



# **Annual Security and Fire Safety Report**

## **2014**

## Contents

PUBLIC SAFETY.....	4
THE CAMPUS SECURITY ACT .....	5
HOW DO I REPORT A CRIME .....	5
RESPONSE TO REPORTED CRIME.....	5
SECURITY OF AND ACCESS TO CAMPUS FACILITIES, INCLUDING CAMPUS RESIDENCES .....	6
SECURITY CONSIDERATIONS IN THE MAINTENANCE OF CAMPUS FACILITIES .....	7
CAMPUS SECURITY AUTHORITY (CSA) .....	7
POLICY 101.2 – TIMELY WARNING/CRIME ALERT POLICY .....	8
DAILY CRIME LOG .....	8
EMERGENCY PREPAREDNESS .....	9
EMERGENCY RESPONSE .....	9
SAFE RIDE .....	9
EMERGENCY NOTIFICATION SYSTEMS .....	10
EMERGENCY PHONES .....	10
EDUCATION PROGRAMS .....	10
EMERGENCY PREPAREDNESS CHECK OFF LIST .....	10
CRIME PREVENTION TIPS.....	11
THE SEXUAL ASSAULT VICTIM’S BILL OF RIGHTS .....	12
DISCRIMINATION, HARASSMENT, SEXUAL MISCONDUCT, STALKING, AND RETALIATION POLICY.....	12
WHAT TO DO IF YOU ARE SEXUALLY ASSAULTED.....	19
WHAT TO DO IF YOU EXPERIENCE RELATIONSHIP VIOLENCE OR STALKING.....	20
SEXUAL AND VIOLENT OFFENDER REGISTRY.....	21
CAMPUS RESOURCE ORGANIZATIONS .....	21
LAW ENFORCEMENT RELATIONSHIP WITH THE UNIVERSITY .....	22
SAFE WALKS .....	22
SAFETY AND SECURITY .....	23
ALCOHOL POLICY .....	23
DRUG FREE CAMPUS POLICY .....	27
MEDICAL MARIJUANA .....	27
DRUG AND ALCOHOL EDUCATION PROGRAMS .....	28
RIGHT OF PRIVACY, RELEASE OF CONFIDENTIAL RECORDS (FERPA) .....	28
DANGEROUS OR DISRUPTIVE STUDENT .....	29
SUICIDE ATTEMPTS .....	29
QUESTION PERSUADE AND REFER (QPR) PROGRAM .....	29
MISSING STUDENT POLICY AND PROCEDURE .....	30
CRIME STATISTICS .....	31
HOW DO WE COMPILE THESE STATISTICS?.....	31
DEFINITIONS OF REPORTABLE CRIMES IN THE CAMPUS SECURITY ACT .....	32
HATE CRIME .....	33
OFF-CAMPUS RESOURCES .....	35
CRIME REPORTS .....	36
FIRE SAFETY STATEMENT .....	38
ON-CAMPUS STUDENT HOUSING AND LIFE SAFETY SYSTEMS .....	38
MANDATORY SUPERVISED FIRE DRILLS .....	38
FIRE EVACUATION GUIDELINES .....	38
FIRE LOG .....	40
EMERGENCY RESPONSE AND EVACUATION PROCEDURES TESTS .....	41
RESIDENCE HALLS .....	42
FIRE DRILLS & FIRE EQUIPMENT .....	42
TRAINING .....	42



**For emergencies, call:**

**Public Safety: 911**

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

**(406) 925-9782**

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

## Public Safety

The University of Montana Western encourages and supports safety and security for all who live, learn, and enjoy the beautiful environment on our campus. The Dean of Students Office along with the administration at Montana Western, Dillon City Police, Beaverhead County Sheriff, Safety and Security Committee, and Facilities work together to create and maintain a safe campus environment. Montana Western provides safety and security information to students during Ready2Rock (summer registration days), floor projects, orientation, and various activities, workshops, and presentations. Topics include personal safety, alcohol awareness, tobacco use, sexual misconduct, violent assaults, healthy living, emergency procedures, and safety drills.

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

Programs the Dean of Students Office offers:

- EverFi – Haven (sexual assault awareness) and Alcohol EDU
- New student Ready2Rock and orientation
- Sexual misconduct prevention
- Alcohol awareness
- Safety information
- Residence Life safety training for Resident Assistants and Hall Directors
- Annual employee training
- Athletic Coaches training
- Athletic team training
- Emergency Operation Plan
- Emergency Check-off list in all classrooms/offices
- Timely warnings posted on “Regroup” and through email to inform campus community about criminal incidents considered to be potentially threatening to students and employees
- Campus wide emails, Regroup notifications for faculty, staff, and students, and voice mails activated in case of an emergency
- Crime logs available for public review
- Educational programs for residence halls, student organizations, employee, and campus wide programs that provide awareness and prevention on safety and security issues
- Tobacco Free Awareness
- Violent Assault Prevention
- Healthy Living
- Mental Health Issues
- Health and Wellness surveys and trainings for all students
- Facility Services annually evaluates the safety of campus during different times of the day

- Confidential crime reports gathered and compiled in the Dean of Students Office through a computer program Maxient

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

The Campus Security Act requires colleges and universities to:

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

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

We encourage members of the University community to use this report as a guide for safe practices on and off campus. The report is available on the Web at [http://my.umwestern.edu/studentlife/Clery\\_14.pdf](http://my.umwestern.edu/studentlife/Clery_14.pdf). Each member of the University community receives an e-mail that describes the report and provides its Web address. For more information, contact Nicole Hazelbaker at 683-7900, or e-mail [Nicole.hazelbaker@umwestern.edu](mailto:Nicole.hazelbaker@umwestern.edu).

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

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

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

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

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

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

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

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

## **Response to reported crime**

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

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

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

Access to campus buildings and grounds is a privilege extended to students, faculty, staff, and guests. The University encourages an open environment with limited constraints to ensure the reasonable protection of all members of the community. Most campus

facilities are open during weekday business hours. Individuals who wish to access campus facilities during non-business hours or for special events should contact Conference and Event Services (7566) or Facility Services (7141).

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

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

The University of Montana Western is committed to campus safety and security. Exterior lighting and landscape control is a critical part of that commitment. Representatives from various departments conduct security checks to ensure campus lighting is adequate and that the landscape is appropriately controlled. Campus security conducts routine checks of lighting on campus during regularly assigned patrol duties. If lights are not working, officers will initiate an immediate work order, which is acted upon by a representative of the appropriate maintenance office, usually by the next business day. We encourage community members to report any instances of inadequate lighting to Facility Services at 683-7142.

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

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

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

- Student Housing
- Student Discipline
- Director of Athletics and team coaches
- Advisor to a student group
- Dean of Students
- Student Resident Advisor (RA) or Hall Director (HD)

Under Clery a crime is reported when a victim, witness, other third party or even the offender brings it to the attention of a Campus Security Authority (CSA). It does not matter whether or not the individual/s involved in the crime or reporting the crime are associated with the institution. If a CSA receives the crime information and believes it was provided in good faith, he or she should document it as a crime report and PROVIDE

THIS REPORT THROUGH MAXIENT. In “good faith” means there is a reasonable basis for believing that the information is not simply rumor or hearsay.

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

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

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

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

### **I. POLICY**

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

### **II. PURPOSE**

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

### **III. PROCEDURES**

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

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

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

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

### **IV. AUTHORITY**

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

(<http://www.securityoncampus.org/schools/cleryact/index.html>)

### **V. RESPONSIBILITY**

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

## **Daily Crime Log**

Since the University of Montana Western does not have sworn campus police, we are not required to keep a daily crime log. However, a log of Clery reportable crimes is kept in

the Director of Residence Life office. The information is collected from several different offices on campus.

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

## **Emergency Preparedness**

The University of Montana Western recognizes the need to be prepared for critical incidents. Under the guidance of the Campus Emergency Response Manual, several departments and offices work together to prepare for, prevent, respond to, and recover from emergency situations. In conjunction with local government first responders, such as the Dillon City Police, Beaverhead County Sheriff, Dillon Fire Department, Beaverhead Ambulance, and Beaverhead County SWAT. The University is well prepared to respond to a full range of critical incidents.

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

## **Emergency Response**

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

## **Safe Ride**

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

## **Emergency Notification Systems**

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

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

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

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

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

## **Emergency Phones**

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

## **Education Programs**

Each year during orientation and Ready2Rock, our students are made aware of safety issues, crime prevention, sexual assault awareness, and our alcohol policy. Throughout the year Student Affairs hosts programs and speakers to create a greater understanding of each topic.

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

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

## **Crime Prevention Tips**

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

- Report all suspicious persons/circumstances to the Dean of Students at (406) 683-7388 or contact Dillon City Police at 911 or (406) 683-3701.
- Avoid walking alone at night regardless of gender. Contact the Hall Director on duty at (406) 925-9828 or Facility Services at (406) 683-7141.
- Do not allow tailgating into any building (letting someone follow you through a locked door). Remember that residence halls are restricted to the students who live there and their guests.
- Know the locations of the emergency telephones and the emergency call boxes located around campus. One is located between the Library and the BARC parking lot and a second one is located between the Business and Technology Building and Main Hall.
- Add the Dean of Students cell phone to your cell phone contacts (406) 925-9782.
- Inventory your personal property and insure it with personal insurance coverage. Take and keep photos of valuable items.
- Backup your computer daily in case it gets stolen.
- Lock up bicycles using proper locking procedures and a good quality lock.
- Always lock car windows and doors when leaving your car.
- If you know that you will be returning to your vehicle when it's dark outside, use well-lit parking lots. Park under a streetlight if possible.
- Do not leave valuables in your car. If you must, put valuables in your trunk prior to arrival at your destination.
- Carry only those items of value that you need on your person; e.g. limit the amount of cash and the number of credit cards you carry, and never carry your social security card in your purse or wallet.
- Never leave valuables (wallet, purses, books, laptops, etc.) unattended and unsecured – even for a bathroom break.
- Always lock the door to your residence hall room, whether or not you are there. Keep windows closed and locked when you are away.

- Do not leave messages on your door advertising that you are leaving or when you r are returning. This alerts thieves to your absence.

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

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

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

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

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#### **I. POLICY**

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

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

This policy applies to all members of the University community, including students, faculty, staff, applicants, program and activity participants. The policy applies in all University programs and activities, including, but not limited to, discrimination in athletics, instruction, grading, university housing, and university employment. In addition, the law prohibits retaliation against an individual for opposing any practices forbidden under this policy, for bringing a complaint of discrimination or harassment, for assisting someone with such a complaint, for attempting to stop such discrimination or harassment, or for participating in any manner in an investigation or resolution of a complaint of discrimination or harassment. It is central to the values of this University that any individual who believes they may have been the target of unlawful discrimination or harassment feel free to report their concerns for appropriate investigation and response, without fear of retaliation or retribution.

#### **II. PURPOSE**

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

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

### **Title IX Coordinators**

#### **Liane Forrester**

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

#### **Nicole Hazelbaker**

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

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

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

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

#### **Discriminatory Conduct**

1. *Discrimination* is conduct that is based upon an individual's race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation that excludes an individual from participation, denies the individual the benefits of, treats the individual differently or otherwise adversely affects a term or condition of an individual's employment, education, living environment or participation in a University program or activity. This includes failing to provide reasonable accommodation, consistent with state and federal law, to persons with disabilities.
2. *Harassment* is covered under this policy if it is based upon an individual's race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental

disability, genetic information, gender identity, gender expression, or sexual orientation. Harassing conduct may take various forms, including, name-calling, graphic, spoken or written statements (including the use of cell phones, landlines, or the Internet), or other conduct that may be physically threatening, harmful, or humiliating. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Sex-based harassment includes sexual harassment, which is further defined below, and non-sexual harassment based on stereotypical notions of what is female/feminine v. male/masculine or a failure to conform to those gender stereotypes.

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

#### A. Sexual Harassment

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

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

##### 1. Tangible Employment or Educational Action

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

##### 2. Hostile Environment

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

#### B. Hostile Environment Harassment

A *Hostile Environment* based on race, color, religion, national origin, creed, service in the uniformed services, veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation exists when harassment:

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

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

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

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

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

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

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

- Involvement in any sexual contact when the victim is unable to consent.
  
- Intentional and unwelcome touching of, or coercing, forcing, or attempting to coerce or force another to touch a person’s intimate parts (defined as genital area, groin, inner thigh, buttocks, or breast).
  
- Sexual intercourse without consent, means penetration (anal, oral or vaginal) by a penis, tongue, finger, or an inanimate object, however slight the penetration or contact. As well as acts commonly referred to as “rape.”

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

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

5. *Retaliation* is action taken by an accused individual or an action taken by a third party against any person because that person has opposed any practices forbidden under this policy or because that person has filed a complaint, testified, assisted, or participated in any manner in an investigation or proceeding under this policy. This includes action taken against a bystander who intervened to stop or attempt to stop discrimination, harassment, or sexual misconduct. Retaliation includes intimidating, threatening, coercing, or in any way discriminating against an individual because of the individual's complaint or participation. Action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this policy.

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

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

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

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

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

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

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

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

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

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

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

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

### **IX. External Complaints**

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

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

### **X. AUTHORITY**

**Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 et seq.; Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. Section 1092(f); 34 C.F.R. Part 668.46; and Family Educational Rights & Privacy Act, 20 U.S.C. Section**

1232g; 34 C.F.R. Part 99 Titles IV, VI, and VII of the Civil Rights Act of 1964; 34 C.F.R. pt. 100; Title IX of the Education Amendments of 1972; 28 C.F.R. pt. 54 and 34 C.F.R. pt. 106; Section 504 of the Rehabilitation Act; 34 C.F.R. pt. 104; Age Discrimination Act of 1975; 34 C.F.R. pt. 110; and Titles I and II of the Americans with Disabilities Act; 28 C.F.R. pt. 35; Montana Human Rights Act and Governmental Code of Fair Practices, Title 49, Montana Code Annotated; Board of Regents Policy 507

## **XI. RESPONSIBILITY**

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

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

## **Personal Safety Options**

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

If you are raped or sexually assaulted on campus:

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

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

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

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

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

- Seek medical attention for any injuries; visit Community Health or a hospital, or consult a private physician; ask your physician about documenting your injuries.
- Find someone you can safely talk to about the situation, such as a friend, family member, and/or contact Women's Resource Community Support Center for more information or support. An advocate or counselor will talk with you about your options and rights, and offer you any referrals you may need. Call them on their 24 hour hotline 800-253-9811.
- Report abuse to law enforcement or to the University's Title IX Coordinator. The Title IX Coordinator can help you report to law enforcement. Notifying the Title IX Coordinator will allow her to help you determine whether the University can provide interim measures such as changes to your living, academic, or on-campus working situations and can start the conversation about a campus investigation.
- Obtain a Temporary Order of Protection; for assistance, contact the Women's Resource Community Support Support Center (406-683-6106).
- Develop a safety plan.
- Speak with a University counselor. For an appointment, contact Counseling Services (406-683-7388).

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

You have choices. Early intervention is critical. Most stalking does not end on its own. Recognizing stalking behavior is the first step. Many people minimize the seriousness of stalking, assuming that the stalker has poor social skills or misplaced romantic notions. There are several signs that indicate stalking behavior. Trust your feelings. The following are recommendations to assist you in dealing with this crime. You can:

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

## **Sexual and Violent Offender Registry**

The Montana's Sexual and Violent Offender Registration Act is designed to protect the public from sexual or violent offenders by requiring offenders to register with local law enforcement agencies in the jurisdiction where they reside. Information about these offenders is then made available to the public.

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

## **Campus Resource Organizations**

### **Emergency Response Team**

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

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

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

### **CERT**

The University has trained many people on campus through FEMA's CERT program. Those who have been CERT trained are also given opportunities throughout the year to increase their knowledge and use the skills they have been taught through the program.

### **Ready 2 Rock**

At the beginning of each year, new student orientation has a section about sexual assault prevention, alcohol prevention, and safety and security on campus. All first time students are required to attend Ready 2 Rock.

### **PeerAZoids**

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

### **Residence Hall Floor Projects**

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

### **Health and Wellness**

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

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

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

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

### **Safe Walks**

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

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

## **Safety and Security**

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

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

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

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

## **Alcohol Policy**

### **I. POLICY**

Consumption of alcoholic beverages on property belonging to the Montana University System is prohibited except as expressly permitted (Board of Regents Policy 503.1). Specifically, the use or possession of alcoholic beverages is prohibited: 1) in University of Montana Western buildings, grounds, and athletic fields, 2) at on- or off-campus university-sponsored events, and 3) at on- or off-campus university-recognized student club events, except in limited approved circumstances.

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

### **II. PURPOSE**

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

### **III. PROCEDURES**

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

#### **A. Definitions**

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

#### **B. Exceptions**

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

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

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

1. All events held on University property that involve serving of alcoholic beverages, except those in Family Housing apartments, the Chancellor's residence, and university rental houses, must be scheduled with the UMW Conference & Event Services Office.
2. Consumption shall be in connection with a substantive event, such as a banquet, official entertainment, reception, or approved tailgate party.
3. Food and nonalcoholic beverages shall be available.
4. The event shall be monitored to prevent consumption by persons not of legal age.
5. All events involving alcoholic beverages must have appropriate licenses and permits.
6. The sale of alcoholic beverages or any indirect means of collecting money to pay for alcoholic beverages is prohibited unless a licensed alcohol vendor caters the event or a temporary alcohol permit is obtained from the State. The vendor must possess a current Montana all-beverage license and an annually renewable catering permit.
7. University or student club funds may not be used to buy alcoholic beverages.
8. Each club or organization sponsoring an event shall adhere to the risk management guidelines contained in this policy.

9. Unreasonable or irresponsible conduct or violation of any regulation or noncompliance with any limitation outlined herein will justify discontinuance of the event and subsequent denial of University service and facilities.
10. UMW Foundation events serving alcoholic beverages on campus are not subject to this policy unless co-sponsored by a student club. Events are approved through the catering policy.

#### D. Off Campus Events

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

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

1. Student officers or officials must meet with the club's advisor to ensure their risk management plan adheres to university alcohol policies and risk management guidelines and have the event approved by the Chancellor.
2. A University-recognized student club that sponsors an event involving alcoholic beverages off University property must have the event catered by a licensed vendor, if fifteen (15) or more persons attend the event. Vendor approval by Conference & Event Services is not required.
3. A University-recognized student club that sponsors an event involving alcoholic beverages off University property is not required to have the event catered by a licensed vendor if fourteen (14) or fewer persons attend the event. However, the sale of alcohol is prohibited unless a licensed vendor caters the event. Event participants may contribute personal funds to purchase alcoholic beverages for the event. Students who organize and participate in this type of event assume the responsibility for serving alcohol and monitoring its use in accordance with local ordinances, state, and federal laws, and Board of Regents and UMW policies.
4. University-recognized student clubs may not apply for a special permit from the State of Montana Liquor Division.
5. Violations of university alcohol regulations are also violations of the UMW Student Conduct Code. Violators are subject to disciplinary action pursuant to the Code. The University, including ASUMW, may deny privileges to a student club or impose other sanctions for alcohol violations.

#### E. Alcohol Risk Management Guidelines

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

1. Alcohol-free events should be promoted.

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

#### F. Advertising & Promotion Involving Alcohol

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

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

#### IV. AUTHORITY

Board of Regents Policy 503.1, UMW Policy 600.3

#### V. RESPONSIBILITY

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

## **Drug Free Campus Policy**

### **I. POLICY**

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

### **II. PURPOSE**

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

### **III. PROCEDURE**

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

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

If questions arise related to any of these guidelines or policies, contact the Student Affairs Office for the appropriate department for referral. Faculty, staff, and students are encouraged to familiarize themselves with resources available in the area of substance abuse, counseling, and treatment. In addition, the Campus Counseling Program is available to assist students with substance-related problems.

### **IV. AUTHORITY**

Drug-Free Schools & Communities Act of 1989

### **V. RESPONSIBILITY**

Chancellor, Dean of Students, Campus Counselor

## **Medical Marijuana**

Although Montana state law permits the use of medical marijuana, (i.e., use by persons possessing lawfully issued medical marijuana cards), federal laws prohibit marijuana use,

possession and/or cultivation at educational institutions and on the premises of other recipients of federal funds. The use, possession, or cultivation of marijuana for medical purposes is therefore not allowed in any University of Montana Western housing or any other University of Montana Western property; nor is it allowed at any University-sponsored event or activity off campus.

## **Drug and Alcohol Education Programs**

Montana Western provides educational sessions in the residence halls and training for the Residence Life staff members. The Wellness Program, Student Activities Office, PeerAZoids, and Residence Life programming provide programs on these topics throughout the academic year, including participation in Alcohol Awareness Week. The Campus Counseling Program distributes information around campus. The Students Over Substance class is required of all students who violate the drug or alcohol policy on or off campus.

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

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

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

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

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

NOTE: While a request to withhold directory information may be made at any time, students wishing to have directory information withheld from the student directory for a

specific term/semester should submit their requests no later than the end of the second week of classes for that particular term.

## **Dangerous or Disruptive Student**

Montana Western is concerned about the physical, mental, and emotional welfare of its students. The University believes that all students have a responsibility for self-welfare, self-guardianship, and self-care. In addition, students are responsible for conducting themselves in a manner that is not violent or disruptive. Any behavior that may threaten the well being of Montana Western students will be dealt with in a sensitive and appropriate manner.

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

## **Suicide Attempts**

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

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

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

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

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

## **Missing Student Policy and Procedure**

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

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

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

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

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

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

## Crime Statistics

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

### How do we compile these statistics?

In accordance with the Jeanne Clery Disclosure of Public Safety and Campus Crimes Statistics Act (the Clery Act) of 1998 and the Higher Education Amendments of 1992 and 2008, the Dean of Students office collects the crime statistics disclosed in the charts through a number of methods.

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

### Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

**Liquor law violations:** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, or possession of intoxicating liquor, maintaining unlawful drinking places, furnishing liquor to a minor or intemperate person, using a vehicle for illegal transportation of liquor, drinking on a train or public

conveyance, and all attempts to commit any of the aforementioned activities.  
(Drunkenness and driving under the influence are not included in this definition.)

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

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

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

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

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

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

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

- Murder and Non-negligent manslaughter
- Forcible sex offenses

- Non-forcible sex offenses
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Larceny: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another
- Vandalism: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.
- Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

## **Off-campus Resources:**

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

Paul Craft (406) 683-3701 Dillon Police Department

Jay Hansen (406) 683-3700 Beaverhead County Sheriff Department

Mike McGinley (406) 683-5051 Beaverhead County Fire Department

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

## Crime Reports

### Campus Crime Log

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

### Clery Crime Statistics Tables

#### Disciplinary Referrals

OFFENSE	YR	ON-CAMPUS	RESIDENTIAL FACILITIES (subset of on-campus)	NON-CAMPUS	PUBLIC AREAS
LIQUOR LAW REFERRALS	2012	14	14	0	0
	2013	0	0	0	0
	2014	16	16	0	0
DRUG LAW REFERRALS	2012	1	1	0	0
	2013	1	1	0	0
	2014	2	2	0	0
WEAPON LAW REFERRAL	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0

## Campus Crime Statistics

OFFENSE	YR	ON-CAMPUS	RESIDENTIAL FACILITIES (subset of on-campus)	NON-CAMPUS	PUBLIC AREAS
MURDER/NON- NEGLIGENT MANSLAUGHTER	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
NEGLIGENT MANSLAUGHTER	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
SEX OFFENSES, FORCIBLE	2012	0	0	1	0
	2013	2	2	0	0
	2014	1	1	0	0
SEX OFFENSES, NON-FORCIBLE	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
ROBBERY	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
AGGRAVATED ASSAULT	2012	0	0	0	0
	2013	0	0	0	1
	2014	1	1	0	0
BURGLARY	2012	1	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
MOTOR VEHICLE THEFT	2012	0	0	0	0
	2013	1	0	0	0
	2014	0	0	0	0
ARSON	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
LIQUOR LAW ARRESTS	2012	1	1	0	0
	2013	1	0	0	0
	2014	0	0	0	0
DRUG LAW ARRESTS	2012	9	9	0	0
	2013	2	2	0	0
	2014	2	2	0	0
WEAPON LAW ARRESTS	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
STALKING	2012	N/A	N/A	N/A	N/A
	2013	0	0	0	1
	2014	0	0	0	0
DATING VIOLENCE	2012	N/A	N/A	N/A	N/A
	2013	0	0	0	0
	2014	0	0	0	0
DOMESTIC VIOLENCE	2012	N/A	N/A	N/A	N/A
	2013	0	0	0	0
	2014	0	0	1	0

HATE CRIMES: There were no reported hate crimes for 2012-2014.

## **Fire Safety Statement**

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

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

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

## **Mandatory supervised fire drills**

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

## **Fire Evacuation Guidelines**

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

- Call 911.
- Pull the fire alarm if it is not already sounding.
- Notify other people.
- Immediately leave the building by means of the nearest available exit.
- Before opening the door, see if it is hot by placing the palm of your hand against it.
- If the door is hot, remain in the room.

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

# FIRE LOG

## 2012 Fire Statistics

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

## 2013 Fire Statistics

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

## 2014 Fire Statistics

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

## EMERGENCY RESPONSE AND EVACUATION PROCEDURES TESTS

OCCURRED DATE/TIME	DESCRIPTION	LOCATION	DISPOSITION
9/24/14 9:00AM-12:00PM	PRACTICE FIRE DRILL	FACILITIES SERVICES, CURIOUS MINDS, MATHEWS HALL/DINING, LACENSE CENTER OF EQUINE STUDIES, FAMILY HOUSING, JORDAN HALL, DAVIS HALL, CENTENNIAL HALL, B.A.R.C., MARY EMERICK ART BUILDING, SOUTH CAMPUS, MAIN HALL, BUSINESS AND TECHNOLOGY BUILDING, ROE HOUSE, STUDENT UNION BUILDING, CLARK HALL, SHORT ADMINISTRATION/LIBRARY/STC AND BLOCK HALL.	ALL FUNCTIONED PROPERLY
4/18/13 9:00AM – 12:00PM	PRACTICE FIRE DRILL	MAIN HALL, BUSINESS AND TECHNOLOGY BUILDING, ROE HOUSE, STUDENT UNION BUILDING, CLARK HALL, SHORT ADMINISTRATION/LIBRARY/STC AND BLOCK HALL.	ALL FUNCTIONED PROPERLY
4/19/12 1:00PM – 3:00PM	PRACTICE FIRE DRILL	FACILITIES SERVICES, CURIOUS MINDS, MATHEWS HALL/DINING, LACENSE CENTER OF EQUINE STUDIES, FAMILY HOUSING, JORDAN HALL, DAVIS HALL, CENTENNIAL HALL, B.A.R.C., MARY EMERICK ART BUILDING, AND SOUTH CAMPUS.	ALL FUNCTIONED PROPERLY

## **Residence Halls**

### **Cooking in Rooms**

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

### **Smoking**

Tobacco is not permitted on campus.

### **Fire Hazards**

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

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

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

## **Fire Drills & Fire Equipment**

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

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

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

## **Training**

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

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