



**Minnesota State**  
**Annual Campus Security & Fire Safety Report**  
**Mesabi Range College**  
**Virginia and Eveleth Campuses**

*Jeanne Clery Act Compliance  
Information & Statistics for 2020*



# 2020

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## Introduction

Mesabi Range College (MRC) is situated in Northern Minnesota on the Historic Mesabi Iron Range. One college with two campuses located in Virginia and Eveleth, Minnesota. Our Eveleth campus houses most of our technical programs while the Virginia campus has our liberal arts courses.

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

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

Office	Name	Phone	Comments/Hrs
Provost	Shelly McCauley-Jugovich	218-748-2416	Virginia and Eveleth campus
Interim Dean of Student Success	Kristi Ongalo	218-749-7759	Virginia Campus and Eveleth Campus
Human Resources	Carmen Bradach	218-749-7743	Virginia Campus
Director of Student Housing and supervisor	Tamara Moore Kristi Ongalo	218-749-7771 218-749-7759	Virginia Campus
Director/Assistant Director Athletics (include all coaches and assistants, paid or volunteer)	Brad Scott, AD Sarah Matuszak Tom Inforzato Antavius Thomas Chris Vito Brad Matuszak Tamara Moore	218-749-7757	Virginia Campus
Title IX Coordinators and staff	Jodi Pontinen	218-749-7753	Virginia Campus

Mesabi Range College does not have a dedicated security department but works closely with The Virginia and Eveleth Police Department, The Sheriff Department and Highway Patrol for immediate response and investigation to all crimes, emergencies, or requests for service generated by the campus. Mesabi Range College recognizes Jodi Pontinen as the primary Clery Compliance Officer for compiling this report and annual crime statistics. Statistics are collected using incident reports and

from other reporting authorities including, but not limited to, local law enforcement agencies and officials of Mesabi Range College who have significant responsibility for student and campus activities. These college officials, known as Campus Security Authorities (CSAs), are above.

Mesabi Range College publishes the Annual Security Report each year by October 1. The report is distributed to all potential students on the college application form and prospective employees on the job announcement via direct link to the report. All current students, faculty and staff are sent an email that briefly describes the report also contains the exact Internet address where it can be found. <https://www.mesabirange.edu/about/campus-safety/>. Printed copies of the report are available, at no cost, upon request from Title IV Officer, Jodi Pontinen.

## Geography

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

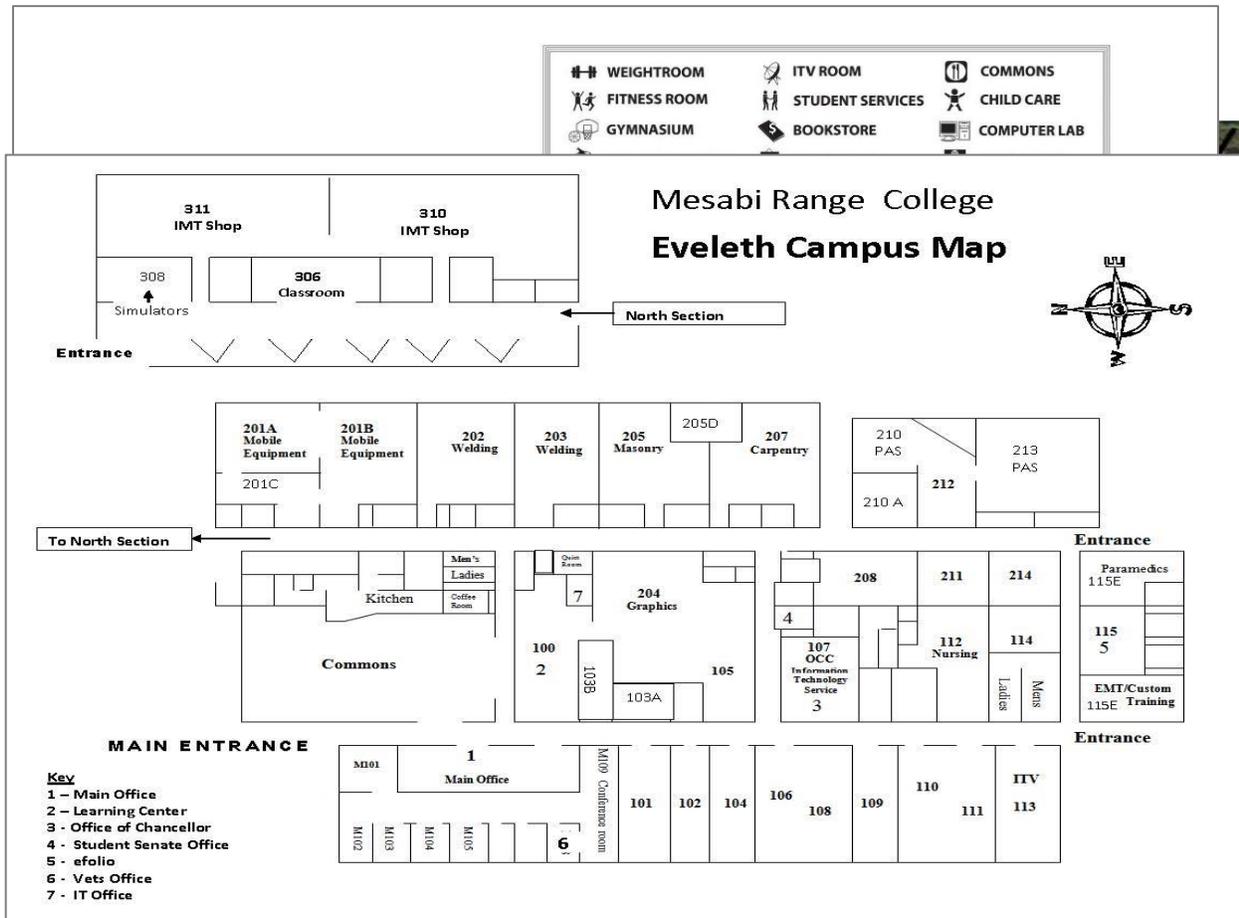
The following definitions are taken from the Higher Education Act of 1965, 485(f) (20 U.S.C. 1092(f)), the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” and are used to classify the locations listed in the Mesabi Range College Crime Statistics.

**Campus:** The term “campus” means 1) any building or property owned or controlled by an institution of higher education and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and 2) property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

**Residential Facilities:** Alpine Village, student resident buildings adjacent to the Virginia campus

**Campus property includes Virginia Campus and Alpine Village**





**Non-Campus Building or Property:** The term “non-campus building or property” means 1) any building or property owned or controlled by an institution; and 2) any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution’s educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

Non-campus property includes:

**Not applicable to MRC**

**Public Property:** The term “public property” means all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution’s educational purposes.

Mesabi Range College public property includes adjacent streets, parking lots, sidewalks, stairwells.

## **Types of Crimes required Under the Clery Act, (Include definitions) – (See Appendix 1)**

### Criminal homicide:

- Murder and non-negligent manslaughter
- Negligent Manslaughter

### Sex Offenses:

- Rape
- Fondling
- Incest
- Statutory rape

### Robbery

Aggravated assault

Burglary

Motor vehicle theft

Arson

### Arrests and referrals for disciplinary actions, including:

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

### Hate crimes, including:

The number of the following crimes that are determined to be hate crimes:

- Larceny-theft
- Simple assault
- Intimidation
- Destruction/damage/vandalism of property

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

- Race
- Gender
- Gender identity
- Religion
- Sexual orientation
- Ethnicity
- National origin
- Disability

Dating violence

Domestic violence

Stalking

## Statistics

<b>Offense Virginia Campus and Alpine Village</b>	<b>Year</b>	<b>On Campus</b>	<b>Non- Campus</b>	<b>Public Property</b>	<b>Total</b>	<b>Residential Facilities</b>
<b>Murder/Non- Negligent Manslaughter</b>	<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2019</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2018</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Negligent Manslaughter</b>	<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2019</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2018</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Sex Offenses, Rape</b>	<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2019</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2018</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Sex Offenses, Fondling</b>	<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2019</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Sex Offenses, Incest</b>	<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2019</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

	2018	0	0	0	0	0
<b>Sex Offenses, Statutory Rape</b>	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
<b>Robbery</b>	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
<b>Aggravated Assault</b>	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
<b>Burglary</b>	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
<b>Motor Vehicle Theft</b>	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
<b>Liquor Law Arrests</b>	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
<b>Drug Law Arrests</b>	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	2	0	0	0	2
<b>Weapons Law Arrests</b>	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
<b>Liquor Law Violations Referred for</b>						

<b>Disciplinary Action</b>						
	<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	<b>2019</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	<b>2018</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>7</b>	
<b>Drug law Violations Referred for Disciplinary Action</b>		<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	
	<b>2020</b>					
	<b>2019</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>5</b>	
	<b>2018</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>11</b>	
<b>Arson</b>	<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	<b>2019</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	<b>2018</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Domestic Violence</b>	<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	<b>2019</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	<b>2018</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Dating Violence</b>	<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	<b>2019</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	<b>2018</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Stalking</b>	<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	<b>2019</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	<b>2018</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

### Bias Motivated Crimes

<b>Year</b>	<b>Crime</b>	<b>Bias Motivation</b>	<b>Location</b>
<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>2019</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>2018</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>Offense Eveleth Campus</b>	<b>Year</b>	<b>On Campus</b>	<b>Non- Campus</b>	<b>Public Property</b>	<b>Total</b>	<b>Residential Facilities</b>
<b>Murder/Non Negligent Manslaughter</b>	<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2019</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2018</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Negligent Manslaughter</b>	<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2019</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2018</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Sex Offenses, Rape</b>	<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2019</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2018</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Sex Offenses, Fondling</b>	<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2019</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2018</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Sex Offenses, Incest</b>	<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2019</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2018</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Sex Offenses, Statutory Rape</b>	<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

	2019	0	0	0	0	0
	2018	0	0	0	0	0
<b>Robbery</b>	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
<b>Aggravated Assault</b>	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
<b>Burglary</b>	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
<b>Motor Vehicle Theft</b>	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
<b>Liquor Law Arrests</b>	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
<b>Drug Law Arrests</b>	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
<b>Weapons Law Arrests</b>	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
<b>Liquor Law Violations Referred for Disciplinary Action</b>	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0

		0	0	0	0	0
<b>Drug law Violations Referred for Disciplinary Action</b>	<b>2020</b>					
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0
<b>Arson</b>	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0
<b>Domestic Violence</b>	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0
<b>Dating Violence</b>	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0
<b>Stalking</b>	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0

### Bias Motivated Crimes

Year	Crime	Bias Motivation	Location
<b>2020</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>2019</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>2018</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Emergency Response and Timely Warning

Mesabi Range College is required by policy and fire code to have evacuation and emergency operations plans in place. Evacuation plans and emergency procedures can be found on the Mesabi Range College website, Provost office, maintenance office, and members of the Emergency Response Team. Housing students are given an emergency procedures orientation, and a hard copy of the emergency procedures PowerPoint presentation is available in each housing unit in Alpine Village resident building. Mesabi Range College also has a current Emergency Operations Plan based on the all-hazards concept, incorporating the National Incident Management System and coordinated with the system office and local emergency response agencies. This plan is used to respond to any level of emergency impacting Mesabi Range College and outlines the responsibilities and actions necessary to protect life, property and the environment. Some of the processes and procedures are included in this report.

**Emergency Response:** Mesabi Range College will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students, faculty or staff occurring on campus. (Minnesota State) has numerous systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat. These methods of communication include but are not limited to:

**Active messaging:** Each campus of Mesabi Range College can address the campus community through a public address system that covers all interior campus offices, classrooms and public spaces.

**Passive messaging:** Mesabi Range College will provide emergency information via the main web page. The administration will use campus wide mass email and any other available media such as signs, reader boards and internal closed-circuit televisions to disseminate emergency notifications to students, faculty and staff. Twitter and Facebook social media will also be used to disseminate emergency notification either individually or through the Star Alert system.

**Individual messaging:** Mesabi Range College utilizes an emergency notification system branded Star Alert, provided by Blackboard Connect, which disseminates emergency notification through SMS text, direct phone calls and email, at the selection of the recipient. This is an opt out system.

Upon enrollment or hiring students/faculty/staff are automatically enrolled in the system using the Star ID to associate them with Mesabi Range College Students, faculty and staff are sent an automatic email, activating their account and encouraging them to enter additional phone and/or cell numbers, email addresses and selecting other deliver options for receiving emergency notifications. The emergency notification system is updated as needed, at least once per year.

Students, faculty and staff have the option of permanently opting out of Star Alert should they choose. For additional information on access, issues concerning individual accounts or other questions contact: **Tom Pratt, 218-780-4829**

Mesabi Range College, upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees occurring on campus:

1. A Mesabi Range College official will verify that a legitimate emergency or dangerous situation exists, even if all the pertinent details are not known or are available at the time.
2. Mesabi Range College officials, in coordination with and at the advice of local first responders, will determine the appropriate segment(s) of the campus community to receive notification.
3. Mesabi Range College will, without delay and considering the safety of the community, determine the content of the notification. If issuing a notification, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, notification will be delayed, sent via other means, or not sent at all.

The following persons or organization(s) are responsible for emergency notification dissemination: The Provost, the Interim Dean of Student Success, Director of Public Safety or full-time designees.

Mesabi Range College, after ensuring that local first responders are notified, will activate the active messaging system to provide emergency notification to the campus community. An immediate Star Alert containing pertinent emergency notification and information will be disseminated. Other passive and individual messaging will provide redundant and detailed emergency information as soon as reasonably possible. Mesabi Range College will provide follow-up information to the community as needed.

Mesabi Range College will test the emergency response and evacuation procedures annually in accordance with this policy and applicable state and federal regulations. Tests may be announced or unannounced, and emergency response and evacuation procedures will be publicized in conjunction with at least one test per calendar year. Fire drills are conducted twice a year for housing. Results of each test will be documented and include a description of the exercise, the date, time, and whether it was announced or unannounced. This information will be maintained by the Director of Residential Life. All records are filed in the Director of Residential Life's office. Records for all Clery related requirements are maintained for seven years and available upon request.

**Timely Warning:** Mesabi Range College will issue a timely warning for all Clery Act crimes reported to Campus Security Authorities or local police agencies and considered by Mesabi Range College officials to represent a serious or continuing threat to students, faculty and staff. Timely warning will not be limited to violent crimes or crimes against persons and may include crimes against property or other types of serious or continuing threats. Timely Warning Notices will withhold the name of victims as confidential.

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

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

email features, campus email system, or any other passive or individual method of notification to students, faculty and staff.

## Campus Security Policies

Any Mesabi Range College student, faculty or staff member should call 911 from campus phone or 911 from a cell phone to report an emergency or crime.

Crimes can be reported directly to the Conduct Officer, Provost, or Dean. Please notify those listed above anytime 911 services are requested (fire, law enforcement, medical) on campus.

All criminal activity occurring on campus should be reported immediately to the Conduct Officer or others listed above. If the victim chooses, an additional report can be filed with the appropriate local law enforcement agency. The Mesabi Range College Conduct Officer listed above can assist the complainant in completing reports. Internal reports may be shared with other departments on campus as necessary to complete an investigation and/ or to ensure the safety of the campus community. The Conduct Officer will assist Police Department(s) with investigations as required. Depending on many factors Mesabi Range College may or may not hold reports of crime in confidence and may be required by law to release information based on the events or nature of the crime. Whenever possible Mesabi Range College will attempt to protect the identity of crime victims. In addition, crimes can be reported to any of the Campus Security Authority above who have significant responsibility for student and campus activities (not including counselors).

Mesabi Range College offers an Anonymous Reporting program called CAMPUS EYE on the safety/security page for victims and/or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual security report. Mesabi Range College officials will share information as necessary to appropriately address a situation but will make efforts to maintain confidentiality. **Absolute confidentiality of reports made to Mesabi Range College officials cannot be promised.**

Mesabi Range College is not required to report statistics for crimes reported to a pastoral or professional counselor. Pastoral and professional counselors, when they deem appropriate, are encouraged to inform the persons they are counseling, of any procedures to report crimes on a voluntary, confidential basis for including in the annual disclosure of crime statistics.

Mesabi Range College security personnel and officials ARE NOT certified or sworn peace officers and do not possess law enforcement (arrest) authority. Mesabi Range College personnel may utilize private person arrest authority pursuant to Minnesota State Statute 629.37 when appropriate.

Mesabi Range College works closely with the Virginia and Eveleth Police Departments, Local Sheriff's office, State Patrol, Bureau of Criminal Apprehension, and other state and federal law enforcement agencies as required. MRC has a *Memorandum of Understanding with The Virginia and Eveleth Police Departments*.

Mesabi Range College, in partnership with these agencies, monitors and records criminal activity and violations of student conduct by students at non-campus locations of student organizations officially recognized by the institution, including student organizations with non-campus housing facilities.

Mesabi Range College encourages students, faculty and staff to accurately and promptly report all crimes to one of the above listed agencies and offices when the victim of a crime elects to, or is unable to make, such a report.

Mesabi Range College **continuously** reviews the physical security infrastructure to ensure appropriate steps are taken to maintain and enhance the safety and security of the campus. Landscaping and lighting are checked **regularly by maintenance department, and** discrepancies are addressed immediately. The campus works closely and routinely with the system Emergency Preparedness and Security Specialist and the Facilities department to evaluate campus physical security and vulnerability, programming resources to address any potential threats, vulnerabilities or contingencies.

The campuses are open during the following hours:

**Virginia and Eveleth Campus:**

**Monday- Thursday 6am-10pm**  
**Friday 6am-5pm**  
**Closed Saturday and Sunday**  
**(May be subject to change)**

Campus facilities, offices, classrooms and other spaces use a combination of keyless entry, keys issued to authorized personnel only, and manually operated locks. Typically, maintenance opens and/or grants access, and secures all facility access points after hours.

Mesabi Range College provides the following programs at the frequency noted, to inform students, faculty and staff about campus security procedures and practices:

<b>Program</b>	<b>Frequency/Dates</b>	<b>Audience</b>
New Student Orientation – 218-749-7765	Always available	Students
New Resident Housing Orientation – 218-410-0974	Twice per year	Students

Mesabi Range College encourages students, faculty and staff to be responsible for their own security and the security of others by following the tips provided:

**Protect your room or apartment:**

- Lock your door – even if you are only going out for a short time. It only takes 8 seconds to walk into an open room and steal your valuables.
- Always lock your door and windows when you are asleep. You are also encouraged to lock your door and windows when you are awake.
- Do not prop open locked exterior building doors. These doors are locked for your protection and protection of other residents.

- Never open exterior doors of the building for strangers or non-residents. Always escort your guests to and from the main entrance doors.
- Do not loan your keys or Student ID card swipe to anyone – even a classmate or friend. They may not be careful with them and may misplace them, giving the wrong person access.
- Do not put your name or address on key rings as they may be used to steal your property if found by the wrong person.
- Smoke detectors are provided in each housing unit for your safety. AT NO TIME SHOULD THEY BE DISCONNECTED OR REMOVED (or a fee may be imposed).

**Protect your property:**

- Personal property (purses, backpacks, calculators, cell phones, etc.) should never be left unattended. Take such items with you if you are leaving the office, classroom, or your residence.
- Take valuables home with you during vacations and school breaks.
- Park your bike where you can keep an eye on it if possible. Always lock your bike.

**Protect your automobile:**

- Always lock your car doors and never leave your keys or valuable items such as cameras, wallets, etc. in plain sight or on the seats in the vehicle.
- Try to park your car in a well-lit area.

**Protect yourself at night:**

- Avoid walking alone at night.
- Refrain from taking shortcuts; walk where there is plenty of light and traffic.
- Call for an escort in advance

**Protect yourself walking and jogging:**

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

**Help us protect you:**

- Watch for suspicious persons in and around college buildings and in parking lots. Do not pursue them. Call 911 first and then
  1. Suspicious activity:
    - (a) If you see any suspicious activity or people on or near campus, call law enforcement. Do not assume that what you observe is an innocent activity or that it has already been reported.
    - (b) Do not assume the person is a visitor or college staff member that you have not seen before.
  2. Suspicious people may be:
    - (a) Loitering about at unusual hours and locations; running, especially if something of value is being carried.
    - (b) Exhibiting unusual mental or physical symptoms. Person(s) could be under the influence of drugs or otherwise needing medical or psychiatric assistance.
    - (c) Carrying property that might be suspicious, depending on the circumstances, going from room to room trying door handles.

- Report all thefts and property loss immediately to the Conduct Officer.
- Be security conscious at all times.

Mesabi Range College may disclose any information withheld once the adverse effect described above is no longer likely to occur. The institution can withhold only that information that would cause the adverse effect.

## Missing Student Policy

[https://www.mesabirange.edu/assets/sites/mesabi/uploads/files/Missing\\_Housing\\_Student\\_Policy.pdf](https://www.mesabirange.edu/assets/sites/mesabi/uploads/files/Missing_Housing_Student_Policy.pdf)

If at any time a student, faculty or staff member becomes aware or suspects a student is missing for 24 hours, report ***immediately*** to the Mesabi Range College Housing Manager or Provost and the Virginia Police Department. Any missing student report by any other Campus Security Authority, will be referred immediately the Provost and Virginia or Eveleth Police Department(s) having jurisdiction for the campus.

Students have the option of identifying and designating a contact person or persons whom Mesabi Range College shall notify within 24 hours of the determination that the student is missing, as determined by the Housing Manager or local law enforcement agency. The student's contact can but does not need to be their general emergency contact. They have an annual option to change their contact person for the missing student. Students are advised that their contact information will be registered confidentially and will only be accessible to authorized campus officials. Information may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation. If students are under 18 years of age and not emancipated, Mesabi Range College MUST notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. Mesabi Range College will notify local law enforcement within 24 hours of the determination that the student is missing, unless law enforcement was the agency that made the determination that the student is missing.

## Sexual Assault and Related Offenses

Mesabi Range College does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Sexual violence includes a continuum of conduct that includes sexual assault, non-forcible sex acts, dating and relations violence, stalking, as well as aiding acts of sexual violence. Sexual assault and related offenses are governed and adjudicated under Minnesota State Board Policy 1B.3 Sexual Violence Policy, the Violence Against Women Act as amended and the Clery Act as amended. As a result, Mesabi Range College issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a Mesabi Range College official. In this context, Mesabi Range College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

For a complete copy of Minnesota State Board Policy 1B.3 Sexual Violence Policy, visit <http://www.minnstate.edu/board/policy/1b03.html>.

**Definitions:** The following definitions apply:

**Affirmative Consent:** Consent is informed, freely given, and mutually understood willingness to participate in sexual activity that is expressed by clear, unambiguous, and affirmative words or actions. It is the responsibility of the person who wants to engage in sexual activity to ensure that the other person has consented to engage in the sexual activity. Consent must be present throughout the entire sexual activity and can be revoked at any time. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. A lack of protest, absence of resistance, or silence alone does not constitute consent, and past consent to sexual activities does not imply ongoing future consent. The existence of a dating relationship between the people involved or the existence of a past sexual relationship does not prove the presence of, or otherwise provide the basis for, an assumption of consent. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

**Sexual Assault:** an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. An actual, attempted, or threatened sexual act with another person without that a person's consent. Sexual assault is often a criminal act that can be prosecuted under Minnesota law, as well as form the basis for discipline under Minnesota State student conduct codes and employee disciplinary standards. Sexual assault includes but is not limited to:

1. Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as "date rape" or "acquaintance rape." This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.
2. Involvement in any sexual act when the victim is unable to give consent.
3. Intentional and unwelcome touching, or coercing, forcing, or attempting to coerce or force another to touch a person's intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast).
4. Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

**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 non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** is defined a non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Domestic Violence:** The term “domestic violence” means felony or misdemeanor crimes of violence committed—

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

**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. The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Stalking:** The term “stalking” means engaging in a course of conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated; and that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress.

1. Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
2. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
3. Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Mesabi Range College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking. Mesabi Range College has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students and participating in and presenting information and materials during new employee orientation. Primary prevention and

awareness programs are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome. Environmental risk and protective factors are considered as they occur on the individual, relationship, institutional, community and societal levels.

<b>Name of Awareness Program(s)</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Prohibited Behavior Covered</b>
Sexual Harassment Prevention	Continual/annual	D2L Brightspace	Sexual Harassment
Sexual Violence Prevention Training	Continual/annual	D2L Brightspace	Sexual violence

<b>Name of Ongoing Prevention Program(s)</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Prohibited Behavior Covered</b>
Sexual Harassment Training	Beginning of every semester for Housing students	Theatre	Sexual Harassment

**Procedures for Reporting a Complaint:** Mesabi Range College has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. Mesabi Range College will make such accommodations, if the complainant requests them and if they are reasonably available, regardless of whether the complainant chooses to report the crime to the Mesabi Range Conduct Officer or local law enforcement. Students and employees should contact Kelly Bakk, College Counselor 218-749-7765 (students), Carmen Bradach, Human Resources 218-749-7743 (Employees).

After an incident of sexual assault or domestic violence, the victim should consider seeking medical attention as soon as possible at Essentia Health, 901 9<sup>th</sup> Street N, Virginia, MN 55792, 218-741-3340.

In Minnesota, evidence may be collected even if you chose not to make a report to law enforcement. Evidence collected during a medical forensic exam will only be tested if a report is made to law enforcement.

Under Minnesota law, the county in which the sexual assault or rape occurred is responsible for the cost of collecting evidence during your medical forensic examination. The county must pay regardless of whether or not you report to law enforcement. After your medical forensic examination has been performed, the county may be reimbursed from your insurance with your permission. Counties must

obtain your approval prior to billing your insurance. Whether or not the county uses your insurance is your choice. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to Mesabi Range College investigators or police. Although Mesabi Range College strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. Mesabi Range College will assist any victim with notifying local police if they so desire. The Virginia Police Department may also be reached directly by calling 911 in person at 327 1<sup>st</sup> St S, Virginia, MN 55792. Eveleth Police Department may also be reached directly by calling 911 or in person at 415 Pierce St, Eveleth, MN 55734.

Additional information about the **Virginia Police Department** may be found online at:

[http://www.virginiamn.us/departement/police\\_department/](http://www.virginiamn.us/departement/police_department/) and the Eveleth Police Department may be found online at: <https://www.evelethmn.com>

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, **Jodi Pontinen** by calling 218-749-7753, writing to 1001 W Chestnut St, Virginia, MN 55792, going online <https://www.evelethmn.com> or coming into the office to report in if the victim so desires. Mesabi Range College will provide resources, on campus, off campus or both, to include medical, health, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with MRC College Counselor, Kelly Bakk or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the institution, below are the procedures that the institution will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

Mesabi Range College **Provost Shelly McCauley-Jugovich, Title IX Coordinator Jodi Pontinen, and all CSA's listed above**, when informed of an alleged incident of sexual violence, shall promptly assist the complainant, as requested. Mesabi Range College may:

1. Provide complainant with written information to access medical care, depending on when reported (immediate vs. delayed report).
2. Assess immediate safety needs of complainant.
3. Assist complainant with contacting local police if complainant requests and provide contact information for local police department.
4. Provide complainant with referrals to on and off campus mental health providers.
5. Assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, "No Contact" directive between both parties
6. Provide a "No Trespass" directive to accused party if deemed appropriate
7. Provide written instructions on how to apply for an Order of Protection
8. Provide a copy of the Sexual Violence Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution
9. Inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is
10. 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.

When appropriate, Mesabi Range College may pursue legal action against a respondent, including, but not limited to, trespass or restraining orders, in addition to disciplinary action under the applicable student or employee conduct standard.

**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, Mesabi Range College 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. In Minnesota, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

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

Further, Mesabi Range College complies with Minnesota law in recognizing Orders of Protection and Harassment Restraining Orders. Any person who obtains an order of protection from Minnesota or any reciprocal state (Under VAWA's full faith and credit provision, every state must recognize and enforce protection orders issued in other states, as if issued in the enforcing state) should provide a copy to Mesabi Range College Office of the Title IX Coordinator. A complainant may then meet with Mesabi Range College Conduct Officer to develop a plan, which is a plan for campus officials and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.) Mesabi Range College cannot apply for a legal order of

protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services. Protection from abuse orders may be available through the local county court at no cost. Mesabi Range College may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, Mesabi Range College offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal investigation of the complaint. The victim **will** be provided written notification about options for or available assistance in, and how to request changes to changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/ adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Further, Mesabi Range College will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Type of Order	Who Can File For One	Where to go for assistance	Criteria for Order
Order for Protection (OFP)  Domestic Abuse	<ul style="list-style-type: none"> <li>• Spouses</li> <li>• Former Spouses</li> <li>• Parents and Children</li> <li>• Persons related by blood</li> <li>• Persons who live together or who have lived together in the past</li> <li>• Persons who have a child in common, even if they have not been married or lived together</li> <li>• Persons who have an unborn child in common</li> <li>• Persons involved in a significant romantic or sexual relationship</li> </ul>	<p>Visit the St. Louis County Courthouse. District Court staff will help you complete the paperwork (Affidavit and Petition) needed to ask for a temporary "ex parte" Order for Protection. You are called the "Petitioner" and the person you are filing against is called the "Respondent."</p> <p>MRC College Counselors can assist students in completing and filing OFP's and harassment orders.</p>	<ul style="list-style-type: none"> <li>• physical harm, bodily injury, or assault;</li> <li>• the infliction of fear of imminent physical harm, bodily injury, or assault; or</li> <li>• terroristic threats, within the meaning of section 609.713, subdivision 1; criminal sexual conduct, within the meaning of section 609.342, 609.343, 609.344, 609.345, or 609.3451; or interference with an emergency call within the meaning of section 609.78, subdivision 2.</li> </ul>

<b>Harassment Restraining Order (HRO)</b>	Anybody who does not fall under the criteria for the Order for Protection.	To file a Harassment Restraining Order, you must first fill out a Court Administration form titled "Petitioner's Affidavit and Petition for Harassment Restraining Order." You may pick up a copy of this form from the St. Louis County Service Center, or download it from the Minnesota Court System's web site. Provide as many details as possible on the form, and return it to Court Administration.	A single incident of physical or sexual assault or repeated incidents of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless of the relationship between the actor and the intended target.
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\*Criteria for Order reflects Minnesota Statutes

The institution does not publish the name of crime victims nor house identifiable information regarding victims in the Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request with the Registrar's Office 218-749-7762.

**Resources for victims (On-Campus)**

<b>Service</b>	<b>Name of Person/Office to Contact</b>	<b>Contact Information</b>
Counseling, Health, Mental Health, and Victim Advocacy	Kelly Bakk and Sabrina Skeens	218-749-7765, 218-744-7533
Financial-aid Assistance	Jodi Pontinen, Shari Christenson, and LaRae Hansen	218-749-7755

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

<https://www.mesabirange.edu/college-services/sexual-violence-resources>

<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

**Bystanders:** Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some of the ways to be an active bystander. If you or someone else is in immediate danger, call 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are OK.
2. Confront people who seclude, hit on, and/or try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in the Annual Security Report or other resources for support in health, counseling, or with legal assistance.

**Reducing the Risk of Sexual Assault:** You can reduce the chances of sexual assault by doing the following:

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas, it is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. Try not to load yourself down with packages or bags as this can appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cash money.
7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (call 911)
11. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink unattended, just get a new one.
12. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they have had, or is acting out of character, get him or her to a safe place immediately.

14. If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. Remember that being in this situation is not your fault. You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
  - b. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c. Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come and get you or make up an excuse for you to leave.
  - d. Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave that to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgement before doing anything you may regret later.

**Complainants' rights:** are as follows:

1. Complainants have the right to file criminal charges with local law enforcement officials in any sexual assault case
2. They have all of the rights under the crime victims bill of rights, Minn. Stat. §§ 611A.01 – 611A.06, including the right to assistance from the Crime Victims Reparations Board and the commissioner of public safety
3. Complainants are afforded the availability of prompt assistance from campus officials, upon request, in notifying the appropriate campus investigating authorities and law enforcement officials, and, at the direction of law enforcement authorities, assistance in obtaining, securing, and maintaining evidence in connection with a sexual violence incident
4. Campus Security Authorities will assist in preserving for a sexual violence complainant material relating to a campus disciplinary proceeding
5. Complaints of incidents of sexual violence made to campus security authorities must be promptly and appropriately investigated and resolved
6. Upon a sexual assault complainant's request, Mesabi Range College will take action to prevent unwanted contact with the alleged assailant, including, but not limited to, transfer of the complainant and/or the respondent to alternative classes, or to a work site or to alternative college-owned housing, if such alternatives are available and feasible. Any accommodations or protective measures provided to the victim will be maintained in confidence, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.
7. Upon the request of the complainant, students who report sexual assaults to (Minnesota

State) and subsequently chose to transfer to another college or university will be provided with information about resources for victims of sexual assault at the college or university to which the complainant is transferring

**Investigation and Disciplinary Procedures:** Investigations and disciplinary procedures will be conducted by Mesabi Range College officials or designee who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. Mesabi Range College officials and designee who conduct investigations and disciplinary procedures will not have any bias or conflict of interest toward either the accuser or the accused.

Procedures used in response to a complaint of sexual violence complainants should avoid requiring complainants to follow any plan of action, to prevent the possibility of re-victimization. The process will be respectful of the needs and rights of individuals involved and they will be treated with dignity. It is never assumed or suggested that the complainant or victim was at fault for the sexual assault or should have behaved differently to prevent the assault. All proceedings will be acted on promptly and conducted within reasonable timeframes. The process will allow for extensions of those timeframes for good cause with written notice to the complainant and the respondent of the delay and the reason for the delay. The process will be consistent with these policies and transparent to the complainant and the respondent. Student complainants and respondents will have the same opportunity to have an appropriate support person or advisor present at any interview or hearing, in a manner consistent with the governing procedures and applicable data practices law. Employees have the right to representation consistent with the appropriate collective bargaining agreement or personnel plan. All procedures will be conducted in accordance with applicable due process standards and privacy laws. The complainant and respondent will simultaneously be informed, in writing, of the outcome in a timely manner, as permitted by applicable privacy law. Outcomes will be based on a preponderance of evidence standard, meaning that it is more likely than not that the policy, procedure, or code has been violated. The past sexual history of the complainant and respondent are deemed irrelevant except as that history may directly relate to the incident being considered. A respondent's use of any drug, including alcohol, judged to be related to an offense may be considered to be an exacerbating rather than mitigating circumstance.

Mesabi Range College takes allegations of sexual violence very seriously and recognizes the consequences such allegations may have on a respondent as well as the complainant. Any individual who knowingly provides false information regarding the filing of a complaint or report of sexual violence, or who provides false information during the investigation of such a complaint or report, may be subject to discipline or, under certain circumstances, legal action. Complaints of conduct that are found not to violate policy are not assumed to be false.

If a complainant no longer desires to pursue a complaint through Mesabi Range College proceeding, Mesabi Range College reserves the right to investigate and resolve the complaint as it deems appropriate. Mesabi Range College reserves discretion whether to pursue alleged violations of policy under appropriate circumstances, including, but not limited to, a determination that an effective investigation is not feasible because of the passage of time, or because the respondent is no longer a student or employee of Mesabi Range College.

- 1. All complaints are filed with the Conduct Officer who has been trained per MinnState**
- 2. Conduct officer investigates**

**3. Conduct officer implements decision of investigation – respondent and complainant are notified**

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

**Sanctions:** Mesabi Range College may, at any time during the report/complaint process, reassign or place on administrative leave an employee alleged to have violated Board Policy 1B.3, in accordance with the procedures in System Procedure 1B.1.1. Such action must be consistent with the applicable collective bargaining agreement or personnel plan.

Mesabi Range College may summarily suspend or take other temporary measures against a student alleged to have committed a violation of Board Policy 1B.3, in accordance with System Procedure 1B.1.1 or Board Policy 3.6.

Sanctions that may be imposed if a finding is made that sexual violence has occurred include, but are not limited to, suspension, or expulsion of students, or termination from employment for employees. The appropriate sanction will be determined on a case-by-case basis, taking into account the severity of the conduct, the student's or employee's previous disciplinary history, and other factors as appropriate. Witnesses or victims who report in good faith an incident of sexual violence will not be sanctioned by Mesabi Range College for admitting in the report to a violation of the student conduct policy on the use of alcohol or drugs.

Actions by a student or employee intended as retaliation, coercion, discrimination, reprisal, or intimidation against an individual for making a complaint or participating in any way in a report or investigation under this policy are prohibited and are subject to appropriate disciplinary action.

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne *Clery Act*, section 121 of the Adam Walsh Child Protection and Safety Act of 2006, and the Family Educational Rights and Privacy Act of 1974, Mesabi Range College is providing a link to the Minnesota Sex Offender Registry. This act requires institutions of higher education issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student.

The Minnesota Level 3 Sex Offender Registry is available via Internet. **Information regarding Level 3 sex offenders can be found at [coms.doc.state.mn.us/Level3/](https://coms.doc.state.mn.us/Level3/) and information regarding Level 2 offenders is available at the (Local Law Enforcement) Police Department.**

**Filing an Appeal:** The complainant or the respondent may appeal the decision of the decision maker. An appeal must be filed in writing with the president or designee within ten (10) business days after notification of the decision. The appeal must state specific reasons why the complainant or respondent

believes the decision was improper. In a complaint against a president or other official who reports directly to the chancellor, an appeal may be considered by the chancellor whether or not the chancellor served as the decision maker.

For employees represented by a collective bargaining agreement, an appeal under this procedure is separate and distinct from, and is not in any way related to, any contractual protections or procedures. During the pendency of the appeal disciplinary or corrective action taken as a result of the decision shall be enforced. In addition, in cases involving sanctions of suspension for ten (10) days or longer, students shall be informed of their right to a contested case hearing under Minnesota Statutes Chapter 14.

The president or designee shall review the record and determine whether to affirm or modify the decision. The president or designee may receive additional information if the president or designee believes such information would aid in the consideration of the appeal. The decision on appeal shall be made within a reasonable time and the complainant, respondent and designated officer shall be notified in writing of the decision, consistent with applicable state and federal data privacy laws. The decision on appeal exhausts the complainant's and respondents' administrative remedies under this procedure except as provided herein.

## **Drug and Alcohol Policies:**

Mesabi Range College prohibits the unlawful possession, consumption (use), sale, or distribution of alcohol by all students and employees and enforces all applicable drinking/liquor laws and policies on campus, including Federal law, Minnesota State law, Virginia and Eveleth City Ordinances and institution policy.

The possession or consumption of alcohol is prohibited in all Mesabi Range College campus buildings and applies regardless of age. Consuming alcohol and loitering with an open container of alcohol is a violation of the law in accordance with **MN and Federal drug laws**. The only exception is for special events authorized by the Minnesota State Colleges and Universities Board of Trustees.

Students are subject to the Student Code of Conduct while participating in school sponsored activities at off campus locations- any violations of the Student Code of Conduct while participating in any such activities will be investigated by the Mesabi Range College Student Conduct Officer.

**Students** who are found to be in possession of an open container or consuming alcohol while on campus will be subject to disciplinary action for violating the Student Code of Conduct. If students are not cooperative the Virginia or Eveleth Police Department may be called to assist, and the student may be subject to citation or arrest. **Employees** who are found to be in possession of an open container or consuming alcohol while on campus will be subject to disciplinary action. **Non-students/ non-employees** who are found to be in possession of an open container or consuming alcohol while on campus may be asked to leave campus, may be prohibited from returning for one year, if uncooperative the Virginia or Eveleth Police Department may be called to assist, and the individual may be subject to citation or arrest.

**Students** who are believed to be under the influence of alcohol may be subject to disciplinary action for violating the Student Code of Conduct. **Employees** who are believed to be under the influence of alcohol may be subject to disciplinary action. **Non-students/ non-employees** who are believed to be under the

influence of alcohol may be asked to leave campus, may be prohibited from returning for one year, and if uncooperative the Virginia or Eveleth Police Department may be called to assist, and the individual may be subject to citation or arrest.

**Illegality of Drugs on Campus and the Enforcement of Federal and State Drug Laws:** Mesabi Range College enforces Federal, State, and local drug laws regarding the use, possession, and sale of illegal drugs and drug paraphernalia. Mesabi Range College forbids the possession, use, or distribution of illegal drugs on campus. This includes but is not limited to possession, sale, and use, growing, manufacturing and making of narcotic drugs. Exceptions would be drugs prescribed by a doctor's order.

**Students** who are believed to be under the influence of a controlled substance may be subject to disciplinary action for violating the Student Code of Conduct. **Employees** who are believed to be under the influence of a controlled substance may be subject to disciplinary action. **Non-students/ non-employees** who are believed to be under the influence of a controlled substance may be asked to leave campus, may be prohibited from returning for one year, and if uncooperative the Virginia or Eveleth Police Department may be called to assist, and the individual may be subject to citation or arrest.

**For petty misdemeanor crimes, such as possession of marijuana, the following actions will be taken:** **Students** who are found to be in violation of the law may be subject to disciplinary action for violating the Student Code of Conduct. If students are not cooperative the Virginia or Eveleth Police Department may be called to assist, and the student may be subject to citation or arrest. **Employees** who are found to be in violation of the law while on campus may be subject to disciplinary action. **Non-students/ non-employees** who are found to be in violation of the law while on campus may be asked to leave campus, may be prohibited from returning for one year, if uncooperative the Virginia or Eveleth Police Department may be called to assist, and the individual may be subject to citation or arrest for misdemeanor and felony level drug crimes the Virginia or Eveleth Police Department will be contacted.

**Drug and Alcohol Abuse Education Programs:** Mesabi Range College recognizes the reality of chemical dependency and is aware of its occasional presence in the higher education community. As a safeguard against this dependency, numerous campus organizations provide prevention programs to the campus community. Mesabi Range College encourages and provides reasonable assistance to any student, faculty or staff member who seeks information on chemical dependency or treatment for chemical dependency. Various offices, including Counseling and Human Resources, provide information and referral to prevention programs for those seeking help with substance abuse. Resources are also located on the College web site:

The Mesabi Range College ALCOHOL AND DRUG DEPENDENCY PROGRAM is included in The Freshman Orientation Class which is required by all new students to attend.

### **Firearms Policy: Board Policy 5.21 Possession or Carry of Firearms**

<http://www.mnscu.edu/board/policy/521.html>

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

**Definitions.**

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

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

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

**Student.** "Student" means an individual who is:

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

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

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

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

**Employees.**

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

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

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

**Exceptions.** The following are exceptions to this policy:

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

**Authorized uses.** This policy does not prohibit:

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

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

**Referral to Law Enforcement.** Mesabi Range College may refer suspected violations of weapons law to appropriate law enforcement authorities and provide access to investigative or other data as permitted by law.

## Annual Fire Safety Report

The Higher Education Opportunity Act (HEOA) was signed into law in August 2008 and contains several crucial campus safety components. One of the main provisions of the HEOA is the Campus Fire Safety Right-to-Know Act. This provision calls for all Title IV eligible institutions that participate in Title IV programs and maintain on-campus student housing facilities to publish an annual fire safety report that outlines fires safety systems, policies, practices, and statistics. The following report discloses all information required by HEOA as it relates to Mesabi Range College.

### Description of On-campus Student Housing Fire Safety Systems

Mesabi Range College has three apartment-style residential buildings (Alpine Village) on campus. Each room in every apartment has a fire sprinkler system and smoke alarm. CO2 detectors are located in the hallways on either end of the apartment. These are inspected and tested monthly by the Director of Residential Life.

The inspection report is kept on file with the City of Virginia Housing and Redevelopment Authority, who owns Alpine Village. Those reports are available upon request.

All housing fire extinguishers are certified annually by a contractor, Baker Fire of Buhl, Minnesota. The location and condition of fire extinguishers is checked weekly at a mandatory room check conducted by the Director of Residential Life.

Each apartment also contains 2 heat detectors/fire suppression units in each kitchen and one fire extinguisher. Fire drills are conducted twice a year.

Residents are instructed on safety procedures at a mandatory housing orientation at the beginning of each semester. Included in that orientation is information about the seriousness of tampering with fire detection and suppression equipment. That information is also included in the Housing Handbook. A hard copy of the Emergency Procedures presentation is also available in each unit.

### Statistics and Related Information Regarding Fires in Residential Facilities

Residential Facility	Total Fires	Cause of fire (intentional or unintentional)	Number of Injuries Requiring Treatment	Number of Deaths Related to Fire	Value of Property Damage Caused
<b>Alpine Village</b>					
<b>2020</b>	<b>0</b>				
<b>2019</b>	<b>0</b>				
<b>2018</b>	<b>0</b>				

**Value Ranges:**           \$0 – 99  
                                   \$100 – 999  
                                   \$1,000 – 9,999  
                                   Etc. using \$25,000 increments

**Fire Safety Policies:** For the safety of all residents, individuals are expected to maintain their rooms in an orderly manner at all times in compliance with the following fire regulations:

1. Use of open flame cooking devices or hot plates is prohibited.
2. Light bulbs should be used in approved lamps or holders and be of proper wattage for the device; excess wattage may result in a fire.
3. Light fixtures must not be tampered with in any way, and items which might serve as conductors of electricity should not be hung from them.
4. Room doors must be able to be fully open and be self-closing. Room doors must be closed when the room is left unattended or the residents of the room are sleeping. Closet doors may not be removed.

5. An emergency aisle of at least 22 inches must be maintained within the room.
6. When arranging furniture, consideration must be taken so that if tipped over items do not block the door.
7. Use power strips/surge protectors with breakers instead of octopus plugs or extension cords, which are not allowed.
8. Power strips/surge protectors must be unplugged after use and should not be placed under carpet or attached to, woven through, or touching metal in any manner.
9. Students are responsible for notifying the Director of Residential Life immediately after identifying problems with smoke detectors.
10. Anyone caught tampering with smoke/CO2 detectors or fire extinguishers may face criminal charges.
11. Portable heaters are prohibited.
12. Motorbikes or other motorized vehicles may not be stored in students' rooms or in any common area.
13. Candles may not be burned in any residential areas, including student rooms, due to the potential fire hazard.
14. Highly combustible materials such as gas, lighter fluid, helium, charcoal, and firewood are prohibited.

**Burning of incense, sage, sweet grass, or cedar:** The burning of incense, sage, sweet grass, cedar, hookahs, and similar items is prohibited in residential units, including bedrooms and bathrooms. An exception, for the sole purpose of religious ceremony, may be granted with prior approval from the Director of Residential Life, within three working days of the event. All requests must be in writing. The Director of Residential Life shall respond, in writing, within one business of the request.

**Weekly Room Inspections,** required by the City of Virginia Housing and Redevelopment Authority and conducted by MRC's Director of Residential Life, ensure the presence of working smoke/CO2 detectors and fire extinguishers and the availability of safe egress in the event of a fire emergency.

**Fire Safety Education:** The following are required fire safety education activities:

**Fire Drills:** As required by state law, a fire drill is conducted scheduled each semester. Failure to evacuate during a fire drill (or even false alarm) will subject a student to disciplinary procedures and possible sanction, including prosecution.

**Fire Safety Equipment:**

Fire Extinguishers: 1 per apartment

Heat Detector/Suppression Units: 2 per kitchen/apartment

Smoke/CO2 Detectors: 7 per apartment

Sprinkler System: Each room of each apartment

Exits: 1 apartment door and 1 window per bedroom

The Director of Residential Life verifies the location and working condition of this safety equipment during weekly room inspections, and again during a monthly inspection. Fire extinguishers are certified annually by a private contractor.

**Evacuation Procedures:** Residents receive fire emergency procedures through the mandatory housing orientation at the beginning of each semester. The City of Virginia Fire Chief presents at this orientation and students are encouraged to ask questions for clarification. The Emergency Procedures presentation is also available online on the Housing webpage and in hard copy form in each apartment.

**Reporting:** All fires that occur on Mesabi Range College campus property are reported to MRC Maintenance, who keeps a fire log that reflects the nature of the fire, date, time, and general location, including on-campus housing. MRC posts specific incidents in the Fire Log within two business days of receiving a report of an incident and reserves the right to exclude reports from a log in certain circumstances, as permitted by law.

**Evacuation Procedures:** Emergency evacuation routes and severe weather locations are posted in all buildings on each floor throughout campus (*if applicable*). Residential Life staff provides fire emergency procedures in The Housing Handbook (*if applicable*).

If you hear an alarm:

1. Close windows, open curtains, and turn on lights.
2. Check for heat on door and then open slowly and check for smoke.
3. If smoke is thick and/or fire is present, remain in your room with the door closed. Block air vents and door crack with towel or clothing. Call 911 and identify yourself and your location.
4. If smoke is absent, exit the building using the nearest exit. Close and lock your door when you leave.
5. Stand away from the building and do not re-enter until the all-clear is given by the Fire Department, and/or Director of Residential Life.

If you see a fire:

1. Pull fire alarm.
2. Call 911.
3. Exit the building and move to designated safe area.

Regardless of 911 reports, all fires that occur on Mesabi Range College campus property should be reported to the Mesabi Range College Maintenance.

Institutions must maintain a fire log that reflects the nature of the fire, date, time and general location of each fire in on-campus student housing facilities. Mesabi Range College complies with this rule by including all fire related incidents in the Fire Log. Mesabi Range College Maintenance office maintains a Fire Log of all incidents reported.

This log includes the incident type, date incident is reported, date and time of occurrence, general location of each reported incident type and the disposition of the incident if that information is known. Mesabi Range College posts specific incidents in the Fire Log within two (2) business days of receiving a report of an incident and reserves the right to exclude reports from a log in certain circumstances as permitted by law. The most current (up to 60 days) of information is available in the Maintenance Department office.

*(Plans for future improvements in fire safety, if determined necessary by the institution)*

Working on the updating the public address system on both campuses.  
Better labeling our fire extinguisher placement on both campuses.  
Better labeling of exit doors for in emergencies.

## Appendix 1

### GENERAL TERMS and DEFINITIONS

**Business Day** is defined as “Monday through Friday, excluding any day when MRC is closed.”

**Campus** is defined as

- any building or property owned or controlled by an institution within the same reasonably contiguous geographic area within 1 mile of the main campus and used by MRC in direct support or, or in a manner related to, MRC’s educational purposes, including residence halls; and

- any building or property that is within or reasonably contiguous to the area identified in the first part of this definition, that is owned by MRC but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**Campus residences** are defined as residential facilities for students on campus.

**Non-campus building or property**

- any building or property owned or controlled by a student organization that is officially recognized by MRC or
- any building or property owned or controlled by MRC that is used in direct support of, or in relation to, MRC's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of MRC.

**Public property** is all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

**Referred for campus disciplinary action** - The referral of a student to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction. These referrals do not include those students already counted in the arrest categories for liquor law, drug law, or weapons violations, but will include those referred for a major crime.

**CRIMINAL DEFINITIONS**

*The following definitions are those used in the Uniform Crime Reporting system of the U.S. Department of Justice, Federal Bureau of Investigation.*

**Aggravated Assault** – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is accompanied by the use of a weapon or 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 which could and probably would result in serious personal injury if the crime were successfully completed.

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

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

**Drug Abuse Violations** – Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs and the equipment or devices utilized in their preparation and/or use. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadones); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Hate Crimes** – Crimes that manifest evidence of prejudice based on race, religion, sexual orientation, disability, gender, or ethnicity.

**Intimidation** – To lawfully 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.

**Larceny Theft** – The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**Liquor Law Violations** – The violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still 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. Drunkenness and driving under the influence are not included in this definition. **Manslaughter** – The reckless or grossly negligent killing of a human being, excluding traffic fatalities.

**Murder and Non-Negligent Manslaughter** – The willful (non-negligent) killing of one human being by another.

**Negligent Manslaughter** – The killing of another person through gross negligence.

**Motor Vehicle Theft** – The theft or attempted theft of a motor vehicle. Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned-including joy riding.

**Robbery** – The taking of, or attempting to take, anything of value under confrontational circumstances from the control, custody, or care of a person or persons by force or threat of force or violence or by putting the victim in fear. Carjackings are robbery offenses where a motor vehicle is taken through force or threat of force.

**Simple Assault** – Simple, not Aggravated includes all assaults which do not involve the use of a firearm, knife, cutting instrument, or other dangerous weapon and in which the victim did not sustain serious or aggravated injuries.

**Vandalism of Property** – The willful or malicious destruction, injury, disfigurement, or defacement of any public or private property, real or personal, without the consent of the owner or person having control.

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

#### **DEFINITIONS OF SEXUAL OFFENSES**

- **Forcible-** Any sexual act directed against another person forcibly or against that person's will where the victim is incapable of giving consent.
- **Forcible Rape (except Statutory Rape):** The carnal knowledge of a person, forcibly or against that person's will, or both; or not forcibly or against the person's will where the victim is incapable of giving consent because of youth or his or her temporary or permanent mental or physical incapacity.
- **Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly or against that person's will, or both; or not forcibly or against the person's will where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity.
- **Sexual Assault with an Object:** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another
- person, forcibly or against that person's will, or both; or not forcibly or against the person's will where the victim is incapable of giving consent because of youth or his or her temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything used by the offender other than the offender's genitalia. Examples are a finger, bottle, handgun, stick, etc.
- **Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly or against that person's will, or both; or not forcibly or against the person's will where the victim is incapable of giving consent because of his or her youth or because of his or her

temporary or permanent mental or physical incapacity. Forcible fondling includes “indecent liberties” and “child molesting.”

- **Nonforcible:** Unlawful, nonforcible sexual intercourse, except
- “prostitution offenses.”
- **Incest:** Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by laws.
- **Statutory Rape:** Nonforcible sexual intercourse with a person who is under the statutory age of consent.