



# **2019 Annual Security and Fire Safety Report**

**Containing Crime Statistics for Calendar Years  
(CYs) 2016, 2017, and 2018 Statistics**

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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. Since UMW does not have campus police, there are no statements of policy provided to address campus law enforcement's arrest authority, enforcement authority, working relationship to campus security personnel with state and local agencies and the jurisdiction of security personnel.

The University of Montana Western staff has authority and jurisdiction to enforce campus policies and handle disciplinary procedures for policy violations. 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 have authority to enforce Federal, State and local laws and the arrest authority on campus. They have jurisdiction in the City of Dillon and on all campus property. The campus administration maintains an excellent working relationship with the City of Dillon.

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, including student organizations with non-campus housing facilities that are officially recognized by the institution, including student organizations with non-campus housing facilities.

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

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

## **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 <http://w.umwestern.edu/wp-content/uploads/Clery-and-Fire-Safety-Report-2019.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 or crimes occurring on campus, 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>

All members of the UMW community and all visitors are encouraged to accurately and promptly report potential criminal activity, suspicious behavior, and any emergencies on campus, on public property running through or immediately adjacent to the campus, or in other property that is owned or controlled by UMW.

**To report to someone while still maintaining victim confidentiality:** If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making a confidential report. With your permission, a Student Counselor can file a report on the details of the incident without revealing your identity (except to the Title IX Coordinator in the event of a reported sex offense or sexual harassment). The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to enhance the future safety of yourself and others. With such information, UMW can keep an accurate

record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

**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.

### **Reporting to Meet Disclosure Requirements**

Members of the community are helpful when they immediately report crimes or emergencies to the Dean of Students and/or Residence Assistants and Hall Directors at 406-925-9828, a member of the coaching staff at 406-683-7220, or an advisor to an ASUMW club for purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notices, when deemed necessary.

Crimes should be accurately and promptly reported to the Dean of Students or the appropriate police agency, when the victim of a crime elects to, or is unable to, make such a report.

**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.

The Dillon City Police will investigate all reports of criminal activity occurring within the jurisdiction of The University of Montana Western. 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.

Residential facilities are only accessible to building residents and their authorized guests and visitors. Residents are helpful if they avoid allowing unknown individuals access to the residential buildings. Housing staff monitor security in the residential facilities and encourage building residents to report suspicious or unusual activity.

### **Security of Campus**

Phoenix Protective Corp conduct routine patrols of campus buildings to evaluate and monitor security related matters.

## **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)
- Phoenix Protective Corp.
- 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.

## **Pastoral and Professional Counselors**

There are two exemptions of Campus Security Authorities offered by the Department of Education, 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.

The university does encourage pastoral and professional counselors to notify individuals they are counseling of the option to report crimes on an anonymous or confidential basis for inclusion in the annual statistical disclosure of crime statistics.

## **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 Maxient. 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 emergencies. 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 test exercises each year, such as drills of its emergency notification system, fire alarm drills, and tabletop exercises. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

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, in conjunction with at least one test per calendar 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. If any of these systems fail or the University deems it appropriate, in person communication may be used to communicate an emergency. 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 imminent threat to the health and safety of 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.

In the event of an emergency, Montana Western will initiate and provide, immediately, immediate notifications to the appropriate segment(s) of the University community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, and visitors.

If the Dean of Students, or designee, in conjunction with other University administrators, local first responders, Public Health Officials and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the UMW Community, the Dean of Students and University Communications will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the UMW Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

System to use	Primary Message Creator	Backup Message Creator	Authority for approving & sending messages	Primary Message Sender/ Distributor	Backup Message Sender/ Distributor
PRIMARY	Director of Communications	Dean of Students	Dean of Students	Dean of Students	Director of Communications
SECONDARY	Dean of Students	Director of Residence Life or Facilities Director	Director of Residence Life or Facilities Director	Dean of Students	Director of Residence Life or Facilities Director

To opt-in for emergency text and voice messaging, students, faculty, and staff can do so through <http://www.umwestern.edu/emergency-notifications.html>

The messages will describe the emergency, provide basic instructions and will direct you to where you can receive additional information. If you will shelter in place, the message will direct you to do so, if you need to evacuate, the message will tell you where you can evacuate.

Follow-up information will be distributed through the same identified communication systems (except fire alarm).

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties. The larger community can also access emergency information via the Montana Western homepage and/or social media.

If there is an immediate threat to the health or safety of students or employees occurring on campus, please follow the emergency notification procedures.

### **Emergency Evacuation Procedures**

The emergency evacuation procedures are tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The Dean of Students or designee does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, the Dean of Students or designee on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At UMW, evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

### **General Evacuation Procedures**

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify the Dean of Students (406-925-9782) Police Emergency or dial 911.

1. Remain Calm

2. Do NOT use Elevators, Use the Stairs.

3. Assist the physically impaired. If they are unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform the Dean of Students or the responding Fire Dept. of the individual's location.

4. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.

5. Make sure all personnel are out of the building.

6. Do not re-enter the building.

### **Shelter-in-Place Procedures –What it means to “Shelter-in-Place”**

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

### **Basic “Shelter-in-Place” Guidance**

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

### **How You Will Know to “Shelter-in-Place”**

A shelter-in-place notification may come from several sources, Regroup, Housing Staff members, other University employees, Local PD, or other authorities utilizing the University’s emergency communications tools.

### **How to “Shelter-in-Place”**

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise; follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
  - An interior room;
  - Above ground level; and

-Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.

3. Shut and lock all windows and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to the Dean of Student so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

## 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 these 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.

## **Crime Prevention Education Programs and Security Awareness**

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.

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.

During the 2018-2019 academic year, UMW offered approximately three (3) crime prevention and security awareness programs. Topics such as personal safety, residence hall security, drug and alcohol abuse awareness and sexual assault prevention are some examples of programs offered during the prior academic year.

All crime prevention and security awareness programs encourage students and employees are encouraged to be responsible for their own security and the security of others. 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)

## **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**

Crime Prevention Programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year. Dillon City Police personnel facilitate what to do should there be an active shooter. This is offered once a semester. The Safety Security Committee offers a quick reminder of what to do in a crisis. The Run, Hide, Fight method is taught and the participants are reminded to be aware of their surroundings and to be responsible for themselves. The Peer Educators do trainings throughout the year on the program Step Up. This presentation starts with orientation and goes through the year being offered to athletics, clubs, and departments.

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 Residence Life Staff 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 is 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 is 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  
710 S. Atlantic  
Dean of Students Center  
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

<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.

extended as necessary for appropriate cause by the Title IX Coordinators with notice to the parties.

#### **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. Dillon City Police may also be reached in person at the Courthouse. The Title IX Coordinator can help you report to law enforcement. Furthermore, victims have the right to decline to notify law enforcement. Individuals may also report an incident of Sexual Assault to the institution's Title IX coordinator. The Title IX Coordinator is responsible for coordinating the institution's compliance with Title IX. The Title IX Coordinator is the Dean of Students, phone number 406-683-7900, and is located at 538 Poindexter in the Dean of Students Center. The institution's sexual harassment policy, including a description of the grievance procedures can be found here <https://w.umwestern.edu/section/101-4-discrimination-harassment-sexual-misconduct-stalking-and-retaliation/> 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 Stalking, Domestic or Dating Violence**

### **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. Individuals may also report an incident of Domestic Violence, Dating Violence or Stalking to the institution's Title IX coordinator. The Title IX Coordinator is responsible for coordinating the institution's compliance with Title IX. The Title IX Coordinator is the Dean of Students, phone number 406-683-7900 and can be located at 538 Poindexter in the Dean of Students Center. The institution's sexual harassment policy, including a description of the grievance procedures can be found here <https://w.umwestern.edu/section/101-4-discrimination-harassment-sexual-misconduct->

[stalking-and-retaliation/](#) 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 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.

## **Procedures the University will follow when a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is reported**

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as changes to housing, academic, protective orders, working situations, if reasonably available. The University will make such accommodations or protective measures, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the local law enforcement. Students and employees should contact the Dean of Students at 406-683-7900 or the Dean of Students Center located at 538 Poindexter.

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

<b>Incident Being Reported</b>	<b>Procedure the University will Follow</b>
<b>Sexual Assault</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), Montana Western will provide complainant with access to medical care.</li> <li>2. Montana Western will assess immediate safety needs of complainant.</li> <li>3. Montana Western will assist complainant with contacting the Dillon City Police if complainant requests AND provide the complainant with contact information for Dillon City Police Department.</li> </ol>

	<ol style="list-style-type: none"> <li>4. Montana Western will provide complainant with referrals to on and off campus mental health providers.</li> <li>5. Montana Western will assess need to implement interim or long-term protective measures, if appropriate.</li> <li>6. Montana Western will provide the victim with a written explanation of the victim's rights and options.</li> <li>7. Montana Western will provide a No Contact directive to respondent if deemed appropriate.</li> <li>8. Montana Western will provide written instructions on how to apply for a Protective Order.</li> <li>9. Montana Western will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution.</li> <li>10. Montana Western will inform the complainant of the outcome of the investigation, whether or not the respondent is in violation of a policy and what the outcome of the hearing is.</li> <li>11. Montana Western will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.</li> </ol>
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<p><b>Stalking</b></p>	<ol style="list-style-type: none"> <li>1. Montana Western will assess immediate safety needs of complainant.</li> <li>2. Montana Western will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department.</li> <li>3. Montana Western will provide written instructions on how to apply for a Protective Order.</li> <li>4. Montana Western will provide written information to complainant on how to preserve evidence.</li> <li>5. Montana Western will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.</li> <li>6. Montana Western will provide the victim with a written explanation of the victim's rights and options.</li> <li>7. Montana Western will provide a "No Contact" directive to the accused party if deemed appropriate.</li> </ol>
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<p><b>Dating Violence and Domestic Violence</b></p>	<ol style="list-style-type: none"> <li>1. Montana Western will assess immediate safety needs of complainant.</li> <li>2. Montana Western will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department.</li> <li>3. Montana Western will provide written instructions on how to apply for a Protective Order.</li> <li>4. Montana Western will provide written information to complainant on how to preserve evidence.</li> <li>5. Montana Western will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.</li> <li>6. Montana Western will provide the victim with a written explanation of the victim's rights and options.</li> <li>7. Montana Western will provide a "No Contact" directive to the accused party if deemed appropriate.</li> </ol>
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**Assistance for Victims: Rights and Options**

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

- Consider seeking medical attention as soon as possible at the closest hospital emergency department after an incident of sexual assault, dating violence, or domestic violence. If victims of sexual assault do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections.
- Preserve evidence that may assist investigators during the course of a criminal investigation prove that the criminal offense occurred, or is occurring. It is important that a victim of sexual assault NOT bathe, douche, smoke, change clothing, or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours. This evidence may be helpful in obtaining a protection order.
- Save text messages, instant messages, social networking pages, other communications as evidence; and keep pictures, logs, or copies of documents if they have any that could be useful to University adjudicators/investigators or local police.
- Some people, such as counselors or victim advocates, can talk with you in confidence without triggering a report or an investigation. Specifically, you can contact any of the on or off campus confidential resources.

- When faculty and staff not involved in the confidential resource offices learn about sexual harassment and/or sexual violence involving students or employees, they have a legal obligation to report it.
- Even if you do not seek out a confidential resource or ask for privacy, Montana Western will only disclose information to individuals who are responsible for handling the response to sexual harassment and/or sexual violence and have a clear need to know.
- You have the right to talk with University officials about protecting your safety and privacy.
- Montana Western does not publish the names of crime victims or other identifiable information regarding victims in the Daily Crime and Fire Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Campus Safety Alert or Timely Warning Notice is issued based on a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information will be withheld.
- The University of Montana Western prohibits the offenses of domestic violence, dating violence, sexual assault and stalking as defined by the Clery Act and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community. If you have experienced sexual discrimination, and/or sexual violence (including sexual assault, dating violence, domestic violence, or stalking) in particular, please come to the Dean of Students Center to pick up a brochure, which includes some things, you should know about your rights.
- Upon notification of an incident of sex discrimination, the University may take appropriate interim measures to protect the parties involved. Interim measures can be requested by any involved party, or can be imposed by the University. Such measures may include changes to academic, living, working, or transportation situations/conditions, regardless of whether the victim chooses to move forward with an investigation or report the crime to law enforcement.

**Rights of victims and the University of Montana Western’s responsibilities for Orders of Protection or No Contact Orders.**

The University of Montana Western complies with the State of Montana’s law in recognizing Orders of Protection and/or No Contact Orders. Any person who obtains an Order of Protection from Montana or any State should provide a copy to the Dean of Students or the Title IX Coordinator. A complainant may then meet with The Dean of Students to develop a safety action plan, which is a plan for the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.)

The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the University receives a report that such an institutional no contact order has been violated, the University will initiate disciplinary

proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

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

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

<http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice

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

## **Confidentiality**

The law allows release of certain personally identifiable student information, known as “directory information,” to third parties without student consent. However, a student may request that all of the items identified as directory or public information, with the exception of name, be withheld and considered restricted information by filing a written request at the UMW Registrar’s Office. A request for nondisclosure will be honored by the institution and remain active on a semester-by-semester basis. Students must notify the institution of their desire for continued directory records restriction. The following items of student information are considered “directory information” and may be released to third parties:

- Name, campus address, home and permanent address, telephone, email address.
- Age, date, place of birth.
- Name and address of parents.
- Major Field of study, including department or program in which the student is enrolled.
- Classification as a freshman, sophomore, junior, senior, or graduate student, etc.
- Participation in officially recognized activities and sports.
- High schools attended, high school graduation date.
- Weight, height, and pictures of athletic team members.
- Class schedules, dates of attendance and graduation, degrees received.
- Honors and awards received.
- The most recent educational institution attended by the student.
- Individual student class schedules.
- Photographs of students.

Release of directory information is handled with discretion. Use of this information for commercial solicitation purposes will generally be denied, with the exception under the Solomon Amendment that institutions are required to provide directory information to United States Military recruiting offices.

Regardless of whether a complainant has opted-out of allowing Montana Western to share “directory information,” personally identifiable information about the complainant and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the complainant, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the complainant to the extent that maintain such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Montana Western does not publish the name of crime victims or other identifiable information regarding victims/complainants in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Furthermore, if a Timely Warning Notice is issued based on a report of domestic violence, dating violence, and sexual assault or stalking, the name of the victim/complainant and other personally identifiable information about the victim/complainant will be withheld.

## **Adjudication of Violations**

### **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 a majority of the panel finds an individual respondent or organization responsible, 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.

### **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

### **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.

## **(HEOA) Notification to Victims of Crimes of Violence**

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

## **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 whom 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.

## **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 his or her 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.

In compliance with the Drug Free Schools and Communities Act, Montana Western publishes information regarding the University's educational programs related to drug and alcohol abuse prevention; sanctions for violations of federal, state, and local laws and University policy; a description of health risks associated with alcohol and other drug use; and a description of available treatment programs for UMW students and employees. A complete description of these topics, as provided in the University's annual notification to students and employees, is available online at: <https://w.umwestern.edu/wp-content/uploads/2018-Biennial-Review.pdf>

## **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.

### Preparation of the Annual Disclosure of Crime Statistics - 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.

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the University community obtained from the following sources: PIMA Director, Montana Youth Challenge Academy Director, Human Resource, Birch Creek Coordinator, Dillon City Police, and non-police officials identified by Federal Law as Campus Security Authorities. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported.

Reports from Residence Life Staff, 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.

**Manslaughter by Negligence:** The killing of another person through gross negligence.

**Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.”

- **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.

**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

Community Resource 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 Table

#### Campus Crime Statistics University of Montana Western Campus

OFFENSE	YR	ON-CAMPUS	RESIDENTIAL FACILITIES (subset of on-campus)	NON-CAMPUS	PUBLIC AREAS
MURDER/NON-NEGLIGENT MANSLAUGHTER	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
RAPE	2016	0	0	0	0
	2017	1	1	0	0
	2018	0	0	3	3
FONDLING	2016	0	0	0	0
	2017	0	0	1	1
	2018	0	0	1	1
INCEST	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
STATUTORY RAPE	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
ROBBERY	2016	1	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
AGGRAVATED ASSAULT	2016	1	0	1	1
	2017	0	0	0	0
	2018	0	0	0	0
BURGLARY	2016	1	0	1	0
	2017	2	2	0	0
	2018	0	0	0	0
MOTOR VEHICLE THEFT	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	1	0
ARSON	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
STALKING	2016	0	0	1	0
	2017	0	0	0	0
	2018	1	0	0	0

DATING VIOLENCE	2016	0	0	1	0
	2017	0	0	1	1
	2018	0	0	0	0
DOMESTIC VIOLENCE	2016	0	0	1	0
	2017	0	0	0	0
	2018	0	0	0	0
LIQUOR LAW ARRESTS	2016	0	0	0	0
	2017	11	10	0	1
	2018	7	7	0	0
DRUG LAW ARRESTS	2016	0	0	0	0
	2017	3	2	0	0
	2018	0	0	0	0
WEAPON LAW ARRESTS	2016	0	0	1	0
	2017	0	0	0	0
	2018	0	0	0	0
LIQUOR LAW REFERRALS FOR DISCIPLINARY ACTION	2016	65	65	0	0
	2017	59	59	0	0
	2018	32	32	0	0
DRUG LAW REFERRALS FOR DISCIPLINARY ACTION	2016	3	3	0	0
	2017	2	2	0	0
	2018	0	0	0	0
WEAPON LAW REFERRAL FOR DISCIPLINARY ACTION	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0

HATE CRIMES: There were no reported hate crimes for 2016-2018.

UNFOUNDED CRIMES: There were no reported unfounded crimes for 2016-2018

## Annual 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.

### Reporting Fires

Per federal law, Montana Western is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Therefore, if you encounter a live fire in one of these facilities, you should immediately get to a safe place, and then dial 911. Once the emergency has passed, you should notify the Dean of Students at 406-925-9782 to investigate and document the incident for disclosure in the University's Annual Fire Statistics. If a member of the UMW community finds evidence of a fire that has been extinguished, and the person is not sure whether the Dean of Students has already

responded, the community member should immediately notify the Dean of Students at 406-925-9782 to investigate and document the incident for disclosure in the University’s Annual Fire Statistics.

If there is an active fire, 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
Matt Raffety	Director of Communications	406-683-7201

## On-campus student housing and life safety systems

The University has six 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.

Residential Facilities	Fire Alarm Monitoring Done On Site	Partial <sup>2</sup> Sprinkler System	Full <sup>3</sup> Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans/Placards	Number of Evacuation (fire) drills each calendar year
Jordan Hall 750 E. Cornell	X		X	X	X	X	1
Davis Hall 750 E. Cornell	X		X	X	X	X	1
Centennial Hall 750 E. Cornell	X		X	X	X	X	1
Mathews Hall 750 E. Cornell	X		X	X	X	X	1
Clark Hall 750 E. Cornell	X		X	X	X		1
Family Housing 750 E. Cornell	X			X	X		1

## Plans for Improvement to Fire Safety

Plans for future improvements in fire safety are to put sprinklers in Family Housing. These plans are barring unforeseen circumstances such as budgetary restrictions.

<sup>2</sup> Partial Sprinkler System is defined as having sprinklers in the common areas only.

<sup>3</sup> Full Sprinkler system is defined as having sprinklers in both the common areas and individual rooms.

## **Mandatory supervised fire drills**

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

## **Procedures for Students and Employees to Follow in Case of a Fire**

In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system as they leave. Once safely outside a building, it is appropriate to contact 911 and the Dean of Students. Students and/or staff are informed where to relocate to by staff if circumstance warrants at the time of the alarm. In the event fire alarms sound, University policy is that all occupants must evacuate from the building, closing doors as they leave. No training is provided to students or employees in firefighting or suppression activity as this is inherently dangerous and each community member's only duty is to exit safely and quickly, shutting doors along the exit path as they go to contain the spread of flames and smoke, and to activate the alarm as they exit. At no time should the closing of doors or the activation of the alarm delay the exit from the building.

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.

## **Student Housing Evacuation Procedures In Case of a Fire**

### Evacuation Guidelines:

1. Open curtains, pull up blinds or shades.
2. Close window.
3. Put on shoes and a coat, in case you must remain outside for an extended period.
4. Turn off all lights.
5. Close door and take your room key as staff will enter your room to conduct a visual check and will lock your room door.
6. Leave building by the nearest exit, unless that path is obstructed by fire, in which case, find an alternate exit.
7. Use stairs, not elevators during evacuation, as you could become trapped.
8. If you smell smoke while in your room, first feel your door and doorknob to determine if heat is present. If it is not, place a towel over your mouth and open your door. If you see smoke, crawl to the nearest exit (heat and smoke rise, and you are safer closer to the floor).
9. When you feel your door, if heat is present, do not open your door. Put a towel over your mouth and under your door, open your window, hang a piece of white cloth out the window, and then close the window. The cloth will let firefighters know where to find you. Unless you live on the first floor, do not jump out of your window. Never break your window, as this will draw smoke into your room. Notify the Hall Director (406-925-9828) that you are still in your room.
10. Remain outside until a signal is given to re-enter the building.

## FIRE STATISTICS

2016 Fire Statistics

### Statistics and Related Information Regarding Fires in Residential Facilities for CY 2016

Residential Facilities (Name and Address)	Total Number of Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
Centennial Hall 750 E. Cornell	0	0	n/a	n/a	n/a	n/a
Clark Hall 750 E. Cornell	0	0	n/a	n/a	n/a	n/a
Davis Hall 750 E. Cornell	0	0	n/a	n/a	n/a	n/a
Jordan Hall 750 E. Cornell	0	0	n/a	n/a	n/a	n/a
Family Housing 750 E. Cornell	1	1	Grease fire from cooking fries	1	0	\$21,840.00
Mathews Hall 750 E. Cornell	0	0	n/a	n/a	n/a	n/a

2017 Fire Statistics

### Statistics and Related Information Regarding Fires in Residential Facilities for CY 2017

Residential Facilities (Name and Address)	Total Number of Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
Centennial Hall 750 E. Cornell	0	0	n/a	n/a	n/a	n/a
Clark Hall 750 E. Cornell	0	0	n/a	n/a	n/a	n/a
Davis Hall 750 E. Cornell	0	0	n/a	n/a	n/a	n/a
Jordan Hall 750 E. Cornell	0	0	n/a	n/a	n/a	n/a
Family Housing 750 E. Cornell	0	0	n/a	n/a	n/a	n/a
Mathews Hall 750 E. Cornell	1	1	Burnt light box small electrical fire	0	0	\$150.00

## 2018 Fire Statistics

### Statistics and Related Information Regarding Fires in Residential Facilities for CY 2018

Residential Facilities (Name and Address)	Total Number of Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
Centennial Hall 750 E. Cornell	0	0	n/a	n/a	n/a	n/a
Clark Hall 750 E. Cornell	0	0	n/a	n/a	n/a	n/a
Davis Hall 750 E. Cornell	0	0	n/a	n/a	n/a	n/a
Jordan Hall 750 E. Cornell	0	0	n/a	n/a	n/a	n/a
Family Housing 750 E. Cornell	0	0	n/a	n/a	n/a	n/a
Mathews Hall 750 E. Cornell	0	0	n/a	n/a	n/a	n/a

## Residence Halls

### Portable Electrical Appliances - 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

All smoke or smokeless 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.

Fire safety education programs for all students living in on-campus student housing and all employees that have any association with on-campus student housing are held at the beginning of each semester. These programs are designed to: familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire and distribute information on the University's fire safety policies. During these programs, trainers emphasize that participating in fire drills is mandatory. Students with disabilities are given the option to have a "buddy" assigned to them. Hall Directors and Resident Assistants who have been trained by local fire authorities teach fire safety education training programs.

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.

## **Fire Log**

A fire log is available for review at the Residence Life Office, Davis Hall, 750 E. Cornell, from 8 a.m. – 5 p.m. Monday through Friday, excluding holidays. The information in the fire log includes information about fires that occur in residential facilities, including the nature, date, time, and general location.