and procedure has been established to assist in locating Montana Western students living in college-owned or on-campus housing who, based on the facts and circumstances known to Montana Western are determined to be missing.

Procedure: At the beginning of each academic year, Montana Western will inform students residing in on-campus housing that the University will notify either a parent or an individual selected by the student no more than 24 hours after the time that the student is determined to be missing. This information will include the following:

- Students have the option of identifying an individual to be contacted by Montana Western no later than 24 hours after the time the student has been determined to be missing. Students can register this confidential contact information through Residence Life.
  
- If the student is under 18 years of age, and not an emancipated individual, Montana Western is required to notify a custodial parent or guardian no later than 24 hours after the time that the student is determined to be missing.
  
- Montana Western will notify the appropriate law enforcement agency no later than 24 hours after the time that the student is determined to be missing.
  
- If Montana Western or law enforcement personnel has been notified and makes a determination that a student who is the subject of a missing person report has been missing for more than 24 hours and has not returned to campus, Montana Western will initiate the emergency contact procedures in accordance with the student's designation.

Montana Western will follow the following notification procedure for a missing student who resides in on-campus housing:

- Once the University receives a missing student report via the Dean of Students Office or other resource, the following offices will be notified:
  - Housing Office
  - Vice Chancellor
  
- Any official missing person report relating to this student shall be referred immediately to the Dean of Students.

## **Crime Statistics**

The Dean of Students office maintains a close relationship with the Dillon City Police and Beaverhead County Sheriff departments to ensure that crimes reported directly to these departments, that involve the University, are brought to the attention of the Dean of Students. Law Enforcement will not inform the University if the student request them not to report the crime.

## **How do we compile these statistics?**

In accordance with the Jeanne Clery Disclosure of Public Safety and Campus Crimes Statistics Act (the Clery Act) of 1998 and the Higher Education Amendments of 1992

and 2008, the Dean of Students office collects the crime statistics disclosed in the charts through a number of methods.

Reports from Resident Assistants, Hall Directors, Dillon City Police, Sheriff Department, and others with authority to report a crime and compiled by using Maxient (an program that keeps track of all incidents on campus or reported to the Dean of Students or Director of Residence Life) or the Chief of Police. Once these reports have been entered on to a spread sheet and are in accordance with the crime definitions outlined in the FBI Uniform Crime Reporting Handbook and the FBI National Incident-Based Reporting System Handbook the information is handed over to the Dean of Students to report the crimes on a chart on the following pages.

## **Definitions**

**Campus** is defined as “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 student halls; and 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 retail vendor).”

**Non-campus building or property** is defined as “any building or property owned or controlled by a student organization recognized by the institution; and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution’s educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.”

**Public property** is defined as “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 the facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a similar manner related to the institution’s educational purposes.”

## **Definitions of reportable crimes in the Campus Security Act** *(from the FBI’s Uniform Crime Reporting Program)*

**Murder and non-negligent manslaughter:** The willful (non-negligent) killing of one human being by another.

**Negligent manslaughter:** The killing of another person through gross negligence.

**Forcible sex offenses:** Any sexual act directed against another person, forcibly or against that person's will. Includes forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling.

**Non-forcible sex offenses:** Unlawful, non-forcible sexual intercourse. Includes incest and statutory rape.

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

**Aggravated assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)

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

**Motor vehicle theft:** The theft or attempted theft of a motor vehicle. Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, even if the vehicle is later abandoned, including joy riding.

**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.

**Liquor law violations:** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, or possession of intoxicating liquor, maintaining unlawful drinking places, furnishing liquor to a minor or intemperate person, using a vehicle for illegal transportation of liquor, drinking on a train or public conveyance, and all attempts to commit any of the aforementioned activities. (Drunkenness and driving under the influence are not included in this definition.)

**Drug abuse violations:** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine), marijuana, synthetic narcotics (Demerol, methadone), and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Weapon laws violation:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: the manufacture, sale, or possession of deadly weapons, the carrying of deadly weapons, (concealed or openly), the furnishing of deadly weapons to minors, aliens possessing deadly weapons, and all attempts to commit any of the aforementioned acts.

**Domestic violence:** The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

**Dating violence:** The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Stalking:** The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others, or (b) suffer substantial emotional distress.

*NOTE: The above definitions for Domestic Violence, Domestic Violence, and Stalking are the federal definitions for these crimes.*

**Hate Crime:** is defined as a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/national origin. For Clery Act reporting purposes, hate crimes include any offense in the following list that is motivated by bias:

- Murder and Non-negligent manslaughter
- Forcible sex offenses
- Non-forcible sex offenses
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Larceny: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another

- Vandalism: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.
- 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.
- 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.

## **Off-campus Resources:**

Lucy France (406) 243-4742 University of Montana Legal Counsel

Donnie Guiberson (406) 683-3701 Dillon Police Department

Frank Kluesner (406) 683-3700 Beaverhead County Sheriff Department

Darrin Morast (406) 683-5051 Beaverhead County Fire Department

Women's Resource Community Support Center (406) 683-6106

## Crime Reports

### Campus Crime Log

The Director of Residence Life keeps a crime log that records crimes by their nature, date, time, general location, and disposition of the complaint. The crime log is available for inspection by the campus community or the public in the Dean of Students Center.

### Clery Crime Statistics Tables

#### Disciplinary Referrals

OFFENSE	YR	ON-CAMPUS	RESIDENTIAL FACILITIES (subset of on-campus)	NON-CAMPUS	PUBLIC AREAS
LIQUOR LAW REFERRALS	2014	16	16	0	0
	2015	23	23	0	0
	2016	65	65	0	0
DRUG LAW REFERRALS	2014	2	2	0	0
	2015	3	3	0	0
	2016	3	3	0	0
WEAPON LAW REFERRAL	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0



## Campus Crime Statistics University of Montana Western Campus and Football Field

OFFENSE	YR	ON-CAMPUS	RESIDENTIAL FACILITIES (subset of on-campus)	NON-CAMPUS	PUBLIC AREAS
MURDER/NON-NEGLIGENT MANSLAUGHTER	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
NEGLIGENT MANSLAUGHTER	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, RAPE	2014	1	1	0	0
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, FONDLING	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, INCEST	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
ROBBERY	2014	0	0	0	0
	2015	0	0	0	0
	2016	1	0	0	0
AGGRAVATED ASSAULT	2014	1	1	0	1
	2015	0	0	0	0
	2016	1	0	1	1
BURGLARY	2014	0	0	0	0
	2015	2	2	0	0
	2016	1	0	1	0
MOTOR VEHICLE THEFT	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
ARSON	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
LIQUOR LAW ARRESTS	2014	0	0	0	0
	2015	2	2	0	0
	2016	0	0	0	0
DRUG LAW ARRESTS	2014	2	2	0	0
	2015	2	2	0	0
	2016	0	0	0	0
WEAPON LAW ARRESTS	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	1	0
STALKING	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	1	0
DATING VIOLENCE	2014	0	0	0	0
	2015	0	0	1	0
	2016	0	0	1	0
DOMESTIC VIOLENCE	2014	0	0	1	0
	2015	0	0	0	0
	2016	0	0	1	0

HATE CRIMES: There were no reported hate crimes for 2014-2016.

## Campus Crime Statistics Birch Creek Center

OFFENSE	YR	ON-CAMPUS	RESIDENTIAL FACILITIES (subset of on-campus)	NON-CAMPUS	PUBLIC AREAS
MURDER/NON- NEGLIGENT MANSLAUGHTER	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
NEGLIGENT MANSLAUGHTER	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, RAPE	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, FONDLING	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, INCEST	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
ROBBERY	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
AGGRAVATED ASSAULT	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
BURGLARY	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
MOTOR VEHICLE THEFT	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
ARSON	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
LIQUOR LAW ARRESTS	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
DRUG LAW ARRESTS	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
WEAPON LAW ARRESTS	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
STALKING	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
DATING VIOLENCE	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
DOMESTIC VIOLENCE	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0

HATE CRIMES: There were no reported hate crimes for 2014-2016.

## Campus Crime Statistics Montana Youth Challenge Academy

OFFENSE	YR	ON-CAMPUS	RESIDENTIAL FACILITIES (subset of on-campus)	NON-CAMPUS	PUBLIC AREAS
MURDER/NON-NEGLIGENT MANSLAUGHTER	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
NEGLIGENT MANSLAUGHTER	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, RAPE	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, FONDLING	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, INCEST	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
ROBBERY	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
AGGRAVATED ASSAULT	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
BURGLARY	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
MOTOR VEHICLE THEFT	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
ARSON	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
LIQUOR LAW ARRESTS	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
DRUG LAW ARRESTS	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
WEAPON LAW ARRESTS	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
STALKING	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
DATING VIOLENCE	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
DOMESTIC VIOLENCE	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0

HATE CRIMES: There were no reported hate crimes for 2014-2016.

## Campus Crime Statistics Horsemanship Center

OFFENSE	YR	ON-CAMPUS	RESIDENTIAL FACILITIES (subset of on-campus)	NON-CAMPUS	PUBLIC AREAS
MURDER/NON- NEGLIGENT MANSLAUGHTER	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
NEGLIGENT MANSLAUGHTER	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, RAPE	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, FONDLING	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, INCEST	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
ROBBERY	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
AGGRAVATED ASSAULT	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
BURGLARY	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
MOTOR VEHICLE THEFT	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
ARSON	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
LIQUOR LAW ARRESTS	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
DRUG LAW ARRESTS	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
WEAPON LAW ARRESTS	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
STALKING	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
DATING VIOLENCE	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
DOMESTIC VIOLENCE	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0

HATE CRIMES: There were no reported hate crimes for 2014-2016.

## Campus Crime Statistics LeCense

OFFENSE	YR	ON-CAMPUS	RESIDENTIAL FACILITIES (subset of on-campus)	NON-CAMPUS	PUBLIC AREAS
MURDER/NON- NEGLIGENT MANSLAUGHTER	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
NEGLIGENT MANSLAUGHTER	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, RAPE	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, FONDLING	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, INCEST	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
ROBBERY	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
AGGRAVATED ASSAULT	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
BURGLARY	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
MOTOR VEHICLE THEFT	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
ARSON	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
LIQUOR LAW ARRESTS	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
DRUG LAW ARRESTS	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
WEAPON LAW ARRESTS	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
STALKING	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
DATING VIOLENCE	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
DOMESTIC VIOLENCE	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0

HATE CRIMES: There were no reported hate crimes for 2014-2016.

## Campus Crime Statistics PIMA

OFFENSE	YR	ON-CAMPUS	RESIDENTIAL FACILITIES (subset of on-campus)	NON-CAMPUS	PUBLIC AREAS
MURDER/NON- NEGLIGENT MANSLAUGHTER	2014	n/a	n/a	n/a	n/a
	2015	0	0	0	0
	2016	0	0	0	0
NEGLIGENT MANSLAUGHTER	2014	n/a	n/a	n/a	n/a
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, RAPE	2014	n/a	n/a	n/a	n/a
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, FONDLING	2014	n/a	n/a	n/a	n/a
	2015	0	0	0	0
	2016	0	0	0	0
SEX OFFENSES, INCEST	2014	n/a	n/a	n/a	n/a
	2015	0	0	0	0
	2016	0	0	0	0
ROBBERY	2014	n/a	n/a	n/a	n/a
	2015	0	0	0	0
	2016	0	0	0	0
AGGRAVATED ASSAULT	2014	n/a	n/a	n/a	n/a
	2015	0	0	0	0
	2016	0	0	0	0
BURGLARY	2014	n/a	n/a	n/a	n/a
	2015	0	0	0	0
	2016	0	0	0	0
MOTOR VEHICLE THEFT	2014	n/a	n/a	n/a	n/a
	2015	0	0	0	0
	2016	0	0	0	0
ARSON	2014	n/a	n/a	n/a	n/a
	2015	0	0	0	0
	2016	0	0	0	0
LIQUOR LAW ARRESTS	2014	n/a	n/a	n/a	n/a
	2015	0	0	0	0
	2016	0	0	0	0
DRUG LAW ARRESTS	2014	n/a	n/a	n/a	n/a
	2015	0	0	0	0
	2016	0	0	0	0
WEAPON LAW ARRESTS	2014	n/a	n/a	n/a	n/a
	2015	0	0	0	0
	2016	0	0	0	0
STALKING	2014	n/a	n/a	n/a	n/a
	2015	0	0	0	0
	2016	1	0	0	0
DATING VIOLENCE	2014	n/a	n/a	n/a	n/a
	2015	0	0	0	0
	2016	0	0	0	0
DOMESTIC VIOLENCE	2014	n/a	n/a	n/a	n/a
	2015	0	0	0	0
	2016	0	0	0	0

HATE CRIMES: There were no reported hate crimes for 2015-2016.

## **Fire Safety Statement**

The University of Montana Western maintains compliance with Fire and Life-Safety standards in all buildings in accordance with the National Fire Protection Association (NFPA). The compliance involves annual inspections of all fire detection systems (smoke detectors, heat sensors, horn strobe devices, etc.) and fire protection systems (sprinkler systems, fire extinguishers, kitchen hood systems, etc.) In addition to fire inspections, emergency egress and relocation drills are conducted with sufficient frequency to familiarize occupants with drill procedures. Fire evacuation drills are conducted one time per academic year in all buildings on campus.

Contact 911 immediately and then call the following people if you are able to use a phone without harming yourself or others.

Facility Services	On-Call	406-683-7142
Nicole Hazelbaker	Dean of Students	406-683-7900
Mike Piazzola	Director of Residence Life	406-683-7664

## **On-campus student housing and life safety systems**

The University has a total of seven on-campus student housing facilities. All are equipped with fire detection systems, including smoke and heat detectors, fire alarm pull-box stations, and sprinklers for fire suppression. Family Housing is equipped with fire detection systems, including smoke and heat detectors. All fire life-safety systems report to Facilities, the Dean of Students, and Residence Life.

Plans for future improvements in fire safety are to put sprinklers in Family Housing.

## **Mandatory supervised fire drills**

The Dean of Students, Residence Life, and Facilities conduct one mandatory fire evacuation drill per calendar year. The fire evacuation drills are supervised by the Dean of Students, a team of University employees, and the Beaverhead County Fire Department. The fire evacuation drills are conducted by activating each individual fire alarm system in each on-campus student housing facility.

## **Fire Evacuation Guidelines**

Should you discover smoke or fire or hear the fire alarm you should do the following:

- Call 911.
- Pull the fire alarm if it is not already sounding.
- Notify other people.

- Immediately leave the building by means of the nearest available exit.
- Before opening the door, see if it is hot by placing the palm of your hand against it.
- If the door is hot, remain in the room.
- If you are on a ground floor, carefully exit through a window, if possible. If you are on an upper floor, call 911 and give the operator your location. Block the entrance from smoke and heat. Open the window. Do not exit onto ledges. Remain calm. Firefighters will assist you as soon as possible.
- If the door is cool, open the door slightly and check for smoke in the corridor.
- If the corridor is smoke-free, proceed to the nearest available exit (exterior door or stairwell). Stay low, near the floor, to avoid smoke and heat. Close doors behind you. If the corridor is too smoky to reach the stairway or an exit, remain in the room. If you have evacuated the building, get clear of the entire area.
- Go to the practice field and wait for further instructions from authorized University personnel or law enforcement.



## FIRE LOG

### 2014 Fire Statistics

Facility	Total # of Fires	Date Reported	Classification	Brief Summary	Date and Time of Fire	General Location	# of People Receiving Treatment	# of Deaths	Approx. Property Damage
Centennial	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Clark	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Davis	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Jordan	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Family Housing	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Mathews	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
South Campus Housing	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a

### 2015 Fire Statistics

Facility	Total # of Fires	Date Reported	Classification	Brief Summary	Date and Time of Fire	General Location	# of People Receiving Treatment	# of Deaths	Approx. Property Damage
Centennial	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Clark	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Davis	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Jordan	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Family Housing	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Mathews	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
South Campus Housing	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a

### 2016 Fire Statistics

Facility	Total # of Fires	Date Reported	Classification	Brief Summary	Date and Time of Fire	General Location	# of People Receiving Treatment	# of Deaths	Approx. Property Damage
Centennial	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Clark	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Davis	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Jordan	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Family Housing	1	8/30/16	Grease fire	Cooking fries.	8/30/16 9:14pm	201	1	0	n/a
Mathews	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
South Campus Housing	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a

## EMERGENCY RESPONSE AND EVACUATION PROCEDURES TESTS

OCCURRED DATE/TIME	DESCRIPTION	LOCATION	DISPOSITION
10/6/16 9:00AM-3:00PM	PRACTICE FIRE DRILL	FACILITIES SERVICES, CURIOUS MINDS, MATHEWS HALL/DINING, LACENSE CENTER OF EQUINE STUDIES, FAMILY HOUSING, JORDAN HALL, DAVIS HALL, CENTENNIAL HALL, B.A.R.C., MARY EMERICK ART BUILDING, SOUTH CAMPUS, MAIN HALL, BUSINESS AND TECHNOLOGY BUILDING, ROE HOUSE, STUDENT UNION BUILDING, CLARK HALL, SHORT ADMINSTRATION/LIBRARY/STC AND BLOCK HALL.	ALL FUNCITONED PROPERLY
9/24/15 AND 9/25/15 9:00AM-12:00PM	PRACTICE FIRE DRILL	FACILITIES SERVICES, CURIOUS MINDS, MATHEWS HALL/DINING, LACENSE CENTER OF EQUINE STUDIES, FAMILY HOUSING, JORDAN HALL, DAVIS HALL, CENTENNIAL HALL, B.A.R.C., MARY EMERICK ART BUILDING, SOUTH CAMPUS, MAIN HALL, BUSINESS AND TECHNOLOGY BUILDING, ROE HOUSE, STUDENT UNION BUILDING, CLARK HALL, SHORT ADMINSTRATION/LIBRARY/STC AND BLOCK HALL.	ALL FUNCITONED PROPERLY
9/24/14 9:00AM-12:00PM	PRACTICE FIRE DRILL	FACILITIES SERVICES, CURIOUS MINDS, MATHEWS HALL/DINING, LACENSE CENTER OF EQUINE STUDIES, FAMILY HOUSING, JORDAN HALL, DAVIS HALL, CENTENNIAL HALL, B.A.R.C., MARY EMERICK ART BUILDING, SOUTH CAMPUS, MAIN HALL, BUSINESS AND TECHNOLOGY	ALL FUNCTIONED PROPERLY

		BUILDING, ROE HOUSE, STUDENT UNION BUILDING, CLARK HALL, SHORT ADMINSTRATION/LIBRARY/STC AND BLOCK HALL.	
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## **Residence Halls**

### **Cooking in Rooms**

Because of health concerns, only minimal cooking is allowed in residence hall rooms. Popcorn poppers are allowed if there is no exposed heating element. Coffee pots are allowed only if equipped with an automatic shutoff, but care should be taken to maintain these appliances. Small microwave ovens are allowed if under 800 watts. Refrigerators under 4.2 cubic feet are allowed. Toaster ovens, toasters and George Foreman-type grills are not allowed. Items will be confiscated by Residence Hall staff and held until the semester ends.

### **Smoking**

Tobacco is not permitted on campus.

### **Fire Hazards**

Residents are responsible for taking all possible precautions to prevent fires. The use of multi-socket extension cords or the installation of non-approved wiring by residents is prohibited by fire regulations.

### **Candles, Incense & Other Fire Hazards**

Because of the threat of fire to residents and their property candles, incense, beanbag chairs, wall hangings that can obstruct fire sprinklers and halogen lamps are prohibited. Possession of any of the above items will result in community service hours. Items will be confiscated by Residence Hall staff and held until the semester ends.

## **Fire Drills & Fire Equipment**

Misuse of any fire equipment, starting fires, setting off false alarms, or failing to evacuate and/or hindering in the evacuation of others will result in disciplinary action and possible criminal action.

### ***Participation in fire drills is mandatory.***

Fire drills are conducted at least once each year in each hall to inform residents of the proper evacuation procedures. The RA on each floor will explain the evacuation procedures at the first floor meeting and an evacuation plan will be posted at each floor exit door. Be sure you are familiar with these procedures. Your life may depend on it.

## **Training**

The University conducts fire-safety training for residents, RA's, and building managers.

RA training and building manager training covers:  
Evacuation and Emergency Preparedness.

An all campus training is offered each year to go over our emergency response, what to do in case of an emergency, and who to contact when an emergency arises.