



2025 Annual Security & Fire Safety Report

Based on The Clery Act Appendix for FSA Handbook for Campus Safety and Security Reporting provided by the U.S. Department of Education.

U.S. Department of Education, Office of Postsecondary Education, The Clery Act Appendix for FSA Handbook, Washington, D.C. 2016

<https://www2.ed.gov/admins/lead/safety/campus.html>

Table of Contents

Contact Guide	7
.....	7
The Clery Act.....	8
Annual Disclosure of Campus Security Policy and Campus Crime Statistics.....	8
Preparation of the Annual Security Report	8
Clery Geography	8
Clery Criminal Offenses	9
Clery Crime Definitions.....	9
North Dakota Century Code Sex Offenses / VAWA Definitions.....	12
Sexual assault.....	13
Gross sexual imposition.....	14
Sexual Imposition	15
Incest	15
Domestic Violence.....	15
Dating Violence	15
Stalking	16
Reporting Crimes and Emergencies.....	17
Campus Safety	17
Mandated Reporters	17
The Role of CSAs at Dickinson State	19
Filing a Police Report	19
Accurate and Prompt Reporting.....	19
Anonymous & Confidential Reporting.....	19
Access to Campus Facilities	20
Security in University Housing.....	21
Maintenance of Campus Facilities.....	21
Campus Safety, Emergency Management and Law Enforcement.....	21
Services for Off-Campus Criminal Activity/Non-Campus Student Orgs.	21
Campus Safety Programming and Crime Prevention Awareness.....	22
Active Shooter Awareness Training	22
Bystander Intervention Awareness Training.....	22

Anti Hazing Awareness Training.....	23
See Something Say Something.....	23
Bystander Intervention.....	24
The Green Bandana Project	24
Workplace Safety and Loss Control Program.....	25
Prevention	25
Safety Tips	25
At home, or in a building/ residence hall	25
When driving	26
While walking or jogging	26
Policies & Programs Concerning Alcohol & Other Drugs	28
Alcohol Policy:	28
Drug Policy:	29
Alcohol poisoning/overdose	29
“Five Free Law”	29
Incapacitation	30
Referrals/Intervention/Treatment	30
Education/Awareness & Preparation Activities.....	30
Tobacco Free Policy	31
Enforcement.....	31
Smoking and Tobacco Cessation Assistance	31
Ceremonial Use Exception.....	32
Sexual Assault, Domestic Violence, Dating Violence, and Stalking Policy & Procedure.....	32
Safety, Assistance and Support, Evidence Preservation	32
Preventing and Responding	33
Bystander Intervention Program	33
Reporting	34
Consider Filing a Police Report	34
Alternatives to Immediately Filing a Police Report.....	34
What Happens When a Campus Sexual Assault is reported to a Campus Security Authority?.....	35
Confidentiality	35
DSU Sexual Harassment Procedure.....	36

Reporting	37
Privacy and Confidentiality	38
Title IX Investigation and Procedures (2020 Regulations).....	38
Complainant Rights	38
Respondent Rights	39
Presumption of Non-Responsibility and Participation by the Parties	40
Advisors	41
Time Frame	41
Preliminary Investigation.....	41
Supportive Measures.....	42
Emergency Removal from Campus	42
Notice of Investigation & Rights and Responsibilities Meeting.....	43
Consolidation of Formal Complaints.....	43
Mandatory Dismissal	43
Permissive Dismissal	44
Notice of Dismissal.....	44
Investigation.....	44
Final Investigative Report.....	45
Live Hearing	45
Cross-Examination.....	46
Rape Shield	46
Hearing Decorum.....	47
Hearing Decision	47
Remedies.....	47
Sanctions	47
Title IX Appeal Process	48
Notice of Nondiscrimination.....	49
Protective Measures for Victims.....	50
Off Campus Resources	50
Risk Reduction.....	51
Campus Sex Crimes Prevention Act Compliance Statement	52
Sex Offender Registration.....	52

Notification of Missing Student Procedures	52
Emergency Response	53
Campus Emergency Notifications	53
Risks and Vulnerabilities	54
Emergency Notifications.....	54
Timely Warnings	54
DSU Advisory.....	54
Emergency Plans.....	55
WHAT TO DO...	56
Disease Prevention Principles Include:	59
Fire Safety Systems.....	62
Fire Identification, Notification, and Evacuation Procedures.....	62
Mandatory Supervised Fire Drills.....	63
Fire Evacuation.	63
Cooking and Food Preparation.....	63
Additional Fire Safety Information Electrical Equipment.....	63
Firearms, Explosives, Fireworks and Flammable Materials.....	64
Smoking.....	64
Fire Precautions	64
Fire Safety Training	64
Fire Summary.....	66
Campus Map www.dickinsonstate.edu	67

President's Message

Dear Students, Faculty, Staff, and Guests,

I am pleased to share with you the 2025 Annual Security and Fire Safety Report for the 2024 calendar year for Dickinson State University. This report reflects our ongoing commitment to providing a safe and secure environment for every member of our campus community. Whether you are new to our university or have been with us for many years, I encourage you to take the time to review this report carefully. It outlines important information about campus safety policies, support services, and the steps you can take to protect yourself and others.

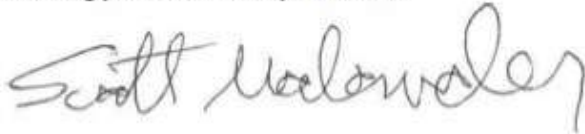
Safety is a shared responsibility, and it is one we take seriously. DSU's Office of Campus Safety works with other campus entities to compile this report including Title IX, Campus Life (including Residence Life), and Human Resources (Equal Opportunity and Affirmative Action).

This report is also part of our compliance with the Jeanne Clery Campus Safety Act. More importantly, it represents our collective efforts across departments—Campus Safety, Campus Life, Title IX, Counseling Services, and many others—to foster a campus culture grounded in awareness, preparedness, and care.

We each have a role to play in maintaining a safe and welcoming campus. I encourage you to remain informed, stay alert, and speak up if you witness anything that may threaten the well-being of our community.

Thank you for being a part of our blue hawk family. Together, we can ensure that our campus continues to be a place where everyone can thrive—safely and confidently.

Wishing you a successful year ahead,

A handwritten signature in dark ink, reading "Scott Molander". The signature is fluid and cursive, with the first name "Scott" and last name "Molander" clearly legible.

Scott Molander
President
Dickinson State University

Contact Guide

Police

Dickinson Police Department

Emergency.....911

Non-emergency...701.456.7759

2475 State Ave N,

Dickinson, ND 58601

<https://www.dickinsongov.com/police>

Campus Service Offices

DSU Campus Safety

Student Center 109

900 Campus Dr.

Office...701.483.2407

Duty Phone...701.290.1068

dsu.publicsafety@dickinsonstate.edu

<https://dickinsonstate.edu/student-life/campus-security/index.html>

Title IX Coordinator

Dr. Kathleen Geisen

May Hall 226

291 Campus Dr.

Phone...701.502.2081

dsu.titleix@dickinsonstate.edu

<https://dickinsonstate.edu/student-life/inclusion-and-equity/index.html>

Dean of Students

May Hall 207

291 Campus Dr.

Phone...701.502.4359

kayla.noah@dickinsonstate.edu

Campus Life & Residential Life

Student Center 113

900 Campus Dr.

Campus Life...701.502.4215

Housing...701.502.4356

Duty Phone...701.290.2099

dsu.housing@dickinsonstate.edu

<https://dickinsonstate.edu/student-life/housing/index.html>

Health Services

Student Health

Stickney Hall 120

271 Campus Dr.

Office...701.502.4415

carrie.knudson@dickinsonstate.edu

<https://dickinsonstate.edu/student-life/health-and-wellness/index.html>

Mental Health Services

Student Counseling Services

Stickney Hall 119

271 Campus Dr.

Office...701.502.4413

laurie.karie@dickinsonstate.edu

<https://dickinsonstate.edu/student-life/health-and-wellness/counseling-services/index.html>

The Clery Act

Annual Disclosure of Campus Security Policy and Campus Crime Statistics

The Jeanne Clery Campus Safety Act ([20 U.S.C. 1092](#)), is a federal law requiring colleges and universities that are receiving Title IV program funds to disclose in an Annual Security report campus security information, including crime statistics, and to comply with various requirements related to campus safety. This Annual Security Report contains statistics for the past three years of crimes reported in certain locations on or near campus as specified by the Clery Act.

This report also contains Dickinson State University policies and procedures relating to safety and security, including sexual misconduct, alcohol and drugs, and fire prevention practices and systems, as well as fire-related statistics for student housing on campus.

Preparation of the Annual Security Report

This report is prepared and reviewed annually by the Dickinson State University Campus Safety Office in conjunction with other University resources, including staff and students designated as Campus Security Authorities, Student Affairs, Title IX Coordinator and other entities. The statements and sections included in this document are associated with contributing departments' policies and procedures, and more information may be found on their publications or the DSU webpage.

Clery Geography

For the purposes of collecting statistics on crimes for submission and inclusion in the Universities annual security report, Clery geography includes Clery Act crimes that occur:

On-campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residential halls; and

Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

On Campus- Residential: any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

Non-campus buildings or property: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or

Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public property: All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent

to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

Clery Criminal Offenses

The Jeanne Clery Campus Safety Act requires the University to gather statistical data on Clery Act Crimes that occur in specific geographical areas. These offenses are:

- Criminal homicide: murder/non-negligent manslaughter, negligent manslaughter
- Sex offenses: rape, fondling, incest, statutory rape
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Dating violence, domestic violence, and stalking
- Hate crimes for all of the above crimes and crimes of larceny-theft, simple assault, intimidation, vandalism/damage/destruction of property, motivated by a bias from one of the bias categories; Race, Gender, Gender Identify, Religion, Ethnicity, Disability, Sexual Orientation, National Origin
- Arrests and referrals for disciplinary action for liquor law violations, drug law violations, and weapons law violations
- Hazing

Clery Crime Definitions

Under the Clery Act, for the purposes of counting and disclosing Criminal Offense, Hate Crime, arrest and disciplinary referral statistics are based on definitions provided by the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting (UCR) Program.

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 means likely to produce death or great bodily harm. Simple assaults are excluded.

Arrest: is a person processed by arrest, citation, or summons.

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

Burglary (breaking or entering): The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.

Consent: means intelligent, knowing, and voluntary consent and does not include coerced submission. “Consent” shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender. Giving in is not the same as giving consent. Consent is defined in NDCC section: [12.1-17-08](#).

Criminal Homicide | Manslaughter by Negligence: is the killing of another person through gross negligence. Deaths of persons due to their own negligence, accidental deaths not resulting from gross negligence, and traffic fatalities are not included in the category manslaughter by negligence.

Criminal Homicide | Murder/Non-Negligent Manslaughter: is the willful (non-negligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, and accidental deaths are excluded.

Dating Violence: is 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 relationship shall be determined based on a consideration of the following factors: length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Dating Violence is defined under NDCC: [14-07.1-01](#) (dating relationship).

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. Attempts are included.

Domestic Violence: Domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, psychological, or technological actions or threats of actions or other patterns of coercive behavior that influence another person within an intimate partner relationship. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. Domestic Violence is defined in NDCC: [14-07.1-01](#).

Drug Law Violation: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The following drug categories are specified: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics—manufactured narcotics that can cause true addiction (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine). This classification includes all drugs, without exception, that are illegal under local or state law in the State of North Dakota and all illegally obtained prescription drugs.

Fondling: The term “[sexual fondling](#)” means the touching of the private body parts of another person (including the genitalia, anus, groin, breast, inner thigh, or buttocks) for the purpose of sexual gratification.

Hate Crime: is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

Although there are many possible categories of bias, under the Clery Act, the following eight categories are reportable: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability.

Hate Crimes include any of the following offenses motivated by bias: murder and non-negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property.

Hazing: means any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity; causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity; causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances; causing, coercing, or otherwise inducing another person to perform sexual acts; any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct; any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law. Hazing as defined in NDCC section [12.1-17-10](#).

Intimidation: is 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.

Illegal Weapons Possession: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. Attempts are included.

Incest: is sexual intercourse between persons related to each other within the degrees wherein marriage is prohibited by law. Incest as defined in NDCC section [12.1-20-11](#).

Larceny-Theft (except motor vehicle theft): The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples are thefts of bicycles, motor vehicle parts and accessories, shoplifting, pocket-picking, or the stealing of any property or article that is not taken by force and violence or by fraud. Attempted larcenies are included. Embezzlement, confidence games, forgery, check fraud, etc., are excluded.

Liquor Law Violation: The violation of state or local laws or ordinances prohibiting the

manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Federal violations are excluded.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on land surface and not on rails. Motorboats, construction equipment, airplanes, and farming equipment are specifically excluded from this category.

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Statutory age of consent as defined in NDCC section [12.1-20-01](#); gross sexual imposition defined in NDCC section [12.1-20-03](#); continuous sexual abuse of a child as defined in NDCC section [12.1-20-03.1](#); sexual imposition as defined in NDCC section [12.1-20-04](#); sexual assault as defined in NDCC section [12.1-20-07](#); incest as defined in NDCC section [12.1-20-11](#).

Reasonable Person: means a reasonable person under similar circumstances and with similar identities to the victim.

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.

Simple Assault: Assaults and attempted assaults where no weapon was used or no serious or aggravated injury resulted to the victim. Stalking, intimidation, coercion, and hazing are included.

Stalking: engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. Stalking is defined in NDCC section [12.1-17-07.1](#). **Course of Conduct:** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

Student Organization: means an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

Substantial Emotional Distress: means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Statutory Rape: is sexual intercourse with a person who is under the statutory age of consent. Statutory age of consent as defined in NDCC section [12.1-20-01](#).

Unfounded Crime: is a reported crime that, upon investigation by law enforcement authorities, is found to be false or baseless. Only sworn or commissioned law enforcement personnel may unfound a crime. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner.

[North Dakota Century Code Sex Offenses / VAWA Definitions](#)

The following definitions are used in NDCC section [12.1-20-02](#). In sections [12.1-20-03](#) through [12.1-20-12](#):

1. "Coercion" means to exploit fear or anxiety through intimidation, compulsion, domination, or control with the intent to compel conduct or compliance.
2. "Deviate sexual act" means any form of sexual contact with an animal, bird, or dead person.
3. "Object" means anything used in commission of a sexual act other than the person of the actor.
4. "Sexual act" means sexual contact between human beings consisting of contact between the penis and the vulva, the penis and the anus, the mouth and the penis, the mouth and the vulva, or any other portion of the human body and the penis, anus, or vulva; or the use of an object which comes in contact with the victim's anus, vulva, or penis. For the purposes of this subsection, sexual contact between the penis and the vulva, the penis and the anus, any other portion of the human body and the anus or vulva, or an object and the anus, vulva, or penis of the victim, occurs upon penetration, however slight. Emission is not required.
5. "Sexual contact" means any touching, whether or not through the clothing or other covering, of the sexual or other intimate parts of the person, or the penile ejaculation or ejaculate or emission of urine or feces upon any part of the person, for the purpose of arousing or satisfying sexual or aggressive desires.

Sexual assault

Sexual assault is defined in the NDCC section [12.1-20-07](#).

1. A person who knowingly has sexual contact with another person, or who causes another person to have sexual contact with that person, is guilty of an offense if:
 - a. That person knows or has reasonable cause to believe that the contact is offensive to the other person;
 - b. That person knows or has reasonable cause to believe that the other person suffers from a mental disease or defect which renders that other person incapable of understanding the nature of that other person's conduct;
 - c. That person or someone with that person's knowledge has substantially impaired the victim's power to appraise or control the victim's conduct, by administering or employing without the victim's knowledge intoxicants, a controlled substance as defined in chapter [19-03.1](#), or other means for the purpose of preventing resistance;
 - d. The other person is in official custody or detained in a hospital, prison, or other institution and the actor has supervisory or disciplinary authority over that other person;
 - e. The other person is a minor, fifteen years of age or older, and the actor is the other person's parent, guardian, or is otherwise responsible for general supervision of the other person's welfare; or
 - f. The other person is a minor, fifteen years of age or older, and the actor is an adult.
2. The offense is:
 - a. A class C felony if the actor's conduct violates subdivision b, c, d, or e of subsection 1, or subdivision f of subsection 1 if the adult is at least twenty-two years of age; or
 - b. A class A misdemeanor if the actor's conduct violates subdivision f of subsection 1 if the adult is at least eighteen years of age and not twenty-two years of age or older, or if the actor's conduct violates subdivision a of subsection 1.

Gross sexual imposition

Gross sexual imposition is as used in the NDCC section [12.1-20-03](#) - Penalty.

1. A person who engages in a sexual act with another, or who causes another to engage in a sexual act, is guilty of an offense if:
 - a. That person compels the victim to submit by force or by threat of imminent death, serious bodily injury, or kidnapping, to be inflicted on any human being;
 - b. That person or someone with that person's knowledge has substantially impaired the victim's power to appraise or control the victim's conduct by administering or employing without the victim's knowledge intoxicants, a controlled substance as defined in chapter [19-03.1](#), or other means with intent to prevent resistance;
 - c. That person knows or has reasonable cause to believe that the victim is unaware that a sexual act is being committed upon him or her;
 - d. The victim is less than fifteen years old; or
 - e. That person knows or has reasonable cause to believe that the other person suffers from a mental disease or defect which renders him or her incapable of understanding the nature of his or her conduct.
2. A person who engages in sexual contact with another, or who causes another to engage in sexual contact, is guilty of an offense if:
 - a. The victim is less than fifteen years old;
 - b. That person compels the victim to submit by force or by threat of imminent death, serious bodily injury, or kidnapping, to be inflicted on any human being; or
 - c. That person knows or has reasonable cause to believe that the victim is unaware that sexual contact is being committed on the victim.
3.
 - a. An offense under this section is a class AA felony if in the course of the offense the actor inflicts serious bodily injury upon the victim, if the actor's conduct violates subdivision a of subsection 1, or if the actor's conduct violates subdivision d of subsection 1 and the actor was at least twenty-two years of age at the time of the offense. For any conviction of a class AA felony under subdivision a of subsection 1, the court shall impose a minimum sentence of twenty years' imprisonment, with probation supervision to follow the incarceration. The court may deviate from the mandatory sentence if the court finds that the sentence would impose a manifest injustice and the defendant has accepted responsibility for the crime or cooperated with law enforcement. However, a defendant convicted of a class AA felony under this section may not be sentenced to serve less than five years of incarceration.
 - b. Otherwise the offense is a class A felony.
4. If, as a result of injuries sustained during the course of an offense under this section, the victim dies, the offense is a class AA felony, for which the maximum penalty of life imprisonment without parole must be imposed unless the defendant was a juvenile at the time of the offense.

Sexual Imposition

Sexual Imposition as used in the NDCC [12.1-20-04](#)

A person who engages in a sexual act or sexual contact with another, or who causes another to engage in a sexual act or sexual contact, is guilty of a class B felony if the actor:

1. Compels the other person to submit by any threat or coercion that would render a person reasonably incapable of resisting; or
2. Engages in a sexual act or sexual contact with another, whether consensual or not, as part of an induction, initiation, ceremony, pledge, hazing, or qualification to become a member or an associate of any criminal street gang as defined in section [12.1-06.2-01](#).

Incest

Incest as used in NDCC [12.1-20-11](#).

A person who intermarries, cohabits, or engages in a sexual act with another person related to him within a degree of consanguinity within which marriages are declared incestuous and void by section [14-03-03](#), knowing such other person to be within said degree of relationship, is guilty of a class C felony.

Domestic Violence

Domestic violence as used in the NDCC section [12.1-17-01.2](#).

1. For purposes of this section "family or household member" means family or household member as defined in section [14-07.1-01](#).
2. A person is guilty of an offense if that person willfully causes:
 - a. Bodily injury to the actor's family or household member;
 - b. Substantial bodily injury to the actor's family or household member; or
 - c. Serious bodily injury to the actor's family or household member.
3. The offense is:
 - a. A class B misdemeanor for the first offense under subdivision a of subsection 2 and a class A misdemeanor for a second or subsequent offense under this section or sections [12.1-17-01](#), [12.1-17-01.1](#), or [12.1-17-02](#) involving the commission of domestic violence, as defined in section [14-07.1-01](#). For purposes of this subdivision, a prior conviction includes a conviction of any assault offense in which a finding of domestic violence was made under a law or ordinance of another state which is equivalent to this section.
 - b. A class A misdemeanor for an offense under subdivision b of subsection 2 and a class C felony for an offense under subdivision c of subsection 2.
 - c. A class B felony for an offense under subdivision b or c of subsection 2 if the victim is under twelve years of age.
4. A person charged with an offense under this section must be prosecuted in district court.
5. This section applies to an individual under the age of eighteen if the:
 - a. Victim is or was in a dating relationship with the individual; or
 - b. Individual has a child in common with the victim.

Dating Violence

Dating Violence as used in the NDCC Section [14.07.1-01](#) Domestic Violence

4. "Family or household member" means a spouse, family member, former spouse, parent, child, persons related by blood or marriage, **persons who are in a dating relationship**, persons who are presently residing together or who have resided together in the past, persons who have a child in common regardless of whether they are or have been married or have lived together at any time, and, for the purpose of the issuance of a domestic violence protection order, any other person with a sufficient relationship to the abusing person as determined by the court under section [14-07.1-02](#).

Stalking

Stalking as used in NDCC [12.1-17-07.1](#)

1. As used in this section:
 - a. "Course of conduct" means a pattern of conduct consisting of two or more acts evidencing a continuity of purpose. The term includes an act conducted with a robot in the direct control of the person. The term does not include constitutionally protected activity.
 - b. "Immediate family" means a spouse, parent, child, or sibling. The term also includes any other individual who regularly resides in the household or who within the prior six months regularly resided in the household.
 - c. "Robot" means an artificial object or system that senses, processes, and acts using technology, including the associated elements, communication links, and artificial intelligence. The term includes remotely piloted aircraft.
 - d. "Stalk" means:
 - (1) To engage in an intentional course of conduct directed at a specific person which frightens, intimidates, or harasses that person and which serves no legitimate purpose. The course of conduct may be directed toward that person or a member of that person's immediate family and must cause a reasonable person to experience fear, intimidation, or harassment; or
 - (2) The unauthorized tracking of the person's movements or location through the use of a global positioning system, robot, or other electronic means that would cause a reasonable person to be frightened, intimidated, or harassed and which serves no legitimate purpose.
2. A person may not intentionally stalk another person.
3. In any prosecution under this section, it is not a defense that the actor was not given actual notice that the person did not want the actor to contact or follow the person; nor is it a defense that the actor did not intend to frighten, intimidate, or harass the person. An attempt to contact or follow a person after being given actual notice that the person does not want to be contacted or followed is prima facie evidence that the actor intends to stalk that person.
4. In any prosecution under this section, it is a defense that a private investigator licensed under chapter 43-30 or a peace officer licensed under chapter 12-63 was acting within the scope of employment.
5. If a person claims to have been engaged in a constitutionally protected activity, the court shall determine the validity of the claim as a matter of law and, if found valid, shall exclude evidence of the activity.
6. a. A person who violates this section is guilty of a class C felony if:
 - (1) The person previously has been convicted of violating section [12.1-17-01](#), [12.1-17-](#)

[01.1](#), [12.1-17-01.2](#), [12.1-17-02](#), [12.1-17-04](#), [12.1-17-05](#), or [12.1-17-07](#), or a similar offense from another court in North Dakota, a court of record in the United States, or a tribal court, involving the victim of the stalking;

(2) The stalking violates a court order issued under chapter [14-07.1](#) protecting the victim of the stalking, if the person had notice of the court order; or

(3) The person previously has been convicted of violating this section.

b. If subdivision a does not apply, a person who violates this section is guilty of a class A misdemeanor.

Reporting Crimes and Emergencies

Campus Safety

Students, faculty, staff, and guests who become aware of an incident or event must contact the DSU Campus Safety Office at (701) 290-1068. This includes reporting suspicious people or activities, law violations, code of conduct violations, and all accidents or injuries that occur on DSU property.

Emergencies will be immediately reported by calling Dickinson Police Department at 911. After calling 911, notify the DSU Campus Safety Office. DSU Campus Safety Office will coordinate DSU response to the incident/event. Campus Safety Office must be contacted as soon as possible to facilitate proper reporting and resource utilization and to record the occurrence for further study and prevention action.

Crimes reported to DSU Campus Safety will be considered for the need to issue a campus-wide “timely warning” or “emergency notification” as well as inclusion of the incident/event in the Clery Annual Security Report.

Students accused of criminal misconduct may additionally be subject to the University student conduct process.

- A criminal investigation regarding an on-campus incident will be conducted by the Dickinson Police Department. DSU will cooperate and provide assistance as needed with a criminal investigation.

Reporting a Crime to a Campus Security Authority

Mandated Reporters

Under the Clery Act, a crime is “reported” when brought to the attention of a campus security authority, the institution’s police department or campus safety office, or local law enforcement personnel by the victim, witness, or third party, even the offender. It does not matter whether or not the individuals involved in the crime, or reporting the crime, are associated with the institution. If a campus security authority receives a report, they must include it as a crime report using whatever procedure the institution has specified.

Persons, victims, and witnesses of a crime who do not want to pursue action within the University or the state judicial system may report crimes listed in the Clery Act anonymously

to a Campus Security Authority (CSA). A CSA is an individual, who by virtue of their university responsibilities and under the Clery Act, is designated to receive and report criminal incidents to the DSU Campus Safety Office. Reports must be filed with the DSU Campus Safety Office for inclusion in the Annual Security Report and the campus community's safety if there is a serious or continued threat (timely warning or emergency notification).

Campus Security Authority:

1. Campus police department or a campus security department of an institution;
2. Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into the institutional property);
3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses;
4. An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.

An **official** is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Because official responsibilities and job titles vary significantly on campuses, a list of specific titles is not provided in the regulations. Campus Security Authorities are defined as "An official of an institution who has significant responsibility for students and campus activities." The function of a CSA is to report to the official or office designated by the institution to collect crime report information. CSAs are responsible for reporting allegations of Clery Act crimes reported to them in their capacity as a CSA. CSAs will undergo training in reporting crimes, victim relations and support, and related school policies.

CSA's may include but are not limited to individuals who work in roles in areas such as:

- Campus Security,
- Human Resources,
- Deans,
- Student Housing Staff,
- Athletic Director,
- Coaches, Trainers, and Staff,
- Student Activities Coordinators,
- Officials who oversee a Student Center,
- Student Judicial Officers,
- Resident Assistants,
- Student Advisors,
- Student Health Services Coordinator,
- Faculty Advisors to Student Organizations.

In reporting a crime to a CSA when the reporter wishes to be anonymous, CSAs will provide a detailed description, date, and time, including the crime's location, without identifying the alleged victim or witnesses. Victims and witnesses should be aware that DSU will strive to protect, to the greatest extent possible, the confidentiality of persons reporting or accused of crimes and related

information; however, the University cannot guarantee complete confidentiality where it would conflict with the University's legal obligation to investigate a complaint or take steps to deter further crimes or with its duty to comply with other legal obligations.

The Role of CSAs at Dickinson State

If you are one of DSU's CSAs and you receive a report of a Clery crime or otherwise become aware of the occurrence of one of the crimes listed below, please do the following:

1. Encourage the crime victim(s) and/or witness(es) to report the incident to the Dickinson Police Department.
2. If the incident indicates the possibility of an imminent community threat, inform DSU Campus Safety Office immediately at 701.290.1068 (refer to timely warnings and emergency notifications).
3. If the incident reported is a sexual assault or other violent crime:
 - a. Inform the victim(s) and/or witness(es) of the support services available;
 - b. Actively support the victim(s) and/or witness(es) in accessing these services;
 - c. Complete the CSA Crime Report form and handle as a "confidential" document;
 - d. Submit the CSA Crime Report Form to the DSU Campus Safety Office.

CSA Crime Report Form link

The form is located on the [Campus Safety Webpage](#)

Filing a Police Report

Accurate and Prompt Reporting

DSU encourages all members of its campus community (students, employees, and others) to contact DSU Campus Safety and/or the Dickinson Police Department when they have been the victim of or have witnessed Criminal Actions and when other in-progress suspicious or police, fire, or medical emergencies occur by dialing 9-1-1. The University encourages the complete, accurate, and prompt reporting of all crimes to DSU Campus Safety and/or the Dickinson Police Department when a victim of a crime elects to, or is unable to make such a report because such a report is essential for successful investigation and prosecution. A report to the police can empower the complainant by exercising her/his legal rights and can aid in the protection of others.

Anonymous & Confidential Reporting

DSU has made an anonymous tip form available online. This form may be utilized for any incident/event that a faculty, staff, student, or visitor wants to pass on to DSU officials. This form can be accessed utilizing the following link [Report a Crime/Concern](#). You can also find the anonymous Report a Crime/Concern Form on the [Campus Safety webpage](#). Reported violations will be investigated by the appropriate authority.

DSU encourages anyone who is the victim or witness to any crime to report the incident to the police promptly. Due to North Dakota open records laws, reports made cannot be guaranteed to be

kept confidential. Anonymous reports for the purposes of inclusion in the annual disclosure of crime statistics can be made to campus security authorities (CSA). All reports submitted on a confidential or anonymous basis are evaluated for purposes of issuing a campus-wide “timely warning” or “emergency notification” as well as inclusion in the Annual Security Report.

Pastoral counselors, professional counselors, at their discretion, are encouraged to inform those they counsel of procedures for reporting crimes voluntarily and confidentially for inclusion into the institution’s annual security report.

Access to Campus Facilities

The main campus of Dickinson State University encompasses 125 acres and is in SW Dickinson, North Dakota between 8th Ave and State Ave and 2nd Street and Fairway St. Except for residence halls, which are limited to residence and invited guests, campus facilities are open to the public during normal weekday business hours. Time, place, and restrictions apply.

Except for events that are open to the public, the University’s facilities and programs are generally reserved for accomplishing the objectives and programs of the University. Individuals who wish to access University buildings, classrooms or special events or equipment please call facilities at 701.502.4418. These requests must be approved by facility operations. [Event Scheduling Form link](#) (Facilities and Events).

With the exception of essential personnel and services, and others as designated, buildings are locked and access, after normal building hours, is permitted only with proper authorization and identification. Building hours may vary as building schedules are developed by the department(s) responsible for the building.

In order to protect the safety and welfare of students and employees of the University and to protect the property of the University, all persons on property owned by the University behaving in a suspicious or threatening manner may be asked to identify themselves by a University official. Individuals identify themselves by giving their name, complete address, and stating truthfully their relationship to the University. Individuals may be asked to provide proof of identification which is subject to verification.

If anyone refuses or fails upon request to present evidence of their identification and proof of their authorization to be in the building or on the campus, or if it is determined that the individual has no legitimate reason to be in building, the person will be asked to leave and may be removed from the building or campus. Dickinson Police Department will be notified if necessary to assist with this request. Persons who behave in a suspicious or threatening manner or are involved in suspicious or threatening activities should be reported to the Dickinson Police Department and to Dickinson State University Campus Safety Office at 701.290.1068

DSU reserves the right to deny access to facilities, services and campus grounds to people or groups who do not meet/or comply with appropriate guidelines, North Dakota Century Code 12.1-22-03 Criminal Trespass.

Security in University Housing

All University Residential Life Staff receive training on security measures and emergency/crisis management, including fire safety. Residential Life staff inform residents of safety and security information, as well as fire safety via handbooks, floor meetings and programming in the halls. Staff members work closely with DSU Campus Safety in maintaining security in all residence halls and apartment units and in dealing with situations that affect the safety of residents, including fire safety.

Residential halls outside doors are locked 24 hours a day with controlled access in place. Residential hall offices are staffed during evening hours. Resident Staff members check the residence halls each evening to ensure the safety and security of the residents and buildings.

Each individual room/suite door in the residence halls is equipped with a lock. Key security is a high priority. Residents are required to report lost or missing keys immediately so that a cylinder change can be initiated. Residents are required to report lost DSU ID Cards immediately. DSU Campus Safety will cancel the lost ID card and issue a new picture ID promptly.

Maintenance of Campus Facilities

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Students, faculty, staff, and guests are encouraged to report lighting, landscape issues as well as other safety concerns to DSU Campus Safety Office or Facilities Operations.

Campus Safety, Emergency Management and Law Enforcement

The DSU Campus Safety Office is given the responsibility to address all campus safety concerns, including emergency management and risk management. The Campus Safety Office draws its authority from the State Board of Higher Education (SBHE Policy 906) and has the authority to enforce all NDUS and DSU policies, rules, and procedural requirements.

DSU Campus Safety Office has a close working relationship with the Dickinson Police Department, Dickinson Fire Department, Stark County Emergency Management, and the North Dakota Bureau of Criminal Investigation.

Dickinson State University does not have a law enforcement (police) department. Dickinson Police Department (DPD) has agreed to be the primary Law Enforcement response agency in the event of criminal activity on campus. There is a formal memorandum of understanding (MOU) between DPD and DSU.

DSU Campus Safety Office works with Dickinson State University CSAs as required to report all criminal and policy violation incidents for inclusion into the Annual Security Report. In compliance with the Campus Right to Know legislation, all reportable violations are compiled into the Annual Security Report. This report is available from the DSU Campus Safety Office and is also distributed annually to all faculty, staff, and students.

Services for Off-Campus Criminal Activity/Non-Campus Student Orgs.

DSU does not have any officially recognized non-campus (off-campus) student organizations,

fraternities, or sororities. Dickinson State University does not have a law enforcement (police) department and does not provide law enforcement services to off-campus locations, including residences. Criminal activity off-campus is monitored by the Dickinson Police Department and should be reported to them at 911 for emergencies or at (701) 456-7759 for non-emergencies. DSU Campus Safety Office and the Office of Student Affairs maintains close working relationships with local law enforcement and seek to address situations cooperatively whenever possible.

Campus Safety Programming and Crime Prevention Awareness

The following information describes annual awareness training offered to inform the campus community about campus safety procedures and practices, to encourage the campus community to be responsible for their own safety and security and the safety and security of others, and to inform students and employees about the methods of crime prevention.

As part of our efforts to improve safety at Dickinson State University, we have partnered with Vector Solutions to bring online training to all students, faculty, and staff at DSU. Training modules include, active shooter, sexual violence awareness, bystander intervention, workplace safety, emergency management, Clery, Title IX and more.

Faculty & Staff login page

<https://dickinsonstate-nd.safecolleges.com/login>

Student login page

<https://dickinsonstatestudents-nd.safecolleges.com/login>

Active Shooter Awareness Training

This training is designed to inform the community about the steps (Run, Hide, Fight) to take in the event of an active shooter incident on campus, and what to expect from law enforcement officers arriving on scene.

[Active Shooter Training Video](#)

[Active Shooter Webpage Link](#)

Bystander Intervention Awareness Training

This training is a prevention strategy that encourages witnesses to take safe action when they see a situation that might lead to sexual violence or abuse. By intervening directly, creating a distraction, enlisting others to assist, or contacting authorities, stepping in can make all the difference when something isn't right.

[Bystander Intervention Webpage Link](#)

[Anti Hazing Awareness Training](#)

As part of its commitment in providing a safe and healthy cammpus environment for all students, faculty, staff, and visitors, Dickinson State University prohibits all forms of hazing.

This training is offered in an effort to create awareness and bring hazing into the open so that it can be addressed. It provides an overview of hazing so students can recognize, report, and help prevent it.

[Hazing Incident Report Form](#)

[Anti Hazing Webpage Link](#)

[Campus and Workplace Violence Prevention Program](#)

DSU is committed to providing a safe work environment for faculty, staff, students, and the community-one free of violent behavior and threats of harm. It is the responsibility of all employees and students to create and maintain a workplace free from threats or acts of violence.

In accordance with [DSU Policy 906.0.001](#) Campus Violence Prevention, DSU Campus and Workplace Violence Prevention Program is designed to recognize, prevent, and respond to workplace violence, including:

- Establishing a reporting process for aberrant or threatening behavior
- Threat assessment procedure on recognizing, reporting, and responding
- Campus and workplace violence prevention training
- Identify employees' roles and responsibilities

[Violence Prevention Programs](#)

[See Something Say Somthing](#)

Campus Safety is everyone's responsibility. The Dickinson State University community is encouraged to participate in the U.S. Department of Homeland Security's "[See Something, Say Something](#)" program. If you see something that doesn't seem quite right, say something.

If you see suspicious activity, report it to DSU Campus Safety. If there is an emergency, call 911. Suspicious activity is any observed behavior that may indicate pre-operational planning associated with terrorism or terrorism-related crime.

[Bystander Intervention](#)

Bystander Intervention is a philosophy and approach for preventing various types of violence, which could include: bullying, sexual harassment, sexual assault, and intimate partner violence. Bystander Intervention is a different approach to sexual assault prevention because it discourages victim-blaming. This offers a chance to change social rules and shift responsibility to all.

DSU promotes bystander intervention awareness. We encourage all campus community members to be actively involved in identifying, intervening in, and reporting violence.

[Bystander Intervention Flyer 1](#)

[Bystander Intervention Flyer 2](#)

How to be an Active Bystander

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on-campus resources listed in this document for support in health, counseling, or legal assistance.
- Create a distraction to diffuse the situation. A distraction could include changing the subject, asking for directions, pretending you know the target, or whatever distraction feels most comfortable and natural.
- Trust your instincts if you see concerning behavior.

If you or someone else is in immediate danger, dial 911.

[The Green Bandana Project](#)

Students face many challenges that can significantly impact their mental health, including academic and social pressures, financial concerns, family issues, environmental concerns, and/or physical health problems. Additionally, suicide is the third leading cause of death for people ages 15-24. The Green Bandana Project aims to decrease risk of mental health crises and suicide among school-aged youth through increasing awareness of mental health resources and empowering students to reach out for help.

Workplace Safety and Loss Control Program

DSU is committed to protecting its students, employees, visitors, facilities, information systems, and financial resources from losses associated with preventable risks. [DSU Policy 845](#) established a Loss Control Committee (LCC). The LCC develops and maintains a formal process to identify potential hazards and implement risk controls to mitigate the physical risks associated with those hazards.

- Establish Workplace Safety and Loss Control Procedures
- Establish a Workplace Safety and Loss Control Program
- Establish Safety Training

Prevention

Dickinson State University has made advances in safety and security including access control, fire protection systems, video surveillance and campus lighting. Dickinson State University utilizes the BlueHawk Safe app which offers a variety of information on safety and security. Information listed includes, Emergency Incident Action Plans, Emergency Contact Information, Lock Out & Access Services, Vehicle Assistance, and Support Resources listed include Disability Services, Student Health, Title IX/Affirmative Action, Substance Abuse Information/Services, Mental Health, and Sexual Assault Counseling and Victim Services.

DSU also conducts safety awareness, crime prevention and personal safety seminars throughout the year. Safety seminars are also held in conjunction new student orientation, freshman seminar, with Dickinson Police, DSU Campus Safety Office, DSU Title IX Coordinator, and DSU Counseling and Health Services. During these seminars multiple areas are covered including but not limited to: personal safety and awareness, planning for safe activities, risk reduction and management, the dangers of alcohol and drugs in social settings, sexual assault, what to do after an assault, dating violence, domestic violence, stalking, securing valuables, securing resident life buildings (don't prop open doors), see something say something, options as a bystander and all others areas brought up during the questioning portion.

Safety Tips

At home, or in a building/ residence hall:

- Stay sober. Many crimes against persons occur when one or both parties are under the influence of alcohol and/or other drugs.
- Always keep your room locked at all times whether you're sleeping or out of the room.
- Never let unauthorized persons enter your room, residence hall or apartment security doors. Report any suspicious activity to the Office of Public Safety immediately.
- Never prop open doors.
- Do not hide keys outside of your room or apartment. Do not put your name and address on your keys.

- Avoid working or studying alone in a campus building.
- Never dress or undress in front of a window. Draw blinds or curtains after dark.
- If you are awakened by an intruder inside your room, do not attempt to apprehend the intruder. Try to get an accurate description of the intruder and call Dickinson Police immediately.
- Be careful what personal information you share on the internet.
- Protect your valuables. Itemize your possessions on a file card. Record the description and serial number and keep purchase receipts and brochures on equipment purchased.

When driving:

- When approaching your vehicle, carry your keys so you can enter quickly.
- Lock your doors and keep windows rolled up whenever possible. Always check the rear seat for intruders before entering your vehicle.
- Drive on well-traveled and well-lit streets.
- Never hitchhike and never pick up hitchhikers.
- If someone tries to enter your stopped vehicle, sound the horn and drive away.
- If your vehicle breaks down, raise the hood and wait in your locked car for help.
- Be aware that an accident may be staged to provide the other driver with an opportunity to commit a criminal act.
- Leave enough room between your car and the one ahead so you can drive around it if necessary.

While walking or jogging:

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



Policies & Programs Concerning Alcohol & Other Drugs

Dickinson State University is committed to the intellectual, physical, social and psychological well-being of its students. In its pursuit of excellence, the university is dedicated to promoting a campus environment which enhances and preserves the development, safety, and welfare of its community. It further supports conformity to all federal, state, and local laws regarding alcohol and other substance use and abuse. Acknowledging the existing concerns and problems surrounding this issue, the university is committed to educating and informing its community of the physical, mental, social, and legal risks of chemical abuse and to developing interventions for those with specific substance abuse problems.

The State Board of Higher Education prohibits the possession, sale, dispensation, use, or consumption of alcoholic beverages upon land or in buildings owned by the board or its institutions. DSU complies with and supports the North Dakota State Board of Higher Education policy governing alcohol use on campus, the Drug Free Workplace Act of 1988, Public Law 100-690 and the Drug Free Schools and Communities Act Amendments of 1989, Public Law 100-226 and 2 CFR § 182.215. For the complete State Board of Higher Education policy please refer to SBHE 918 "Alcoholic Beverages".

The university prohibits the unlawful or unauthorized use, possession, storage, manufacture, distribution or sale of alcoholic beverages and any illicit drugs or drug paraphernalia in university buildings, any public campus area, in university housing units, in university vehicles or at any university-affiliated events held on or off-campus, which are sponsored by students, employees, and their respective campus organizations.

For DSU employees, compliance with this policy is a term and condition of employment. Any employee who violates SBHE Policy 615 is subject to discipline up to and including termination.

For DSU students and student organizations, compliance with this policy is a term and condition of continued enrollment/organizational recognition.

The university recognizes that chemical dependency and chemical abuse are concerns that can impact both academic success and work performance and there are assistance programs available to help individuals experiencing problems. When appropriate, DSU personnel may refer students and employees to agencies outside of DSU for evaluation and/or treatment for alcohol or other drug-related problems. As part of their benefit package, employees may access services through the Employee Assistance Program.

Additional alcohol and other drug prevention information, including health risks of alcohol and other drug abuse and applicable federal, state, and local laws, is available through the Office of Student Life at 701-483-2391.

Alcohol Policy:

Dickinson State University faculty, staff, and students are prohibited by state and federal law from the possession, consumption, sale, purchase, delivery, or manufacture of any controlled substance as defined by federal statute or the North Dakota Century Code. These prohibitions are in effect on university owned property and at all University sanctioned and sponsored events. Faculty, staff, and students are responsible for complying with the alcoholic beverage laws of the State of North Dakota and the City of Dickinson. Such laws include restrictions against:

- Purchase, consumption, or possession of alcohol by a minor
- Purchase, of alcohol for a minor; furnishing alcohol to a minor
- Misrepresentation of age by a minor
- Illegal sale of alcohol beverages
- Public Intoxication
- Driving While Intoxicated

Drug Policy:

The use, possession, or distribution of any state or federally controlled drugs on University property or at a university sanctioned or sponsored event is prohibited. The university will cooperate fully with law enforcement officials in the enforcement of laws designed to prohibit drug use and possession. Students, faculty, and staff who violate policies and regulations while under the influence of drugs will be subject to disciplinary action based on their offenses and may be required to complete a substance abuse treatment program. In addition, they are subject to possible criminal penalties for illegal drug use. Federal law limits financial aid options for those convicted of a drug-related crime. All residence hall residents found possessing or smoking marijuana or possessing or using high-level controlled substances such as methamphetamine or cocaine will be subject to arrest and prosecution on criminal charges in addition to campus disciplinary proceedings.

Alcohol poisoning/overdose

Alcohol poisoning and/or alcohol overdose are serious conditions and can result in death, unless paramedics respond in time and can get appropriate treatment for the individual. The dangers of Acute Alcohol Intoxication, more commonly known as Alcohol Poisoning or Alcohol Overdose, are real and can happen anywhere. Your awareness and knowledge about the signs and symptoms could mean life or death to a person you care about.

“Five Free Law”

Do not hesitate to seek assistance for yourself or others for fear of criminal charges. North Dakota law (N.D.C.C. 5-01-09.2) states that an individual under 21 years of age is immune from criminal prosecution if that individual contacted law enforcement or emergency medical services and reported that another individual under 21 years of age was in need of medical assistance due to alcohol consumption, provided assistance to the individual in need of medical assistance until assistance arrived and remained on the scene and cooperated with medical assistance and law enforcement personnel on the scene, or was the individual in need of medical assistance. The maximum number of individuals who may be immune for any one occurrence is five individuals.

If you suspect someone has Acute Alcohol Intoxication:

- Try to wake them up. Call their name, shake/pinch them. If they do not respond – GET HELP!
- Check the person’s skin. If his/her skin is pale or is cold or clammy – GET HELP!

- Listen to their breathing. If it is irregular, or too slow/shallow (less than eight breaths per minute or more than 10 seconds between breaths) – GET HELP!
- If you discover any of the above symptoms, call 911, then DSU Office of Emergency Management at 701-290-1068, 24/7.
- Stay with the person while waiting for help to arrive. If their breathing stops, perform CPR.
- Turn the person on his/her side to prevent choking.

When in doubt, call 911.

Incapacitation

When notified of residents who become incapacitated as a result of drinking, drug usage or a medical condition, Residential staff members will contact the proper medical emergency officials. Residents will be financially responsible for the costs of this medical care including ambulance and/or hospitalization costs. According to North Dakota Century Code #5-01-05.1, “If a person is hospitalized for detox purposes, law enforcement or campus security personnel must notify the parent(s).” Incapacitated students who are in violation of local, state or federal laws concerning alcohol and other drugs are subject to University adjudication, citation and/or arrest for relevant violation of law.

Referrals/Intervention/Treatment

The Student Health Coordinator is available for preliminary referral pertaining to alcohol and substance use and abuse. The Student Health Services Office, along with the Office of Student Affairs, will assist the student with referrals for professional evaluation and treatment.

Education/Awareness & Preparation Activities

In order to educate students about alcohol and substance abuse, Dickinson State University will promote awareness and encourage responsible decision making about the use or non-use of these substances. The campus will actively participate in larger national awareness efforts such as National Alcohol and Drug Awareness Week. The University will provide educational programs throughout the year consisting of experts in the areas of alcohol and substance abuse prevention. Special efforts will be directed toward each incoming class within their First Year and Degree Completion Seminar classes, and Housing & Dining programming.

An alcohol violation will be issued to anyone that is in possession or consumption of an alcoholic beverage anywhere on University property. Behavior while in a state of intoxication that is loud, disruptive, or potentially injurious to the health or safety of others or affecting the cleanliness or maintenance of University facilities is considered a violation of the policy.

Learn more about alcohol’s effects on the body. [College Drinking Fact Sheet Back To College Fact Sheet](#) For more information, please visit the [National Institute on Alcohol Abuse and Alcoholism \(NIAAA\)](#), the [Substance Abuse and Mental Health Services Administration at www.samhsa.gov](#), and the [Centers for Disease Control \(CDC\)](#).

Learn more about: How drug abuse and mental health problems often happen together. The link

between drug abuse and HIV/AIDS. Information about effects of specific drugs. For information on this and treatment options for drug addiction, see [NIDA's Treatment pages](#). For drug use trends, see NIDA's [Trends and Statistics page](#).

Tobacco Free Policy

Dickinson State University is a tobacco-free campus and is concerned for the health and well-being of all individuals, including students, employees, and visitors. The use of tobacco is prohibited within University buildings, parking areas, walkways, arenas, in University or state fleet vehicles, and on University-owned and controlled property. For purposes of this policy, "University campus" or "campus" includes those lands occupied or controlled by Dickinson State University. Any facilities occupied or controlled by Dickinson State University that are not on the University campus as defined above are also designated no smoking facilities. This policy applies to faculty, staff, students, consultants, contractors, and visitors.

For purposes of this policy:

- "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, and cigarette, pipe, and any other lighted or heated tobacco or plant product intended for inhalation, in any manner or form.
- Smoking also includes the use of an e-cigarette that creates a vapor, in any manner or form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.

Enforcement

The enforcement and communication of this policy is the responsibility of members of the University community. Employees, students, and visitors violating the policy should be informed of the policy and asked to comply.

Individuals may report University employees in violation of this policy to Human Resources for enforcement of compliance. A reported employee will be reported to the employee's immediate supervisor. Employees who do not comply with this policy may be subject to disciplinary actions identified in the NDUS Human Resource Policy Manual.

Students in violation of this policy may be reported to the Vice President of Student Affairs/Dean of Students or the Assistant Dean of Students. Students who do not comply with the policy are subject to disciplinary actions identified in the Student Handbook.

Campus visitors in violation of this policy may be reported to Campus Safety. Campus Safety will follow up on reported violations as necessary.

Land or facilities that are leased may be exempt from this policy. Exemptions must be approved in advance by the Dickinson State University President or their designee.

Smoking and Tobacco Cessation Assistance

Assistance in quitting tobacco use is available locally through the Southwestern District Health Unit at 701-483-0171 or 1-866-483-3050.

Benefitted employees in the North Dakota Public Employees Retirement System Health Care Plan have access to the North Dakota Tobacco Cessation Program. For more information, call 1-800-223-1704.

The North Dakota Tobacco Quit line is also available at 1-800-784-8669 or text “start” to 300500.

Ceremonial Use Exception

This Tobacco-Free Campus policy may not apply to specific activities used in connection with the practice of cultural activities by American Indians that are in accordance with the American Indian Religious Freedom Act, 42 U.S.C. 1996 and 1996a. Ceremonial use exceptions must be approved in advance by the Dickinson State University President or their designee.

Sexual Assault, Domestic Violence, Dating Violence, and Stalking Policy & Procedure

DSU strictly prohibits domestic violence, dating violence, sexual assault, stalking, or other forms of sexual misconduct. Offenders may be subject to appropriate campus adjudication processes, disciplinary action, and/or criminal proceedings. DSU follows procedures that provide prompt, fair, and impartial investigation and resolution in all cases that involve sexual assault, domestic violence, dating violence, and stalking. These procedures are carried out by appointed officials who receive required, specific annual training.

Sexual violence is a form of sexual harassment, and services are available to students, faculty, and staff who experience sexual violence, domestic violence, dating violence, and instances of stalking.

In these situations, DSU is committed to providing crisis intervention measures for students, faculty, staff, and appropriate administrative response for the complainant and respondent; referring individuals to criminal authorities; and educating and promoting discussion on interpersonal abuse and violence issues. The University's process does not preclude adjudication under state law.

DSU prohibits retaliation by its officers, employees, students, or agents against a person who exercises their rights or responsibilities under any provision federal or state law, including Title IX and the Violence Against Women Reauthorization Act (VAWA), or this policy.

DSU encourages and supports a safe living, learning, and working environment for all members of the DSU Campus Community.

To accomplish this, DSU conducts training and educational sessions that address all aspects of domestic violence, dating violence, sexual assault, and stalking.

Additionally, DSU addresses safety precautions and prevention, crisis management, reporting, medical and counseling services. This includes DSU investigation and discipline process, with modified academic schedules and living arrangements as part of DSU's response to sexual violence, domestic violence, dating violence, and stalking instances throughout the campus community.

Safety, Assistance and Support, Evidence Preservation

A guiding principle in domestic violence reporting, dating violence, sexual assault, and stalking is to avoid possible re-victimizing of the complainant by forcing the individual into any plan of action.

It is recommended that a person who has experienced domestic violence, dating violence, sexual assault, or stalking consider each of the following:

1. Getting to a safe place.
2. Avoiding the destruction of evidence by bathing, douching, changing clothes, or cleaning up in any way. Preserve evidence in a paper bag for possible future action. Also, keep copies of emails, text messages, and voice messages. Preserving this type of evidence may assist in proving that the alleged criminal offense occurred or may help obtain a protection order.
3. Pursuing medical treatment. Post-assault medical care can be performed at a local emergency room. Many hospitals have a specialized examiner who can complete an exam for victims of sexual violence. Such an exam can help the victim receive an appropriate medical assessment and treatment and preserve evidence for possible future action.
4. Pursuing counseling services with appropriate agencies Badlands Human Services, Employee Assistance Program (EAP), or private providers. Calling someone that is known and trusted, such as a friend or counselor, and discussing with this person the assault can help to evaluate the trauma to sort out next steps.
5. Making a police report. You can initiate a campus and/or criminal complaint. You may obtain assistance from campus authorities in this notification.
6. Making a report to a campus security authority (CSA), Title IX Coordinator, or another responsible employee under Title IX.
7. Making an anonymous report. An anonymous report to the police notifies them that an act of sexual violence has occurred but gives no names or identification.

If any member of the campus community has a Court Restraining Order against an individual, they should file that order with the DSU Campus Safety Office.

[Preventing and Responding](#)

[Bystander Intervention Program](#)

Everyone has a role to play in preventing sexual assault. There are several different prevention methods that students, and employees can utilize. One of the most widely used and publicized strategies of intervening is bystander intervention. Bystander intervention is a prevention strategy that encourages witnesses to take safe action when they see a situation that might lead to sexual violence or abuse. DSU's Bystander Intervention Program provides education and awareness training designed to encourage intervention.

[5 Ds for bystander intervention](#) is a set of strategies to help individuals safely and effectively intervene in situations where harm or harassment might be occurring.

- Direct: If everyone is physically safe, speak firmly and clearly against

harassment/discrimination taking place (prioritize assisting the target over debating the harasser).

- Distract: Indirectly diffuse the situation by interrupting the harasser and the target (e.g. commotion, small talk, etc.).
- Delegate: Ask a third party for assistance in intervening, preferably an individual in a position of authority.
- Delay: Check in with the person who was discriminated/harassed (e.g. support, offer assistance, etc.).
- Document: If it is safe to do so and someone is already helping the target, write notes or take a video of the discriminatory situation (permission to share the situation belongs to the target).

Student Services / Inclusion and Equity webpage:

<https://dickinsonstate.edu/student-life/inclusion-and-equity/>

[DSU Resource Guide](#)

Reporting

Consider Filing a Police Report

A report to the police can empower the complainant by exercising her/his legal rights and can aid in the protection of others. DSU staff will encourage the complainant to file a police report and will assist the complainant in notifying the police if requested. The police will then advise the complainant of the legal process.

1. A criminal investigation regarding an on-campus incident will be conducted by the Dickinson Police Department. DSU will cooperate and provide assistance as needed with a criminal investigation.
2. A criminal investigation regarding an off-campus will be conducted by the Dickinson Police Department or other law enforcement agency. When an investigation or legal proceedings occur off-campus, services are still available through the university.

Alternatives to Immediately Filing a Police Report

1. Report the crime at a later date.
2. Make an anonymous report to the police or DSU Campus Safety Office (a report that notifies the police that a domestic violence, dating violence, sexual assault, or stalking incident has occurred, but gives no names or identification). This ensures Clery crimes are included in the Annual Security Report.
3. Contact a referral agency for help: Student Affairs, Human Resources, Badlands Human Services, or Employee Assistance.
4. Make a complaint to a Campus Security Authority, Title IX Coordinator, Student Affairs, or Human Resources. Such a complaint may be used for actions that include, but are not

limited to, on-campus administrative proceedings and/or disciplinary actions. Contact the Title IX Coordinator for more information concerning the administrative process. Students may reference the campus conduct process in the Student Code of Conduct. Faculty and staff may consult with Human Resources or the Title IX Coordinator.

5. If the complainant does not choose to file a police report, she/he may still file an administrative complaint. The complainant will be referred to other agencies if appropriate. Specifically, a complainant may be encouraged to seek assistance at the E.A.P. or Badlands Human Services. Support may also be sought from Student Health, the Title IX Coordinator, and/or various community resources.
6. **The complainant may decline to notify police and campus authorities.**

What Happens When a Campus Sexual Assault is reported to a Campus Security Authority?

- A Campus Security Authority (CSA) will come to your location to assess the situation and make emergency medical treatment available (if desired), ensure your safety, and obtain a description of the suspect. He or she will ask you for the location and time of the assault, a description of the assailant, and a description of your injuries.
- The relevant campus resource partners may be contacted for support for the victim.
- The (CSA) may refer you for a medical examination at the local hospital to ensure that you have suffered no physical injury, and so that a medical report can be completed for use in a court proceeding if charges are pressed. In this event, the exam will be completed by a trained specialist.

Please note: even if you have an exam, you DO NOT have to press charges.

Confidentiality

Assistance for Victims: Rights and Options

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

DSU will provide information to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community, with or without the filing of a formal complaint.

DSU will provide information about how to request supportive measures, including changes to academic, living, transportation and working situations or supportive measures. And will make accommodations, or provide protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus safety or local law enforcement.

DSU is unable to apply for a legal restraining order for a victim. The Domestic Violence and Rape

Crisis Center is able to assist victims of abuse through crisis lines, in-person assistance, emergency housing, and advocacy and assistance. The hotline number is 1-888-225-4506 and the local phone number is 701-225-4506. For more information please visit www.dvrccnd.com.

DSU may issue an institutional no contact order if deemed appropriate or at the request of the victim or the accused. Upon the victim's request and to the extent of the victim's cooperation and consent, university offices will work cooperatively to assist the victim with their health, physical safety, work, and academic status, pending the outcome of a formal university investigation of the complaint.

Personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. DSU will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide accommodations or protective measures.

When you report a campus rape or sexual assault, you are not making a commitment to file charges or testify in court. By reporting the matter to a DSU Campus Security Authority, you can be assured of immediate physical protection and transportation to a medical facility, upon request. The incident should be reported immediately, to ensure preservation of evidence as well as effective treatment, or counseling; however, victims are encouraged to seek support at any time, even weeks, months, or years after the incident.

Persons, victims, and witnesses of a crime who do not want to pursue action within the University or the state judicial system may report crimes listed in the Clery Act anonymously to a Campus Security Authority (CSA). A CSA is an individual, who by virtue of their university responsibilities and under the Clery Act, is designated to receive and report criminal incidents to the DSU Campus Safety Office. Reports must be filed with the Campus Safety Office for inclusion in the annual crime statistics and for the safety of the campus community if there is a serious or continued threat (timely warning or emergency notification).

DSU Sexual Harassment Procedure

Students or employees who violate Sexual Harassment Policy (DSU Policy 603.1.003) may face disciplinary action, up to and including suspension, dismissal, or termination from DSU. Third parties who commit sexual harassment may have their relationships with the University terminated and/or their privileges of being on DSU's campus withdrawn.

DSU uses this procedure to investigate and adjudicate allegations of sexual harassment against a student or employee and to impose disciplinary sanctions against students or employees found responsible for violating Sexual Harassment Policy (DSU Policy 603.1.003). These procedures provide for prompt and equitable responses to reports of sexual harassment. The procedures provide for thorough and impartial investigations that afford all parties notice and an opportunity to present witnesses and evidence and to view the information that will be used in determining whether a policy violation has occurred. DSU applies the preponderance of the evidence standard when determining whether a policy has been violated. Preponderance of the evidence means that it is more likely than not that a policy violation occurred. Responding parties are presumed not

responsible until and unless there is a determination of responsibility at the conclusion of the grievance process.

The specific procedures for reporting, investigating, and resolving complaints of sexual harassment are based upon the responding party's relationship to the University (i.e., student, employee, or third party).

The DSU Sexual Harassment Procedure ([DSU 603.1.003](#)) can be found here and is also available upon request to Title IX Coordinator.

Students or employees who violate the "Sexual Harassment Policy ([DSU 603.1.003](#)) may face disciplinary action, up to and including suspension, dismissal, or termination from DSU.

Definition

y. *Sexual Harassment*. Conduct on the basis of sex, constituting one (or more) of the following:

1. An employee of the institution conditioning the provision of an aid, benefit, or service of the institution on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the institution's education program or activity; or
3. **Sexual assault, dating violence, domestic violence, or stalking, as defined in this section.**

Reporting

Any person may report sexual harassment (whether or not the person making the report is the victim of the alleged sexual harassment). Such report may be made in person, by mail, by telephone, or by email using the Title IX Coordinator's contact information or any other means that result in the Title IX Coordinator receiving the report, regardless of the time of day. In accordance with Title IX regulations, only signed reports/complaints may be formally investigated.

The Title IX Coordinator is responsible for coordinating DSU's compliance with its obligations under Title IX regulations and this Procedure. The Title IX Coordinator oversees the University's investigation of, response to, and resolution of all reports of sexual harassment. The Title IX Coordinator organizes training as appropriate for individuals involved in the University's sexual harassment investigation and grievance process, which includes the handling of complaints, grievance procedures, and protecting confidentiality. The Title IX Coordinator also assists students and employees in understanding their rights, responsibilities, and options for reporting potential sexual harassment and receiving support measures. Inquiries or concerns relating to Title IX or sexual harassment may be referred to the University's Title IX Coordinator:

Dr. Kathleen Geisen, Title IX Coordinator
Dickinson State University
291 Campus Drive
May Hall 118
Dickinson, ND 58601

(701) 502-2081

Dsu.titleix@dickinsonstate.edu

Online

The DSU [Title IX Report Form](https://dickinsonstate.edu/about/about-dsu/hea-student-consumer-information/handbook-and-code-of-conduct/) is available as a resource at <https://dickinsonstate.edu/about/about-dsu/hea-student-consumer-information/handbook-and-code-of-conduct/>

Privacy and Confidentiality

DSU is committed to protecting the privacy of all individuals involved in an incident reported under the Sexual Harassment Policy 603.1.003. The identity of any individual who has made a report or complaint of sex discrimination or sexual harassment, any complainant, any respondent, and any witness, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder, shall be confidential. Every effort will be made to respect and safeguard the privacy interests involved in a manner consistent with the need for a careful assessment of the allegations and any necessary steps to eliminate the misconduct, prevent its recurrence, and address its effects.

Privacy generally means that information related to a reported incident will only be shared with a limited number of individuals that “need to know” the information in order to assist in the review, investigation, and/or resolution of the incident. While not bound by confidentiality, these individuals will be discrete and respect the privacy of all individuals involved in the process. If a decision is made to pursue disciplinary action against a responding party, information related to the report will be shared with them. When the parties involved are students, information regarding a reported incident will not be shared with either party’s parents or guardians unless the party has signed a waiver that complies with FERPA, or there is an articulable threat to the health or safety of the party or other individuals. DSU will share the results of an investigation and the applicable sanctions to reporting parties when the incident involved violent crimes or sexual misconduct. The information that will be shared includes, but is not limited to:

- The name of the accused student.
- Any DSU policy that was broken and key findings that support the conclusion.
- A description of disciplinary action taken.

Title IX Investigation and Procedures (2020 Regulations)

Complainant Rights

Complainant's rights include:

1. You have the right to be treated with dignity and respect.
2. You have the right to experience a safe living, educational, and work environment.
3. You have the right to be informed of available on-campus and off-campus counseling and support services.

4. You have the right to work, residential, and academic accommodations, as necessary.
5. You have a right to have an advisor of your choice present at any meeting or proceeding held as part of the University's process to resolve a complaint. Your advisor may be an attorney.
6. You have the right to a fair, impartial investigation, and resolution of a complaint that is in substantial accordance with the University's procedures for investigating and resolving reports of prohibited conduct.
7. You have the right to be free from retaliation.
8. You have the right to have a complaint investigated by individuals who receive adequate training.
9. You have the right to challenge an individual designated by the University to investigate and/or resolve a complaint based on conflict of interest. This includes the investigator and individuals involved in imposing any sanctions.
10. You have the right to review all evidence and witness statements collected as part of the investigation of a complaint.
11. You have the right to participate during a live hearing to resolve your complaint.
12. You have the right to not have irrelevant prior sexual history discussed during the investigation and resolution of a complaint.
13. You have the right to withdraw your complaint any time prior to the investigator deciding whether the responding party violated University policy.
14. You have the right to be promptly notified in writing of the outcome of a complaint.
15. You have the right to meet with the University's Title IX Coordinator at any point in the process.
16. You have the right to appeal the investigator's findings and/or any sanctions imposed by the University.
17. You have the right not to be discouraged by University officials from reporting an incident of sexual harassment (including sexual assault, dating violence, domestic violence, stalking, gender-based hate crimes), or from talking to law enforcement.
18. You have the right to request supportive measures such as a no contact directive be put in place and enforced during the resolution of a complaint.

Respondent Rights

Respondent's rights include:

1. You have the right to be treated with dignity and respect.
2. You have the right to initially be presumed not responsible for violating University policy and for an outcome based solely on the evidence presented during the investigation and resolution of a complaint.

3. You have the right to be informed of available on-campus and off-campus counseling and support services.
4. You have the right to receive a written summary of the allegations made against you, the range of potential policy violations, and the range of potential disciplinary sanctions.
5. You have the right to have an advisor of your choice present at any meeting or proceeding held as part of DSU's process to resolve a complaint. Your advisor may be an attorney.
6. You have the right to have a complaint investigated and resolved in a fair and impartial manner that is in substantial accordance with the University's procedures for investigating and resolving reports of prohibited conduct.
7. You have the right to be free from retaliation.
8. You have the right to challenge an individual designated by DSU to investigate and/or resolve a complaint based on conflict of interest. This includes the investigator and individuals involved in imposing any sanctions.
9. You have the right to have a complaint investigated by individuals who receive adequate training.
10. You have the right to review all evidence and witness statements collected as part of the investigation of a complaint.
11. You have the right to participate in a live hearing to resolve the complaint.
12. You have the right to not have irrelevant prior sexual history discussed during the investigation and resolution of a complaint.
13. You have the right to be promptly notified in writing of the outcome of a complaint.
14. If you are found responsible for violating this policy, you have the right to submit a statement and have it considered during the determination of sanctions.
15. You have the right to meet with the University's Title IX Coordinator at any point in the process.
16. You have the right to appeal the investigator's findings and/or any sanctions imposed by the University.

Presumption of Non-Responsibility and Participation by the Parties

The sexual harassment investigation is a neutral fact gathering process. The role of investigator(s) is simply to determine what happened in a neutral manner. The University's investigation is not a criminal investigation; the purpose of the process is to determine if University policy has been violated by the respondent. The respondent is presumed to be not responsible; this presumption may be overcome only where the University concludes that there is sufficient evidence, by a preponderance of the evidence, to support a finding that the respondent violated the Sexual Harassment Policy.

Advisors

Parties to a grievance process must be afforded the opportunity to select the advisor of their choice to assist them during the proceeding, including during the live hearing. Parties will provide the Title IX Coordinator with the name and contact information of an advisor and any advisor replacement upon selection or replacement.

If a party does not choose an advisor, the institution shall provide the party with an advisor free of charge. The advisor will be made available to each party for the full duration of the grievance process.

DSU is not required to provide an attorney to act as an advisor but appointed advisors will be provided with appropriate training to ensure an understanding of the grievance process, though the same training provided to Title IX Coordinators, decision-makers, and investigators is not required.

DSU is not required to attempt to create an equality of advisors between the parties, particularly where one party selects an outside advisor, but DSU will endeavor to seek parity of advisors where the institution provides advisors to both parties.

Time Frame

The grievance process shall be carried out using reasonably prompt time frames, including time frames for filing and resolving appeals. Notwithstanding, temporary delays or extensions of the time frames must be offered for good cause, with written notice to the parties setting forth the cause for action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness, concurrent law enforcement activity, or the need for accommodations for language or disability.

The Title IX Coordinator will periodically notify all parties by telephone, email, or in writing during the investigation process regarding updates and time frames.

Preliminary Investigation

Upon receipt of a report of sexual harassment, the Title IX Coordinator (or designee) will make an initial assessment of the reported information. During the preliminary investigation, the Title IX Coordinator will:

- Assess the complainant's safety and well-being.
- Discuss the availability of supportive measures, and offer the University's support measures as applicable to the situation.
- Inform the complainant that supportive measures are available with or without the filing of a formal complaint.
- Explain the process of filing a formal complaint.

No disciplinary sanctions or other actions that are not supportive measures may be imposed against a respondent prior to the conclusion of the grievance process.

Supportive Measures

During or after a preliminary investigation of the incident, DSU may take reasonable and appropriate measures to protect the impacted individuals and facilitate their continued access to University education and employment programs and activities. Supportive measures may be put in place during the investigative phase of the sexual harassment process if determined to be necessary for the health or safety of the parties or the DSU community. Parties may also request that supportive measures be implemented during the process. All supportive measures will be removed upon the completion of the investigation unless there is a finding of responsibility and the supportive measures become part of the sanction. The Title IX Coordinator may consult with others such as campus safety or DSU's Behavioral Intervention Team (BIT Team) to make an immediate assessment of any risk of harm to the parties, other individuals, or to the campus community and will take the necessary steps to address those risks. If a decision is reached to take an action regarding supportive measures that impacts a respondent, the Title IX Coordinator will notify the respondent in writing. The Title IX Coordinator (or designee) retains the discretion to impose and/or modify a supportive measure based on all available information. Supportive measures may be available regardless of whether a complainant pursues a complaint or investigation under this policy but will be determined on case by case basis. The University will maintain the privacy of any supportive measures provided under this policy to the extent practicable:

Supportive measures may include, but are not limited to:

- Counseling
- Extensions of deadlines or other course-related adjustments
- Modification of work-study or class schedules
- Campus escort services
- Mutual no-contact orders between parties
- Alternate work or housing locations
- Leaves of absences
- Increased security or monitoring of areas of campus

Emergency Removal from Campus

DSU may remove a respondent from the education program or activity on an emergency basis, provided that the institution determines based on an individualized safety and risk analysis, that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

DSU will provide the respondent with notice and opportunity to challenge the decision immediately following the removal. All appeals regarding student emergency removal shall be submitted in writing to the Vice President of Student Affairs/Dean of Students within 24 hours of receiving notice of removal.

Notice of Investigation & Rights and Responsibilities Meeting

Once a formal complaint is received by the University, DSU will provide the following written notice to both parties:

1. Notice of the grievance process.
2. Notice of the allegations of sexual harassment including:
 - a. Sufficient details known at the time and with sufficient time to prepare a response, including but not limited to, the names of the parties, the conduct allegedly constituting sexual harassment, and the date and location of the alleged conduct.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process.
4. A statement that the parties may have an advisor of their choice, who may be an attorney, and may inspect and review evidence. The statement will also indicate that if the party does not have an advisor of their choice, DSU will appoint an advisor to assist with cross-examination for the live hearing.
5. Notice of the DSU Student Code of Conduct provision that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If during the grievance process, additional allegations are added to the investigation that were not included in the initial notice, the University will provide notice of the additional allegations to the parties.

Consolidation of Formal Complaints

DSU may consolidate formal complaints against more than one respondent, by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Mandatory Dismissal

DSU must dismiss the formal complaint if, at any time during the investigation or the hearing it is determined that:

- a. The conduct alleged would not constitute sexual harassment as defined in DSU's policy, even if proved.
- b. The conduct alleged did not occur in the education program or activity.
- c. The conduct did not occur against a person in the United States.

If the formal complaint is subject to mandatory dismissal, DSU may act under another provision of the code of conduct without that action constituting retaliation under the policy and/or procedure.

Permissive Dismissal

DSU may dismiss the formal complaint if, at any time during the investigation or hearing it is determined that:

- a. A complainant notifies the Title IX Coordinator, in writing, that the complainant would like to withdraw the formal complaint, or any allegations contained in the formal complaint.
- b. The respondent is no longer enrolled at or employed by DSU.
- c. Specific circumstances prevent DSU from gathering evidence sufficient to reach a determination as to the formal complaint or allegations in the formal complaint.

In the event a formal complaint is permissively dismissed, DSU will consult with legal counsel prior to taking action under another provision of its code of conduct to avoid taking actions constituting retaliation.

Notice of Dismissal

Upon a dismissal, DSU must promptly send written notice of the dismissal and reasons therefore to both parties simultaneously.

Investigation

DSU is required to investigate every formal complaint unless the complaint is subject to dismissal.

At all times, the burden of proof and the burden of gathering evidence sufficient to make a determination regarding responsibility rests on the University, and DSU may not seek to shift that burden to the parties. DSU may not restrict the parties' ability to discuss the allegations or to gather or present relevant evidence.

DSU will operate under the assumption the respondent is not responsible for the alleged conduct until and unless there is a determination of responsibility at the conclusion of the grievance process.

DSU may not access, consider, disclose, or otherwise use a party's medical records made or maintained in connection with the provision of treatment to the party, unless voluntary, written consent to do so is provided by the party (or the party's parent, if the party is not eligible to provide consent).

DSU may not require, allow, rely upon, or otherwise use evidence that constitutes, or questions that seek disclosure of, information that protected under a legally recognized privilege status, unless that privilege is waived.

DSU must provide each party written notice of the date, time, location, participation, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time to prepare.

Each party must be afforded an equal opportunity to have others present during any grievance proceeding, including their advisor, though DSU may establish restrictions regarding the extent to which the advisor may participate in the proceedings, so long as the restrictions apply equally

to both parties and comply with the written policy. These restrictions, if any, will be announced prior to the live hearing. Such restrictions will be made available in writing to both parties and their advisors.

Both parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation related to the allegations raised in a formal complaint, including any evidence upon which DSU does not intend to rely in reaching a determination of responsibility and any inculpatory or exculpatory evidence, from whatever source.

At least ten (10) days prior to the preparation of the investigative report, DSU or designated investigator will provide each party and their advisor the evidence obtained in the investigation in an electronic format or hard copy. The parties may submit a written response to the evidence, which the investigator shall consider prior to the completion of the investigative report.

At the conclusion of the investigation, the investigator will create an investigative report that fairly summarizes the relevant evidence. At least ten (10) days prior to the hearing, the investigator will send a copy of the investigative report to each party and their advisor for review and written response.

Final Investigative Report

Upon completion of the fact-gathering process described above, the investigator(s) will review the investigative summary and forward the report to the Title IX Coordinator.

Live Hearing

The grievance process provides for a live hearing after the completion of the investigative report. All evidence obtained by the investigator(s) as part of the investigative process must be made available to the parties and the decision-maker at the live hearing.

The live hearing will be presided over by the decision-maker. The decision-maker will be appointed by the Title IX Coordinator prior to the live hearing. Decision-makers will have or may undergo applicable Title IX training to ensure compliance with federal regulations.

At the request of either party, the hearing must be conducted with the parties located in separate rooms with technology enabling the decision-maker and parties to simultaneously see and hear the party or witness answering questions. Hearings may be conducted with all parties physically present in the same geographic location, or any parties, witnesses, and other participants may appear at the live hearing virtually, so long as the participants are able to simultaneously see and hear each other.

The decision-maker will permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those that question credibility. This cross-examination must be conducted directly (the questions may not be asked by the decision-maker), orally, and in real time by the party's advisor and never by a party personally.

- a. Prior to a party or witness answering a question, the decision-maker will rule on the relevance of the question and explain any decision to exclude a question as not relevant.

- b. Decision-makers may request, but may not require, that questions by the parties be submitted in advance, to permit the decision-maker to rule on the relevance of the questions. The decision-maker will inform each party and their advisor prior to the live hearing as to whether or not questions should be submitted in advance.
- c. The University may otherwise limit the extent to which the party's advisor may participate in the hearing by policy but should consult with legal counsel prior to imposing significant limitations. Such limitations may include objections to evidence and questions and decorum procedures.

Cross-Examination

If deemed reliable and relevant by the decision-maker, and not otherwise subject to exclusion under Policy, the decision-maker may consider the statements of persons who were not present at the hearing, or persons who were present at the hearing but refused to answer a cross-examination question. This includes, but is not limited to, opinions and statements in police reports or other official reports, medical records, court records and filings, investigation notes of interviews, emails, written statements, affidavits, text messages, and social media posting(s). The decision-maker shall determine the appropriate weight to afford the statements under the circumstances and will do so in a fair and equitable manner. Decision-makers may not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence or refusal to answer cross-examination or other questions.

Rape Shield

Prior or subsequent conduct of the respondent party may be considered in determining pattern, knowledge, intent, or motive. The sexual history of a complainant or respondent will never be used to prove character or reputation. Information related to the prior sexual history of either of the parties is generally not relevant to the determination of a sexual harassment policy violation except as described above.

The determination of relevance of pattern information will be based on an assessment of whether the previous or subsequent conduct was substantially similar to the conduct under investigation or indicates a pattern of similar sexual harassment. Such prior or subsequent conduct may also constitute a violation of other University policy, in which case it may be subject the respondent to additional sanctions.

Questions and evidence about the complainant's sexual predisposition or sexual history are not relevant, unless such questions are offered to prove that someone other than the respondent committed the alleged conduct, or regard specific incidents of the prior sexual behavior with respect to the respondent and are offered to prove consent.

The decision-maker has the discretion to determine relevance of any offered information and to include or exclude certain types of information.

All live hearings will be recorded. Mechanisms of recording include audio, audio-visual, or transcript of live hearing. All recordings will be made available to both parties and advisors for review.

Hearing Decorum

Decision-makers may enforce rules to ensure hearing decorum, such as requiring respectful treatment, specifying any objection process, governing timing of hearing, length of breaks, etc. The decision-maker will set rules for decorum prior to each live hearing. Failure to adhere to the rules decorum may result in a delay of the hearing and/or removal of a party's advisor.

Hearing Decision

The role of the decision-maker is to determine whether a violation of the sexual harassment policy occurred. After the conclusion of the hearing, the decision-maker will make a determination of responsibility. The respondent will only be found responsible when there is sufficient cause based on preponderance of the evidence. The Title IX Coordinator is not involved in the hearing decision or determining sanctions.

After the conclusion of the live hearing, the decision-maker must issue a written determination regarding responsibility, which must include:

- a. Identification of the allegations potentially constituting sexual harassment.
- b. Description of the procedural steps from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held.
- c. Findings of fact supporting the documentation.
- d. Conclusions regarding the application of the institution's code of conduct to the facts.
- e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions to be imposed on the respondent, and whether remedies will be provided to the complainant.
- f. The procedures, timelines, and permissible bases for the complainant and respondent to appeal.

The written determination must be provided to the parties simultaneously. The determination regarding responsibility becomes final either on the date that notice of the result of any appeal is provided to the parties, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Remedies

Remedies offered after the conclusion of the grievance process on a finding of responsibility must be designed to restore or preserve equal access to the education program or activity. Remedies need not be non-disciplinary or non-punitive, and need not avoid burdening the respondent.

Sanctions

A respondent party found responsible of sexual harassment shall be subjected to the imposition of the following sanctions and conditions, which may be imposed alone or in conjunction with one or more additional sanctions and/or conditions. Disciplinary sanctions imposed after the conclusion of the grievance process shall be assessed pursuant to the University's code of conduct, student handbook, or employee policies, which set possible disciplinary sanctions for

violations of Title IX or code of conduct and shall be proportional to the determination of responsibility. DSU's official sanctions of record are:

- a. Warning
- b. Conduct Probation
- c. Supervised Conduct Probation
- d. Suspension
- e. Expulsion
- f. Recommendation to the VPAA/Provost to withhold or rescind a degree

With each sanction, restorative actions, conditions, and/or terms may also be assigned. In addition, notification may be given to other University officials as necessary. Such actions may include, but are not limited to:

- a. Alcohol or other drug programming, evaluation, and/or testing
- b. Anger management or other related assessment(s)
- c. Written assignment
- d. Participation in an assigned activity or project
- e. Loss of, limited, or restricted access or student privileges
- f. Orders of no contact
- g. Restitution

In accordance with the rights for a respondent (referenced above under "Investigation and Resolution Procedures"), a respondent found responsible will be allowed to submit a written statement prior to the imposition of sanctions.

DSU employees found responsible for violating provisions under the Sexual Harassment policy may be subject to appropriate disciplinary action up to and including termination.

The decision-maker will issue a written decision within ten (10) business days from the conclusion of the hearing. Both parties will be notified simultaneously.

Title IX Appeal Process

Both parties may appeal a determination regarding responsibility or the dismissal of a formal complaint (or any allegations with the formal complaint). The following may form the basis of an appeal:

- a. Procedural irregularity that affected the outcome of the grievance process

- b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could have affected the outcome of the matter.
- c. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or for or against the individual complainant or respondent, that affected the outcome of the grievance process.

Upon receipt of an appeal, DSU will:

- a. Notify the non-appealing party in writing when an appeal is filed and implement appeal procedures equally for both parties.
- b. Ensure that the appeal decision-maker is not the same person as the decision-maker that reached the determination regarding responsibility or dismissal, or the Title IX Coordinator.
- c. Give both parties a reasonable, equal opportunity to submit a written statement in support of or challenging the outcome (e.g., ten (10) business days).
- d. Issue a written decision describing the result of the appeal and the rationale for the result.
- e. Provide the written decision to both parties simultaneously.

In the event that a disciplinary sanction of suspension or expulsion is imposed by the decision-maker, DSU shall provide a method of reviewing an appeal from a determination regarding responsibility or dismissal for a period of at least one (1) year following the original decision.

If it is determined that ground(s) for appeal is valid, the appeals officer may:

- a. Modify the decision. The appeals officer may overturn all or some of the decision regarding violations of the Sexual Harassment Policy and/or modify or vacate any sanction.
- b. Order a new hearing. The appeals officer may void all or some of the decision and call for a new hearing on all or some of the issue originally considered.
- c. Uphold the decision.

The appeals officer will render a written decision within ten (10) days of which the appeal was received. The appeals officer decision is final. The written documentation will be forwarded to all parties by the Title IX Coordinator.

Notice of Nondiscrimination

Dickinson State University is an equal opportunity and affirmative action institution that does not discriminate on the basis of race, color, sex, sexual orientation, gender, national origin, age, religion, gender identity, creed, marital status, veteran's status, political belief or affiliation, information protected by the Genetic Information Nondiscrimination Act ("GINA") or disability in its admissions, student aid, employment practices, educational programs or other related activities. Pursuant to Title IX of the Education Amendments of 1972, Dickinson State University does not discriminate on the basis of sex in its educational

programs, activities, or employment opportunities as required by Title IX. Dickinson State University complies with the provisions of the North Dakota Human Rights Act.

Inquiries concerning Title VI, VII, ADA, ADEA, Title IX, and Section 504 may be referred to either the

- Title IX Coordinator, Dr. Kathleen Geisen, Dickinson State University, 291 Campus Drive, May Hall, Room 226, Dickinson, ND 58601 [701-502-2081](tel:701-502-2081), dsu.titleix@dickinsonstate.edu or to the:
- Affirmative Action Officer, Krissy Kilwein, Dickinson State University, 291 Campus Drive, May Hall, Room 309, Dickinson, ND 58601, [701-483-2370](tel:701-483-2370), dsu.affirmativeaction@dickinsonstate.edu or to the:
- The Office for Civil Rights/Chicago
U.S. Department of Education, Citigroup Center
500 W Madison Street, Suite 1475, Chicago, IL 60661
Telephone: [312-730-1560](tel:312-730-1560), Fax: 312-730-1576,
TDD: [1-800-877-8339](tel:1-800-877-8339), email: OCR.Chicago@ed.gov, website: ed.gov/ocr.
- U.S. Equal Employment Opportunity Commission 330 South Second Avenue Suite 720 Minneapolis, MN 55401-2224 [1-800-669-4000](tel:1-800-669-4000) Fax: 612-335-4044 TTY: [1-800-669-6820](tel:1-800-669-6820) www.eeoc.gov

Protective Measures for Victims

Off Campus Resources

Domestic Violence and Rape Crisis Center (701-225-4506)

- 24-hour/day confidential crisis intervention services
- Referral for legal and medical assistance and/or counseling if desired
- Shelter facilities
- Personal advocacy services

Dickinson Police Department (911 for emergencies, 701-456-7759 for non-emergencies)

- Immediate protection and emergency services
- Charges will be filed if victim is minor

CHI St Alexius Hospital Emergency Room (701-456-4259)

- Emergency medical treatment
- Required to report incident to police if victim is a minor

Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cab money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- If you need to get out of an uncomfortable or scary situation here are some things that you can try:

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

Campus Sex Crimes Prevention Act Compliance Statement

Sex Offender Registration

The Campus Sex Crimes Prevention Act of 2000 provides the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. It requires sex offenders, already required to register in a state, to provide notice of each institution of higher education in that state at which that person is employed, carries on a vocation, or is a student. Law enforcement agency information provided by the state regarding sex offenders may be found at sexoffender.nd.gov.

Notification of Missing Student Procedures

In addition to registering an emergency contact in campus connection, students residing in on-campus housing have the option to identify, confidentially, an individual to be contacted by DSU in the event they are determined to be missing for more than 24 hours. This contact information is collected by the Residential Life staff as part of the housing application and is maintained in the housing software. A student's confidential contact information will be accessible only by authorized campus officials and shared with law enforcement as needed in a missing person investigation.

If a member of the DSU community has reason to believe that a student who resides in on-campus housing is missing, they should immediately notify DSU Campus Safety Office by calling 701-290-1068. The Campus Safety Office will initiate an investigation and generate a missing person report. If the missing person is under the age of 18, and not emancipated, the University will notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. Further, regardless

whether the student has named a contact person, is above the age of 18, or is an emancipated minor, DSU will notify the local law enforcement agency that has jurisdiction in the area within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

Emergency Response

The Dickinson State University Emergency Operation Plan (EOP) has been designed as a contingency manual for Dickinson State University administrators in order to plan for campus emergencies. While this guide does not cover every conceivable situation, it does supply the basic administrative guidelines necessary to cope with most major emergencies and disasters. The EOP is reviewed annually and revised as needed to assure that response plans are current and the information included is accurate.

Dickinson State University uses a mobile safety platform that makes DSU safety plans available to students, faculty, and staff in a moment's notice.

Report Major Emergencies immediately to:

- Dickinson Police Department 911

After contacting 911 call:

- Campus Safety Office – on call 701- 290-1068
- Office of Campus Life – on call 701- 290-2099

It is the responsibility of the President (or their designee) to declare an emergency at Dickinson State University. However, review of the EOP Incident Action Plans by all members of the University community is encouraged, in order to be prepared to take appropriate action when in an emergency situation.

Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, DSU will immediately notify the campus community to communicate vital information as quickly and efficiently as possible in order to provide the greatest safety for our students, faculty, staff, and visitors.

In all cases, University emergency responses shall place primary emphasis on the protection of human life, and all reasonable efforts shall be made to protect and preserve University property.

Campus Emergency Notifications

DSU utilizes a number of emergency notification systems together. Some or all of these methods of communication may be activated in the event of an immediate threat to the DSU campus community. These methods of communication include:

- Everbridge that sends emails, text, and phone messages.
- Listserv emails to DSU campus email addresses.

- Placement of special information in banners on the DSU website homepage.

These systems are designed and dedicated to provide timely notification and warning for emergency situations.

Risks and Vulnerabilities

The three categories of incidents represent the risks and vulnerabilities that this plan is designed to address. The decision to implement will be based on a case-by-case basis.

Emergency Notifications-Immediately notify the campus community upon confirmation of a significant emergency or dangerous situation occurring on the campus that involves an immediate threat to the health or safety of students or employees. An “immediate” threat as used here includes an imminent or impending threat. Examples: fire, pandemic, inclement weather/tornado, gas leak, terrorist incident, armed intruder, bomb threat, civil unrest, explosion, chemical or hazardous spill.

Timely Warnings-A warning will be issued in a timely manner to notify the campus community of crimes that have occurred on or around the campus that will aid in the prevention of similar crimes.

The intent of a warning regarding criminal incident(s) is to enable people to protect themselves. A warning will be issued as soon as pertinent information is available.

DSU Advisory-An advisory will be sent to make the community aware of a significant situation that could disrupt operations but does not pose an immediate threat to health and safety. This can include power outages, phone outages, suspended campus operations, and building or road maintenance.

Emergency Notifications/Timely Warnings will be issued without delay taking into account the safety of the campus community and the content of the notification to assist the community with their safety. Notifications and content will be considered by local law enforcement, Campus Safety Office, or designated department command authority not to compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Dickinson State University Campus Safety Office will coordinate DSU’s emergency response. If there is an emergency on campus call 911 then call the Campus Safety Office, 701-290-1068.

The DSU Campus Safety Office will be responsible for confirming there is an emergency or potential threat to the health or safety of students, faculty, or staff. Upon confirmation of an emergency or threat the Campus Safety Office will contact the Chief Communications Officer. The Chief Communications Officer will be briefed on the incident/event which will help determine audience and content of message.

The Office of University Relations will coordinate dissemination of information to the DSU community, and general public.

During emergency procedures and activation of the Emergency Operations Center, members of the Emergency Management Team and the Public Information Officer (University Relations) will

be responsible for content, directing notifications/warnings to the campus community and general public.

The only authorized personnel that may activate the DSU Everbridge Emergency Notification System are the members of the Emergency Management Team. Participants in Everbridge may at times be asked to verify and/or update their emergency notification information as needed by DSU.

Testing of the systems also will be done on a periodic basis and will be sent to all current participants utilizing emergency notification data provided and entered into the systems. It will be the objective of the University to provide timely notification/warnings for emergency situations. It is also understood that in order to provide this in the most timely manner possible, that limited information may be available at the time of release of the notification, and DSU may utilize some or all of the systems to disseminate notifications and updates as the situation requires. Recipients of these notifications should exercise due caution and personal safety measures during these situations and be patient with the release of updated information to allow emergency services personnel to gather correct information and develop an ongoing notification.

Emergency Plans

The University conducts or participates in an emergency response exercise each year, such as a table top exercise or a live test, and tests the emergency notifications systems on campus once a semester. Tests of the systems may be announced or unannounced and are designed to assess and evaluate the emergency plans and capabilities of the university. **Information about the emergency response and evacuation plans are posted on our mobile safety application currently “Blue Hawk Safe”.**

Evacuation maps are posted in common areas. It is recommended that all employees and students review and become familiar with the emergency evacuation procedures annually, or whenever there are plan or facility design/occupancy use changes. Pre-determine designated assembly points, direct occupants to those locations and prevent re-entry to the facility (prevention of re-entry to anyone except emergency personnel ensures the protection of life and property – university and personal property). Evacuation plans in residence halls are tested each semester in the form of a fire drill. Members of the Emergency Management Team review/test emergency and evacuation procedures through drills/training exercises annually.

Assist individuals with disabilities:

Be aware of persons in the building who may need assistance.

Be prepared to render assistance if necessary or as the situation warrants. If unable to directly assist a person with disabilities, ask the individual to wait at the nearest exit for assistance from official emergency personnel.

Individuals with disabilities are responsible for knowing how they want to be helped during an evacuation. They are asked to convey this information to their instructors within the first week of each semester or to their work supervisors within the first week of employment.

Guests of the university and campus visitors should also inform the university employee/student

with whom they are dealing of their need for evacuation assistance.

Everbridge. is D.S.U.'s emergency notification system.

Students can update their contact information in Campus Connection. Employees can update their information in HRMS or by calling Human Resources at 701.502.4408.

For more information visit the DSU Campus Safety Office web-page at:

<https://www.dickinsonstate.edu/student-life/campus-security/>

EMERGENCY PROCEDURES

WHAT TO DO...

POLICE/FIRE/MEDICAL 911

EVACUATION

- If the fire alarm sounds or you are notified by an official evacuate using the nearest exit.
- **DO NOT USE ELEVATOR**
- Alert others around you who might not have heard.
- Guide people who cannot use the stairs including others with disabilities to the Area of Rescue Assistance.
- Proceed to designated emergency assembly point.
- Advise Emergency Personnel of injuries, missing people, and whether anyone is using the Area of Rescue Assistance.
- Do not enter any building unless an all clear is given by emergency personnel.

SHELTER IN PLACE

In the event of an emergency, including severe weather, chemical or biological contaminants released accidentally or intentionally into the air. Individuals should:

- Get inside. Stay inside.
- **DO NOT** go outside to investigate.
- Close all doors and windows.
- **Lock doors if advised to do so.**
- If there are visitors in the building, provide for their safety by asking them to stay - not leave.
- Move to an interior room or office away from windows.
- Monitor your radio, TV, internet for further instructions.

- Follow the directions of the emergency officials.

FIRE

- Activate the nearest fire alarm.
- Call the Dickinson Fire Department - Dial 911.
- Location of fire (DSU, building name, room #) Type of fire
- Calmly alert people in the building and evacuate the building by following EXIT signs.
- Do not use elevators, keep to the right, walk-do-not-run, remain calm, but take immediate action
- Feel closed doors before opening – **IF DOOR IS HOT, DO NOT OPEN.**
- Assemble at the designated emergency assembly point, follow the University's evacuation plan.
- Remain outside the building until the Dickinson Fire Department or emergency response officials inform you that it is safe to return to the building or to leave the area.

ACTIVE SHOOTER

If an armed shooter/ intruder incident occurs, the following actions are recommended:

Quickly determine the most reasonable way to protect your own life. RUN, HIDE, FIGHT

1. Run: If there is an accessible escape path, attempt to evacuate the premises. **Call 911**
2. Hide: If evacuation is not possible, find a place to hide where the active shooter is less likely to find you.
 - A. Lock the door and **call 911.**
 - B. Silence your cell phone and/or pager
 - C. Turn off any source of noise (i.e., radios, televisions)
 - D. Hide behind large items (i.e., cabinets, desks)
 - E. Remain quiet
3. Fight: Take action against the active shooter. As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter.
 - A. Acting as aggressively as possible against him/her
 - B. Throwing items and improvising weapons
 - C. Yelling
 - D. Committing to your actions... your life depends on it

BOMB THREAT

- Remain calm
- Get as much information as possible from the caller
- Call 911
- Follow instructions of emergency personnel

SUSPICIOUS PACKAGE/MAIL

- Do not touch or disturb the object or package
- Evacuate the immediate area
- Call 911
- Notify your building safety personnel

SEVERE WEATHER

Tornado Watch: Conditions are favorable for tornado development.

Tornado Warning: Tornado has been spotted in the area.

- Stay indoors and away from windows and doors.
- Seek shelter immediately in the lower level or an interior room of the building you are in.
- Close any doors.
- Remain in a safe area until danger has passed or an all clear is given by safety personnel.
- Pay attention to weather announcements on radio, TV, internet for updates and further instructions.
- If you are outside, get to the nearest building as quickly as possible.
- Follow directions given by emergency personnel.

UTILITY OUTAGE

- For all utility outages, notify Facility Operations or Campus Emergency Management immediately.
- Set all equipment and appliance switches to the OFF position.
- Do not attempt to reset power panels or breakers, wait for facilities, security or residential life personnel.
- Elevator Failure, if you are trapped, call Facility Operations or Campus Emergency Management. Remain calm and wait for help to arrive.
- In emergency situations refer to evacuation procedures.

MEDICAL EMERGENCY

- Call 911.
- Do not move injured person unless they are in an unsafe area, supporting head and neck.
- If trained administer basic first aid.
- Use CPR if no pulse and not breathing. Use AED as appropriate.
- Stay with the injured until medical assistance arrives.
- Notify Campus Emergency Management at (701) 290-1068.

Universal Precautions

The purpose of these guidelines is to reduce the risk of exposure to disease-causing organisms such as, but not limited to, Hepatitis B Virus (HBV), Hepatitis C Virus (HCV), and Human Immunodeficiency Virus (HIV).

Standard Precautions and Body Substance Isolation are approaches to infection control utilized in health care settings where exposure to blood and body fluids is likely. Principles of Standard Precautions and Body Substance Isolation have been combined and tailored here to meet the needs of students, faculty and staff in the University setting.

Disease Prevention Principles Include:

- Body fluids of all persons should be considered potentially hazardous
- General body fluids include blood, drainage from cuts, scabs, and skin lesions, urine, feces, vomit, nasal discharge and saliva
- Avoid direct skin contact with body fluids by using gloves
- Avoid direct contact with diapers and soiled clothing
- Use effective hand hygiene: wash with warm soap and water, lathering for 20 seconds, and rinse.
- Dry hands and turn off faucet with towel. An alcohol-based hand cleaner may be used in each of the following situations:
 - When hands are not visibly soiled with blood, body fluids, or any organic matter.
 - In situations where soap and water hand washing facilities are not available.
- Hands must be washed:
 - After any direct contact where there is some likelihood of contamination with moist body substances, or after handling potentially contaminated articles.
 - Before and after eating
 - After handling used dressings, sputum containers, changing a diaper
- Following personal hygiene (use of toilet, blowing nose, etc.)
- Hands must be washed even when gloves have been used. Gloves should be worn:

- For touching blood and body fluids, mucous membranes, or non-intact skin or body tissues of any person
 - For handling items or surfaces soiled with blood or body fluids
- Gloves should be changed after contact with potentially infected material
- Dispose of all potentially infectious soiled materials in plastic bags/containers
- Use freshly mixed (within ½ hour of mixing) household bleach and water (1:10 solution) for cleansing
- Sharp objects should be handled in such a manner as to prevent accidental cuts or punctures.
- Sharps should be discarded immediately after use into closable, labeled, impervious needle disposal box
- To clean up spills:
 - Use absorbing materials
 - Use pick-up spatula and brush
 - Use plastic bag to dispose of potentially infectious material
 - Apply germicidal detergent
 - Clean spatula and brush
 - Dispose of all material
 - Wash hands with soap and water or use hand antiseptic.

Clery Act Crime Statistics

The following tables are published to comply with the Clery Act, as outlined earlier in this document. These statistics reflect activities reported to University officials or law enforcement officials for the main campus and contiguous areas. It is important to note that this number includes all referrals, regardless if the individuals were eventually found guilty. Also note that the Campus Residence number is a subset of, and thus also included in the general campus number reported.

	On-Campus			On-Campus Housing			Non-Campus			Public			Unfounded Crimes		
	2024	2023	2022	2024	2023	2022	2024	2023	2022	2024	2023	2022	2024	2023	2022
Murder/Non negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	1	1	1	0	1	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	1	2	0	1	0	0	0	0	0	2	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0
Weapon Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations/Campus Referral	16	38	13	16	38	13	0	0	0	0	0	0	0	0	0
Drug Law Violations/Campus Referral	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Violations/Campus Referral	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

There were no hate crimes reported in 2024, 2023, 2022. *On-Campus Housing Facilities crime statistics are a subset of the On-campus category, i.e. they are counted in both categories.

Annual Fire Safety Report

Fire Safety Systems

All DSU residential facilities are equipped with:

- Battery-operated smoke detectors in each room and in common areas and hallways - Batteries in smoke detectors are checked and replaced as needed during monthly health and safety checks, conducted by Residential Life staff, or more frequently when requested by residents.
- Fire extinguishers for small, contained fires – Lowman Walton, DeLong and Woods Halls are equipped with sprinkler systems.
- Pull stations to alert the entire building in the event of a fire are available in Lowman Walton, Selke, DeLong and Woods Halls.
- Residential Life staff members are trained in fire safety and responsible for notifying emergency services of fires within the building
- Fire Rated doors
- New sprinkler systems (updated) in DeLong Hall, Woods Hall, Student Center, Biesiot Activity Center, and Klinefelter Hall.
- Updated fire alarms and panel systems were installed in May Hall, Woods Hall, DeLong Hall, Main Campus Apartments, Stickney Hall, Murphy Hall, Agriculture Building, Wienbergen Hall and Scott Gymnasium.

DSU Residence Life staff provides students with information upon move-in regarding acceptable items for residential living. Prohibited items include portable electrical appliances with a heat plate, use of tobacco, vaping, or juuling products, and items with an open flame. In addition, residence life staff provide residents with the proper procedures to evacuate a building in the event of a fire, where to seek shelter during a tornado, and other safety education and training programs throughout the year.

Fire Identification, Notification, and Evacuation Procedures

If an individual smells smoke or sees fire or smoke:

- Immediately activate the fire alarm system to evacuate the building by using the nearest pull station
- Even if the fire is known to be small, the fire alarm should be activated immediately. The fire could grow quickly, endangering building occupants.
- All building occupants should be familiar with fire alarm pull station location in their area.
- Evacuate with all other buildings' occupants to the designated evacuation area and do not use elevators. If it is not safe to use the nearest exit, go to the next nearest available exit.
- Evacuation areas are at least 150 feet from the building structure.
- After evacuating the building and from a safe distance, the person who discovered the fire

should immediately call 911 for the fire department. Give the fire department the following information:

- Building name and address
 - Exact location of the fire (floor, room number, side of the building, etc.)
 - Type of fire (trash can, smoke, flames, etc.)
 - Caller's name and phone number
- Notify Residential Life staff in the building about the fire – they will verify that you have called 911 and ask for the same information as above, as well as begin the procedure of taking role of the building's residents to ensure safety of all individuals.

Mandatory Supervised Fire Drills

Mandatory fire evacuation drills are conducted in the residence halls periodically to familiarize residents with the alarms and evacuation procedure. These drills are conducted by activating the fire alarm system in each on-campus student housing facility at least once each semester.

Fire Evacuation.

Evacuation of University buildings is mandatory when a fire alarm sounds. Sounding of false alarms or tampering with firefighting or safety equipment, including fire extinguishers, exit signs and the alarm system is prohibited.

Cooking and Food Preparation

- Residence Halls — The ability to cook and prepare food in residence halls is very limited. Residents may prepare food in the hall kitchen areas. However, cooking in rooms or suites is limited to what can be prepared in a microwave. Any resident who possesses or uses in their room any other cooking device will be fined and be required to remove the appliance. Microwave ovens are allowed in hall kitchens only.
- Apartments — Most normal kitchen appliances, including microwave ovens, may be used in apartment kitchens. These include George Foreman grills, Panini presses, slow cookers and toasters.
- Grills, propane gas tanks and gas or charcoal grill supplies cannot be stored, inside or outside, in any campus residential area, including apartments

Additional Fire Safety Information Electrical Equipment

Residents may not alter or repair any electrical equipment or fixture provided by the University. Defects in electrical equipment or wiring should be reported to the Resident Assistant or the administrator overseeing Housing & Dining. Extension cords shall not be used. Instead, use a power strip with surge protector. Space heaters, air conditioner units, ceiling fans and similar items are prohibited.

Firearms, Explosives, Fireworks and Flammable Materials

The possession, storage or use of fireworks, candles, halogen lamps, incense, dangerous chemical mixtures, propelled missiles or similar items are prohibited. Contact Tasers and Pepper spray are permissible for defensive purposes. Persons authorized to carry a concealed weapon per North Dakota Law are not permitted to possess a concealed weapon in an on-campus residential facility, however, dangerous weapons including firearms can be stored in locked vehicles on campus.

Smoking

Smoking is prohibited on all DSU property ([DSU Policy 917.1.001](#)).

Fire Precautions

Fire safety in a residence hall or apartment is everyone's responsibility. It is important that everyone not only follow fire safety procedures, including those below, but report all violations or fire hazards to the Resident Assistant immediately.

- Turn off electric blankets, lamps and curling irons right after use.
- Never cover lamps with any material for any reason.
- Candles and other open flame devices are not allowed in residence halls or apartments
 - (not even for decoration).
- Halogen lamps are not permitted in residence halls or apartments.
- Keep hallways and exit paths clear at all times.
- Do not overload circuits by plugging too many appliances into one outlet.
- Extension cords shall not be used. Instead, use a power strip with surge protector.
- If a fire is observed, immediately move to a safe area, and call 911 to report the fire.
- If clothing catches on fire, drop to the floor, and roll back and forth until the flame is out.
- Do not tamper with or remove any fire detection device, and do not hang anything from them.
- Always take fire alarms seriously, and leave the building by assigned routes.

Fire Safety Training

All full-time Residential Life staff employees are required to complete fire extinguisher training annually in conjunction with a session of Resident Assistant Training with the Dickinson Fire Department. Learning outcomes include the ability to:

- understand and learn expectations regarding room inspection
- recognize fire hazards

- know how to conduct fire drills
- know when and how to call the Dickinson Fire Department
- understand how to properly inspect equipment such as fire extinguishers
- understand their role in residence hall fire prevention and evacuation
- learn the correct P.A.S.S. method of putting out a fire with a fire extinguisher
- have the opportunity to practice putting out a fire with a fire extinguisher

Resident Assistants review fire safety and evacuation procedures with their residents at the first floor meeting each semester. Fire drills are conducted each semester in coordination with the DSU Campus Safety. Residential Life staff will meet with each student who has identified themselves as having special mobility needs to discuss their needs and establish a plan of action in case of an emergency. Each Resident Assistant conducts a fire safety inspection as part of health and safety checks of all rooms in their area, monthly. This information is compiled and forwarded to the Director of Student Life. Information in the report includes building, room, violation/concern, action, violation/concern corrected and who followed up on the matter.

As part of our efforts to improve safety at Dickinson State University, we have partnered with Vector Solutions to bring online training to all students, faculty, and staff at DSU.

Fire Summary

Name of Facility	2024			2023			2022		
	Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
Woods Hall	0	0	0	0	0	0	0	0	0
DeLong Hall	0	0	0	0	0	0	0	0	0
Selke Hall	0	0	0	0	0	0	0	0	0
Main Campus Apts A	0	0	0	0	0	0	0	0	0
Main Campus Apts B	0	0	0	0	0	0	0	0	0
Main Campus Apts C	0	0	0	0	0	0	0	0	0
Lowman Walton	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0



- | | | |
|-----------------------------|--------------------------|-------------------------------|
| 1. May Hall | 8. President's Residence | 15. Biesiot Activities Center |
| 2. Stoxen Library | 9. Lowman Walton Hall | 16. Agriculture Building |
| 3. Selke Hall | 10. DeLong Hall | 17. Indoor Arena |
| 4. International Flag Plaza | 11. Stickney Hall | 18. Sanford Sports Complex |
| 5. Student Center | 12. Klinefelter Hall | 19. Main Campus Apartments |
| 6. Woods Hall | 13. Scott Gymnasium | 20. King Pavilion |
| 7. Murphy Hall | 14. Wienbergen Hall | 21. DSU Heritage Foundation |

291 Campus Drive, Dickinson ND | 1-800-279-HAWK (4295) | www.dickinsonstate.edu



www.dickinsonstate.edu/news



www.facebook.com/dickinsonstate



www.twitter.com/dickinsonstate



www.instagram.com/dickinsonstate

291 Campus Drive | Dickinson ND 58601