2019 Annual Report
Campus Security & Fire Safety
Jeanne Clery Act Compliance Information & Statistics for 2018

Hibbing Community College
Hibbing MN
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INTRODUCTION

Hibbing Community College (HCC) works diligently to ensure the safety and well-being of students, faculty, staff, and visitors to campus. Students and college community members are encouraged to be aware, informed, and alert regarding safety issues on campus and to share in the responsibility to prevent crime by reporting illegal and inappropriate activities. HCC systematically reviews our services, facilities and policies relating to safety and each of us has a responsibility to review this information for our own personal safety and security.

Information on HCC’s Campus Security Report is distributed via email in the Annual Notification to all students and employees with an online link to the report. Paper copies are available upon request. When the new report is available/published, it will be emailed out to all students and employees.

Please note that email is used as the official method for communication at Hibbing Community College (see online HCC Student Handbook – Policies and Procedures). If you do not have access to email or are unable to comply with this policy, please make a written request to: the Provost – Hibbing Community College - at 1515 East 25th Street, Hibbing, MN 55746.

The Clery Act:

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) enacted in 1990, requires HCC to:

1. Publish and distribute an Annual Security Report to current and prospective students and employees by October 1 of each year. This report must provide crime statistics for the past three years and provide policies about safety and security measures, describe campus crime prevention programs, and list procedures to be followed in the investigation and prosecution of alleged sexual offenses. This report is available at http://hibbing.edu/campus-services/security. All enrolled students and faculty and staff are sent an email notification of the report’s purpose, availability, and location on the website.
2. Provide students and employees with timely warnings of crimes that represent a threat to their safety. A crime log must be kept and made available to the public upon request. Crime logs are kept for seven years.
3. Keep crime statistics for three years detailing crimes occurring on-campus, in residential facilities, public areas on or near campus and in certain non-campus buildings such as remote classrooms. Also reported are liquor and drug law violations and illegal weapons possession if they result in a disciplinary referral or arrest.
4. Disclose procedures for missing student notification for students residing in any on-campus student housing.
5. Disclose fire safety information for any on-campus student housing. A fire log open to public inspection must be maintained and used in the publication of an Annual Fire Safety Report with policy statements and statistics including location, cause, property damage and any injuries or deaths as a result of any on-campus student housing fire.
6. Submit collected crime and fire statistics to the Department of Education annually.
7. Notify prospective students and employees about the availability of this report.

HCC currently has a variety of policies and procedures relating to campus security, and it expressly reserves the right to modify them or adopt additional policies or procedures at any time without notice. Such changes may appear in successive issues of this report.
EDUCATING the HCC COMMUNITY

Educational Programming on Safety and Security and the Prevention of Crime:

- HCC prohibits the crimes of dating violence, domestic violence, sexual assault and stalking as defined for purposes of the Clery Act.
- HCC encourages students and employees to be responsible for their own personal safety and security and the safety and security of others.
- HCC residential living orientation sessions provide information and awareness in the areas of crime prevention, dating violence, domestic violence, sexual assault, stalking, personal safety, and fire prevention.
- On occasion HCC invites various speakers, including members of law enforcement, to discuss topics of safety, security and crime prevention.
- HCC works with the Sexual Assault Program of Northern St. Louis County (800-300-3102 or 218-749-4725) and Advocates for Family Peace (800-909-8336 or 218-263-8344) to establish opportunities of education for the college community members on sexual assault topics.
- HCC has available, at no cost, brochures, flyers, pamphlets, and posters concerning various safety and security issues and crime prevention.
- The HCC Counseling Center can provide referrals for students in coping with alcohol and drug abuse.
- HCC will enter into a memorandum of understanding with local law enforcement that details procedures for responding to allegations of sexual assault, per the Minnesota Legislature.

Sexual Violence Resources & Reporting
For questions or to report sexual violence, please contact Dave Olds, 1B.3 Designated Officer: Hibbing Community College, 1515 East 25th Street, Hibbing, MN 55746, 800-224-4422 or 218-262-6759 or e-mail davidolds@hibbing.edu.

Reports of sexual violence can be filed anonymously or by name using the following form found here. OR by downloading the mobile application on your mobile device. Once you install the mobile application, you will need to enter a unique 4-digit sign-up code, which is D5JH.

If this is an emergency, please call 911.

For confidential support on campus please see a campus Counselor for assistance. You can contact them at 218-262-6786 or 218-262-6752, email at donnagroettum@hibbing.edu or lisabestul@hibbing.edu or visit Student Services in Building M.

Other off campus resources available:
- The Sexual Assault Program of Northern St. Louis County: 1-800-300-3102 or 218-749-4725
- Fairview Range Medical Center/Emergency Room 218-262-4881
- Hibbing Police Department: 911
GEOGRAPHY

The following map indicates the reporting area for the Hibbing Community College campus. This area includes the Hibbing Chisholm Youth Hockey Fairgrounds Arena, which is privately owned and does not support HCC’s educational purposes; along with the City of Hibbing’s properties of the Snowmobile Trail and Bike Path that are both adjacent to HCC’s property. These inclusions are separated out in the crime statistics and make up the “Public Property” category.

On-Campus Buildings:

| Buildings 1 through 6 | 1515 East 25th Street – Hibbing, MN 55746 |
| Student Housing | 1601 East 25th Street – Hibbing, MN 55746 |

Non-Campus Buildings:

| Lee’s Rental – Advanced MN’s Industrial Custom Training Center | 2900 E. Beltline, Unit #9 - Hibbing, MN 55746 |

Public Property:

| MN State Snowmobile Trail | Highway 169 between 23rd and 25th Street – Hibbing, MN 55746 |
| City of Hibbing Bike Path | 25th Street from HCC Student Housing to HCC’s Football Field – Hibbing, MN 55746 |
CRIME PREVENTION

HCC has established a Behavioral Intervention Team to provide proactive assistance to students exhibiting concerning behaviors. Information collected from multiple sources is brought to this team to identify and prevent possible harm by providing support and initiating appropriate interventions/referrals.

Team members are comprised of two Counselors, Director of Disabilities, Director of Housing (if needed), and the Director of Facilities and Student Conduct. Other college officials and community professionals may be asked to serve on the team per individual case.

Campus Security:

HCC does not have a Security Department, however, HCC maintains a support unit to the broader mission and goals of the college. We strive to provide the safest, most stable environment possible in which education may be pursued without the fear and presence of crime or violence. We do this by supporting and educating students, employees, and visitors in areas of personal safety and providing assistance in situations of need. HCC security is built on a foundation of proactive service and crime prevention that reflects and preserves the rights and human dignity of those we serve. HCC does have a Law Enforcement (LE) program, but students in the LE program are only doing those activities in support of their pursuit of an academic degree, including monitoring campus grounds.

General Emergency Procedures are as follows:
- Always protect yourself first.
- Protect and warn others to the best of your ability.
- Call 911 and/or HCC Maintenance at 218-969-3019 or 218-969-6019, and administration, 218-262-7362.
- State the emergency
- Give building number and address (1515 E. 25th Street –Hibbing, MN)
- Give the exact location of the emergency in the building.
- Initiate and/or follow your building’s emergency plan.

Hibbing Community College partners with local law enforcement to respond to health, safety, and emergency situations. Members of the campus community should call 911 first in emergency situations and then contact HCC Maintenance at 218-969-3019 or 218-969-6019, and administration, 218-262-7362. HCC Maintenance staff’s role on campus is primarily to provide services such as walking students to vehicles and providing physical presence around campus.

HCC’s Law Enforcement program keeps and maintains a daily crime log, recording all crimes reported to the Hibbing Law Enforcement Department. The crime log includes information such as the nature, date, time and general location of each crime, and the disposition of the complaint if known. The daily log includes reported crimes that occurred on campus, at facilities owned or leased by HCC and/or recognized student organizations, and the immediately adjacent surrounding public area, including the City of Hibbing’s properties of the Snowmobile Trail and Bike Path that are both adjacent to HCC’s property. These inclusions are separated out in the crime statistics and make up the “Public Property” category. This reporting activity is in support of HCC’s Law Enforcement cadet’s pursuit of an academic degree and does not mean they provide security services at HCC.

Accessibility of the Crime Log. The crime log for the most recent 60-day period is open to public inspection, upon request, during normal business hours in HCC’s Administration Office. Older information is available within two business days of a request.

HCC Maintenance will provide walking escorts to any campus community member. It is never advisable that you walk alone after dark. Please do not hesitate to request an escort to your vehicle, residence hall, or any other location on campus. You may request an escort by calling HCC Maintenance at 218-969-3019 or 218-969-6019. Escorts are available during fall and spring semester only.

HCC encourages all students and college community members to be fully aware of the safety issues on and around campus and to take action to prevent and to report illegal and inappropriate activities. Personal awareness and applying personal safety practices are the foundation of a safe community.
Personal Security Recommendations for Students and Employees:

Protect your room or apartment:
- Always lock your door and windows when you are asleep. You are also encouraged to lock your door and windows when you are awake.
- Do not prop open locked exterior building doors. These doors are locked for your protection and protection of other residents.
- Never open exterior doors of the building for strangers or non-residents. Always escort your guests to and from the main entrance doors.
- Do not loan your keys or Student ID card swipe to anyone – even a classmate or friend.
- Do not put your name or address on key rings.
- Smoke detectors are provided in each housing unit for your safety. AT NO TIME SHOULD THEY BE DISCONNECTED OR REMOVED (a fine will be imposed).

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

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

Protect yourself at night:
- Avoid walking alone at night.
- Refrain from taking shortcuts; walk where there is plenty of light and traffic.
- Call for an escort in advance (HCC Maintenance at 218-969-3019 or 218-969-6019.)

Protect yourself walking and jogging:
- Be alert to your surroundings. If you suspect you are being followed, run in a different direction, go to the other side of the street and yell for help, or head quickly for a lighted area or a group of people.
- Have your keys ready when returning to your residence or apartment, and keep your personal or valuable items concealed and close to your body.

Help us protect you:
- Watch for suspicious persons in and around college buildings and in parking lots. Do not pursue them. Call 911 first and then HCC Maintenance at 218-969-3019 or 218-969-6019, or the Hibbing Police Department (911 for emergencies [9-911 on campus phone], the Hibbing Police front desk at 218-263-3601 for non-emergencies or if you are a student in Student Housing (Cardinal Hall), call the Director of Residential Life at 218-262-7246 or a RA at 218-969-2815 if you should enter your room and find a stranger, regardless of the "cover story" supplied.

Security Considerations in the Maintenance of Campus Facilities:

Building access and maintenance:
- Access to campus buildings is usually limited to normal business hours. During non-business hours access to all buildings is by keyed entry.
- Residence halls are secured 24 hours a day.
- A Safety Committee comprised of the HCC Director of Facilities, the NHED Safety & Emergency Management Coordinator, and various campus staff meet on a regular basis to review safety issues and address their resolution.
- The Maintenance Department conducts routine campus inspections including lighting checks, landscaping assessments, security surveys, etc.
• Students, faculty, staff, and visitors are encouraged to report needed repairs for all academic areas to the Maintenance Department.

Policies and procedures for safe access to buildings:
• Keys are issued to authorized faculty, staff, and students only.
• Exterior building doors should NOT be blocked open when the doors are locked.
• Building evacuation is mandatory for all fire alarms.
• Individual academic buildings are normally open from 7 a.m. until after evening classes and for scheduled weekend classes and special events. Employees and students in buildings after normal working hours should have a picture I.D. in their possession and present the I.D. when requested.
• Faculty or staff who appear to be the last persons in a building should ask unauthorized people to leave the premises or contact HCC Maintenance at 218-969-3019 or 218-969-6019. The building should be secured when the last employee leaves. In buildings that have outside windows, employees should close and lock them before leaving the building.
• For emergency 911 calls to the Hibbing Police Department, on-campus telephones can be found near the north entrance to Building C and the lower level of Building F. These phones are designated with signage. Local phone calls from phones may be made free of charge. Note: You must first dial 9 to get an outside line.
• Problems related to people in buildings after hours should be reported immediately to the Hibbing Police Department (911 for emergencies [9-911 on campus phone] or the Hibbing Police Department front desk at 218-263-3601 for non-emergencies).
• During business hours, HCC (excluding Cardinal Hall) will be open to students, parents, employees, contractors, guests and invitees. During non-business hours access to all College facilities is by key, if issued, or by admittance via the Maintenance staff. In the case of periods of extended closing, HCC will admit only those with prior written approval to all facilities.
• Cardinal Hall is a secured residence facility 24 hours a day. Over extended breaks, the doors of Cardinal Hall will be secured around the clock, and will have codes deactivated for resident students who are not approved to be in housing. Some facilities may have individual hours, which may vary at different times of the year. Examples are the Physical Education Building. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility.
• Emergencies may necessitate changes or alterations to any posted scheduled. If a security issue is brought to the attention of HCC administration or the Director of Housing, the Safety Committee, and others (as necessary) will discuss issues of pressing concern.
ALCOHOL AND OTHER DRUGS ON CAMPUS POLICY

The purpose of this policy is to set forth the college's policy regarding alcohol and other drug use, including unlawful drug use or abuse in the workplace in accordance with the Drug Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D) and Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101-226). A copy of the Drug & Alcohol Free Campus Policy information is part of the student handbook and may also be obtained as a stand-alone document from Student Services.

Policy Regarding the Illegality of Alcoholic Beverages on Campus and Enforcement of Under-Age Drinking Laws:

Possession, Use, Distribution:
- HCC prohibits students and employees from possessing, using, and/or distributing alcohol on the College grounds, in school vehicles and at all College sponsored activities. HCC also forbids the maintenance of unlawful drinking places on campus. This prohibition of possession or consumption of alcoholic beverages on campus applies regardless of age. The only exception is authorized use for special (non-student) functions. Only the President may authorize such programming use.
- HCC enforces the Minnesota drinking laws, including the prohibition of use by persons under 21 years of age, and college policy. Possession or consumption of alcohol on campus is prohibited by HCC and may result in a student disciplinary complaint.
- No employee shall report to work and no student shall report to campus while under the influence of alcohol or a controlled substance, which affects alertness, coordination, reaction, response, judgment, decision-making, or safety.
- If the accused is not cooperative or is underage, the Hibbing Police Department may be called to assist. HCC cooperates with local, state, and federal law enforcement agencies to arrest and prosecute students or other people involved with the possession, use, and distribution of illegal drugs and/or illegal use of alcohol.

Expulsion and Loss of Financial Aid/Termination:
- In addition to legal prosecution, students and employees who violate HCC's rules prohibiting the possession, use, and distribution of illegal drugs and illegal use of alcohol will be held responsible for their actions. These students may receive disciplinary actions which could include expulsion and loss of financial aid.

Policy Regarding the Illegality of Drugs on Campus and Enforcement of Federal and State Drug Laws:
- HCC prohibits students and employees from possessing, using (other than by a doctor's prescription), or selling/distributing illegal drugs on campus. This includes but is not limited to possession, sale, use, growing, manufacturing, and making of narcotic drugs.
  NOTE: Although the Minnesota Medical Cannabis Law and program allows seriously ill Minnesotans to use medical marijuana to treat certain conditions, the possession and use of marijuana remains illegal under federal law, including the Drug-Free Schools and Communities Act, the Controlled Substances Act, and the Campus Security Act, and Board Policy 5.18 Alcoholic Beverages or Controlled Substances on Campus. Therefore, the use, possession, production, manufacture, and distribution of marijuana continues to be prohibited while a student is on college or university owned or controlled property.
- HCC enforces both Minnesota and Federal drug laws regarding the use, possession, and sale/distribution of illegal drugs.

Enforcement (Campus and Legal Sanctions):

Campus Sanctions
Administrative and legal sanctions, per contract language for employees; and for students, the student handbook (Student Code of Conduct)/housing manual which includes, but not limited to any one or all of the following: warning, confiscation, suspension, expulsion, and referral for prosecution, will be enforced.
Visitors found to have violated this policy are subject to removal from campus or HCC sponsored off-campus events or activities.

Legal Sanctions
Federal Law provides varying penalties for controlled substance crimes. For example, illegal possession of a controlled substance may result in a fine of $100,000 and up to one year in prison for the first offense. Additional penalties may include forfeiture of personal property or the denial of federal student financial aid benefits or other federal licenses and benefits. Trafficking in drugs such as heroin or cocaine may result in life imprisonment.

Drug and Alcohol Abuse Education/Prevention Programs:

HCC cares about the health and well-being of students and employees. A variety of counseling, support and referral services, including chemical abuse counseling or referrals, is offered to students to maximize each student’s efforts to study and learn. In addition to on-campus counseling, HCC cooperates with other community agencies.

HCC recognizes the many severe health and psychological risks associated with the use of illegal drugs and abuse of alcohol. These risks have been outlined by many health care agencies including the Office of the Surgeon General. In addition to these risks, the use of illegal drugs and abuse of alcohol contributes to a negative environment which does not promote the pursuit of an education. We will continue to implement services and policies that will ensure a drug-free environment for students and employees.

The college encourages and provides reasonable assistance to any student, faculty, or staff member who seeks information on prevention of chemical dependency or treatment for chemical dependency.

Alcohol and Drug Resources:
The following is a limited number of suggested resources students and employees may use to seek assistance with problems dealing with drugs and alcohol.

- Student’s physician
- HCC Counselor – 218-262-6786 or 218-262-6752
- Alcohol Detox/Range Treatment Center – 218-741-9120
- Drug Abuse Hotline – 1-800-662-4357
- LifeMatters Employee Assistance Program (EAP) through the State Employee Group Insurance Program – 651-259-3840 or 1-800-657-3719 or www.mylifematters.com for state employees.
FIREARMS POLICY – POSSESSION or CARRY OF FIREARMS

Minnesota State Board Policy 5.21 – Possession or Carry of Firearms  http://minnstate.edu/board/policy/521.html

Part 1. Purpose and Scope.
The purpose of this policy is to establish restrictions on possession or carry of firearms applicable to the Minnesota State Colleges and Universities System, in accordance with the Minnesota Citizens' Personal Protection Act of 2003, Minnesota Statutes section 624.714, and other applicable law.

Part 2. Definitions.
Subpart A. Employee.
"Employee" means any individual employed by Minnesota State Colleges and Universities, its colleges and universities and the system office, including student employees.

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

Subpart C. Pistol.
"Pistol" means a weapon as defined in Minnesota Statutes section 624.712, subd. 2.

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

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

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

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

Subpart A. Employees.
1. Prohibition. Employees are prohibited from possessing or carrying a firearm while acting in the course and scope of their employment, either on or off system property, regardless of whether the employee has a permit to carry a firearm, except as otherwise provided in this policy.

2. Employee reporting responsibility. An employee with a reasonable basis for believing an individual is in possession of or carrying a firearm in violation of this policy has a responsibility to report the suspected act in a timely manner, unless doing so would subject the employee or others to physical harm. Reports should be made to the official designated in the applicable policy included in this report. This policy shall not prohibit prompt notification to appropriate law enforcement authorities when an immediate threat to personal safety exists. Employees shall not make reports of a suspected violation knowing they are false or in reckless disregard of the truth.

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

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

Part 4. Exceptions.
Subpart A. Parking areas.
This policy does not prohibit the lawful possession or carry of firearms in a parking area or parking facility.

Subpart B. Authorized uses.
This policy does not prohibit:
1. Lawful possession or carry related to an academic use or use at a campus shooting range, such as law enforcement programs, approved in writing by the college or university president; or
2. Transport of an unloaded firearm directly between a parking area or parking facility and the location authorized for its use, or transport of an unloaded firearm directly between a parking area or parking facility and a storage facility provided by the college or university.
3. Possession or carry of a pistol by a visitor who has a lawful permit to carry a pistol pursuant to Minnesota Statutes section 624.714, subd. 1a (see related documents in the board policy url).
4. Possession or carry of a firearm by a licensed peace officer under Minnesota Statutes section 626.84, subd.1(c) or by a qualified law enforcement officer pursuant to 18 United States Code section 926B, (see related documents in the board policy url) when possession or carry is otherwise authorized by law.

Nothing in this policy requires a college or university to provide storage facilities for employees' or students' weapons.

Part 5. Storage in State Vehicles
Prohibited. No vehicle owned, leased, or otherwise under the control of the system shall be used to store or carry a firearm, except as authorized for purposes under part 4.B.1.

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

Part 7. Referral to Law Enforcement.
Hibbing Community College may refer suspected violations of law to appropriate law enforcement authorities, and provide access to investigative or other data as permitted by law.

Part 8. Effect.
In the event any other system, college, university or system office policy or procedure is found to be in conflict with this policy, the terms of this policy shall govern.

MISSING STUDENT NOTIFICATION POLICY

In the event that a resident student has not been seen on campus for more than 24 hours and acquaintances have no knowledge of the student's whereabouts the Director of Residential Life should be notified immediately. The HCC Provost will be notified and if the student is determined to be missing, the institution will notify the appropriate law enforcement agency within 24 hours.

Students residing on campus have the option to designate a confidential contact person on their Emergency Information form in the event they are deemed missing. For students under the age of 18 years and not emancipated, the institution is required to also notify a custodial parent or guardian within 24 hours of when the student is determined to be missing.
SEXUAL ASSAULT & HARASSMENT POLICY


Nondiscrimination Policy
Contact: Designated Officers: David Olds, Student Services Building M, 218-262-6705 or davidolds@hibbing.edu (for complaints against students)
Carmen Bradach, Human Resources L135, 218-749-7743 or c Bradach@mesabirange.edu (for complaints against a college employee)

Policy found at: http://www.minnstate.edu/board/policy/1b01.html

1B.1 Equal Opportunity and Nondiscrimination in Employment and Education
Part. 1 Policy Statement
Subpart A. Equal opportunity for students and employees. Minnesota State Colleges and Universities has an enduring commitment to enhancing Minnesota’s quality of life by developing and fostering understanding and appreciation of a free and diverse society and providing equal opportunity for all its students and employees. To help effectuate these goals, Minnesota State Colleges and Universities is committed to a policy of equal opportunity and nondiscrimination in employment and education.

Subpart B. Nondiscrimination. No person shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in, programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, or gender expression. In addition, discrimination in employment based on familial status or membership or activity in a local commission as defined by law is prohibited.

Harassment on the basis of race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, gender expression, or familial status is prohibited. Harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student and student, staff and student, employee and employee, and other relationships with persons having business at, or visiting the educational or working environment.

This policy is directed at verbal or physical conduct that constitutes discrimination /harassment under state and federal law and is not directed at the content of speech. In cases in which verbal statements and other forms of expression are involved, Minnesota State Colleges and Universities will give due consideration to an individual's constitutionally protected right to free speech and academic freedom. However, discrimination and harassment are not within the protections of academic freedom or free speech.

The system office, colleges, and universities shall maintain and encourage full freedom, within the law, of expression, inquiry, teaching and research. Academic freedom comes with a responsibility that all members of our education community benefit from it without intimidation, exploitation or coercion.

This policy shall apply to all individuals affiliated with Minnesota State Colleges and Universities, including but not limited to, its students, employees, applicants, volunteers, agents, and Board of Trustees, and is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation or reprisal. Individuals who violate this policy shall be subject to disciplinary or other corrective action.

This policy supersedes all existing system, college, and university equal opportunity and nondiscrimination policies.

Part 2. Definitions.
Subpart A. Consensual Relationship. Consensual relationship means a sexual or romantic relationship between two persons who voluntarily enter into such a relationship. Employees who are members of the same household should also refer to the Board Policy 4.10, of Trustees Nepotism policy 4.10.

Subpart B. Discrimination. Discrimination means conduct that is directed at an individual because of his or her protected class and that subjects the individual to different treatment by agents or employees so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges provided by the system or colleges and universities or otherwise adversely affects the individual's employment or education.

Subpart C. Discriminatory harassment. Discriminatory harassment means verbal or physical conduct that is directed at an individual because of his or her protected class, and that is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of creating a hostile work or educational environment.
As required by law, Minnesota State Colleges and Universities further defines sexual harassment as a form of sexual
discrimination which is prohibited by state and federal law. Sexual harassment includes unwelcome sexual advances,
requests for sexual favors, sexually motivated physical conduct, and other verbal or physical conduct of a sexual nature
when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment
   or education, evaluation of a student’s academic performance, or term or condition of participation in student activities or in other events or activities sanctioned by the college or university; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions or other decisions about participation in student activities or other events or activities sanctioned by the college or university; or
3. Such conduct has the purpose or effect of threatening an individual’s employment; interfering with an individual’s work or academic performance; or creating an intimidating, hostile, or offensive work or educational environment.

Subpart D. Employee. Employee means any individual employed by Minnesota State Colleges and Universities, including all faculty, staff, administrators, teaching assistants, graduate assistants, residence directors and student employees.

Subpart E. Protected class. For purposes of this policy:

1. Protection class includes race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, or gender expression. In addition, familial status and membership or activity in a local human rights commission are protected classes in employment.
2. This policy prohibits use of protected class status as a factor in decisions affecting education and employment where prohibited by federal or state law.

Subpart F. Retaliation. Retaliation includes, but is not limited to, intentionally engaging in any form of intimidation, reprisal or harassment against an individual because he or she:

a. made a complaint under this policy;

b. assisted or participated in any manner in an investigation, or process under this policy, regardless of whether a claim of discrimination or harassment is substantiated;

c. associated with a person or group of persons who are disabled or are of a different race, color, creed, religion, sexual orientation, gender identity, or gender expression, or national origin; or

d. Made a complaint or assisted or participated in any manner in an investigation or process with the Equal Employment Opportunity Commission, the U.S. Department of Education Office for Civil Rights, the Minnesota Department of Human Rights or other enforcement agencies, under any federal or state nondiscrimination law, including the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; the Minnesota Human Rights Act, Minn. Stat. Ch. 363A, and their amendments.

Retaliation may occur whether or not there is a power or authority differential between the individuals involved.

Subpart G. Sexual harassment and violence as sexual abuse. Under certain circumstances, sexual harassment or violence may constitute sexual abuse according to Minnesota law. In such situations, the system office and colleges and universities shall comply with the reporting requirements in Minnesota Statutes Section 626.556 (reporting of maltreatment of minors) and Minnesota Statutes Section 626.557 (Vulnerable Adult Protection Act). Nothing in this policy will prohibit any college or university or the system office from taking immediate action to protect victims of alleged sexual abuse. Board Policy 1B.3

Sexual Violence addresses sexual violence.

Subpart H. Student. For purposes of this policy, the term “student” includes all persons who:

1. Are enrolled in one or more courses, either credit or non-credit, through a college or university;

2. Withdraw, transfer or graduate, after an alleged violation of the student conduct code;

3. Are not officially enrolled for a particular term but who have a continuing relationship with the college or
   university;

4. Have been notified of their acceptance for admission or have initiated the process of application for admission or
   financial aid; or

5. Are living in a college or university residence hall although not enrolled in, or employed by, the institution.

Part 3. Consensual Relationships. An employee of Minnesota State Colleges and Universities shall not enter into a consensual relationship with a student or an employee over whom he or she exercises direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence. In the event a relationship already exists, each college and university and system office shall develop a procedure to reassign evaluative
authority as may be possible to avoid violations of this policy. This prohibition does not limit the right of an employee to make a recommendation on personnel matters concerning a family or household member where the right to make recommendations on such personnel matters is explicitly provided for in the applicable collective bargaining agreement or compensation plan.

Part 4. Retaliation. Retaliation as defined in this policy is prohibited in the system office, colleges and universities. Any individual subject to this policy who intentionally engages in retaliation shall be subject to disciplinary or other corrective action as appropriate.
Part 5. Policies and procedures. The chancellor shall establish procedures to implement this policy. The equal opportunity and nondiscrimination in employment and education policy and procedures of colleges and universities shall comply with Board Policy 1B.1 and Procedure 1B.1.1.

HCC is committed to providing access and does not discriminate against qualified students or employees with disabilities. For more information contact the Disability Services Coordinator, Mary Iozzo, (Office #M-121), maryiozzo@hibbing.edu or call 218-262-6712.

HCC appreciates our rich and diverse academic community and promotes an atmosphere of inclusiveness and respect. Harassment and discrimination will not be tolerated. For more information or to report suspected harassment or discrimination, contact the designated harassment officer, at 218-262-6705.

Sexual Violence Policy
Policy found at: http://www.minnstate.edu/board/policy/1b03.html
Procedures at: http://www.minnstate.edu/board/procedure/1b03p1.html

1B.3 Sexual Violence Policy
Sexual violence is an intolerable intrusion into the most personal and private rights of an individual, and is prohibited at Minnesota State Colleges and Universities. Minnesota State Colleges and Universities is committed to eliminating sexual violence in all forms and will take appropriate remedial action against any individual found responsible for acts in violation of this policy. Acts of sexual violence may also constitute violations of criminal or civil law, or other Board Policies that may require separate proceedings. To further its commitment against sexual violence, Minnesota State Colleges and Universities provides reporting options, an investigative and disciplinary process, and prevention training or other related services as appropriate.

Subpart A. Application of policy to students, employees, and others. This policy applies to all Minnesota State Colleges and Universities students and employees and to others, as appropriate, where incidents of sexual violence on system property have been reported. Reports of sexual violence committed by a student at a location other than on system property are covered by this policy pursuant to the factors listed in Board Policy 3.6, Part 2. Reports of sexual violence committed by a system employee at a location other than system property are covered by this policy.

Reports of sexual violence committed on system property by individuals who are not students or employees are subject to appropriate actions by Minnesota State Colleges and Universities, including, but not limited to, pursuing criminal or civil action against them.
Allegations of discrimination or harassment are governed by Board Policy 1B.1.

Subpart B. College and university policies. Each Minnesota State Colleges and Universities college and university shall adopt a clear, understandable written policy on sexual violence that applies to its campus community, including, but not limited to, its students and employees. The policy content and implementation shall be consistent with the standards in this Policy and Procedure 1B.3.1.

Part 2. Definitions.
The following definitions apply to this Policy and Procedure 1B.3.1.
Subpart A. Sexual violence. Sexual violence includes a continuum of conduct that includes sexual assault, non-forcible sex acts, dating and relationship violence, stalking, as well as aiding acts of sexual violence.

Subpart B. Sexual assault. "Sexual assault" means an actual, attempted, or threatened sexual act with another person without that a person's consent. Sexual assault is often a criminal act that can be prosecuted under Minnesota law, as well as form the basis for discipline under Minnesota State Colleges and Universities student conduct codes and employee disciplinary standards. Sexual assault includes but is not limited to:
1. Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as "date rape" or "acquaintance rape." This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.
2. Involvement in any sexual act when the victim is unable to give consent.
3. Intentional and unwelcome touching, or coercing, forcing, or attempting to coerce or force another to touch a person's intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast).
4. Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

Subpart C. Dating and relationship violence. Dating and relationship violence includes physical harm or abuse, and threats of physical harm or abuse, arising out of a personal intimate relationship. This violence also may be called domestic abuse or spousal/partner abuse and may be subject to criminal prosecution under Minnesota state law.
Subpart D. Stalking. Stalking is conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause a reasonable person to fear for her or his safety or the safety of others or to suffer substantial emotional distress.

Subpart E. Consent. Consent is informed, freely given and mutually understood. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. Silence does not necessarily constitute consent, and past consent of sexual activities does not imply ongoing future consent. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

Subpart F. Non-forcible sex acts. Non-forcible acts include unlawful sexual acts where consent is not relevant, such as sexual contact with an individual under the statutory age of consent, as defined by Minnesota law, or between persons who are related to each other within degrees wherein marriage is prohibited by law.

Subpart G. System property. "System property" means the facilities and land owned, leased, or under the primary control of Minnesota State Colleges and Universities, its Board of Trustees, system office, colleges and universities.

Subpart H. Employee. "Employee" means any individual employed by Minnesota State Colleges and Universities, its colleges and universities and system office, including student workers.

Subpart I. Student. The term "student" includes all persons who:
1. Are enrolled in one or more courses, either credit or non-credit, through a college or university;
2. Withdraw, transfer or graduate, after an alleged violation of the student conduct code;
3. Are not officially enrolled for a particular term but who have a continuing relationship with the college or university; or
4. Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid; or
5. Are not college or university employees and are not enrolled in the institution but live in a college or university residence hall.

1B.3.1 Sexual Violence Procedure (Updated July 2016)
Part 1. Purpose
This procedure provides a process through which individuals alleging sexual violence may pursue a complaint, pursuant to Board Policy 1B.3 Sexual Violence Policy prohibiting sexual violence.
This procedure is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation and reprisal.

Part 2. Definitions
The definitions in Policy 1B.3 also apply to this procedure.
Campus security authority
Campus security authority includes the following categories of individuals at a college or university:
A college or university security department;
Any individual who has campus security responsibilities in addition to a college or university security department;
Any individual or organization identified in a college or university security policy as an individual or organization to which students and employees should report criminal offenses;
An official of a college or university who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings; advisors to recognized student organizations; and athletic coaches. Professional counselors, whose official responsibilities include providing mental health counseling, and who are functioning within the scope of their license or certification, are not included in this definition.

Part 3. Reporting Incidents of Sexual Violence
Subpart A. Prompt reporting encouraged
Complainants of sexual violence may report incidents at any time, but are strongly encouraged to make reports promptly in order to best preserve evidence for a potential legal or disciplinary proceeding.
Complainants are strongly encouraged to report incidents of sexual violence to law enforcement for the location where the incident occurred. Complainants are also encouraged to contact the local victim/survivor services office, counseling and health care providers, campus Title IX coordinators, or Minnesota State Colleges and Universities campus security authorities for appropriate action.

Subpart B. Assistance in reporting
When informed of an alleged incident of sexual violence, all Minnesota State Colleges and Universities students and employees are urged to encourage and assist complainants, as needed, to report the incident to local law enforcement, local victim/survivor services, campus Title IX coordinator, or campus security authorities.
Campus security authorities, when informed of an alleged incident of sexual violence, shall promptly assist the complainant, as requested, including providing guidance in filing complaints with outside agencies, such as law enforcement; obtaining
appropriate assistance from victim/survivor services or medical treatment professionals; and filing a complaint with campus officials responsible for enforcing the student conduct code or employee conduct standards.

When appropriate, Minnesota State Colleges and Universities may pursue legal action against a respondent, including, but not limited to, trespass or restraining orders, in addition to disciplinary action under the applicable student or employee conduct standard. A college or university may take actions it deems necessary or appropriate in response to all protection, restraining, or no-contact orders.

Part 4. Confidentiality of reporting
Subpart A. Confidential reports
Because of laws concerning government data contained in Minn. Stat. § 13 Government Data Practices, colleges and universities cannot guarantee confidentiality to those who report incidents of sexual violence except where those reports are privileged communications with licensed healthcare professionals. Some off-campus reports also may be legally privileged by law, such as reports to clergy, private legal counsel, or healthcare professionals.

Subpart B. Reports to campus security authorities
Complainants of sexual violence may contact any campus security authority for appropriate assistance or to report incidents. Absolute confidentiality of reports made to campus security authorities cannot be promised. However, campus security authorities shall not disclose personally identifiable information about a complainant of sexual violence without the complainant’s consent, except as may be required or permitted by law. There may be instances in which a college, university, or the system office determines it needs to act regardless of whether the parties have reached a personal resolution or if the complainant requests that no action be taken. In such instances, Minnesota State Colleges and Universities will investigate and take appropriate action, taking care to protect the identity of the complainant and any other reporter in accordance with this procedure.

Subpart C. Required reports
Any campus security authority or any college or university employee with supervisory or student-advising responsibility who has been informed of an alleged incident of sexual violence shall follow college or university procedures for making a report for the annual crime statistics report. In addition, the campus security authority shall report to other school officials, as appropriate, such as the campus affirmative action office, the campus office responsible for administering the student conduct code, and/or the designated Title IX compliance coordinator, in order to initiate any applicable investigative or other resolution procedures.

Campus security authorities may be obligated to report to law enforcement the fact that a sexual assault has occurred, but the name of or other personally identifiable information about the complainant will be provided only with the consent of the complainant, except as may be required or permitted by law.

Part 5. Policy notices
Subpart A. Distribution of policy to students
Each college or university shall, at a minimum, at the time of registration make available to each student information about its sexual violence policy and procedure, including its online reporting system that allows for anonymous reporting, and shall additionally post a copy of its policy and procedure at appropriate locations on campus at all times. A college or university may distribute its policy and procedure by posting on an Internet or Intranet website, provided all students are directly notified of how to access the policy by an exact address, and that they may request a paper copy.

Subpart B. Distribution of policy to employees
Colleges, universities, and the system office shall make available to all employees a copy of the sexual violence policy and procedure. Distribution may be accomplished by posting on an Internet or Intranet website, provided all employees are directly notified of the exact address of the policy and procedure as well as the option of receiving a paper copy upon request.

Subpart C. Required notice
Each college or university shall have a sexual violence policy, which must include the notice provisions in this part.

Notice of complainant options
Following a report of sexual violence, the complainant must be promptly notified of:
Where and how to obtain immediate medical assistance. Complainants should be informed that timely reporting and a medical examination within 72 hours are critical in preserving evidence of sexual assault and proving a criminal or civil case against a perpetrator. Complainants should be told, however, that they may report incidents of sexual violence at any time.
Where and how to report incidents of sexual violence to local law enforcement officials, and/or appropriate college, university, or system contacts for employees, students, and others. Such contacts should be identified by name, location, and phone number for 24-hour availability, as applicable.
Resources for where and how complainants may obtain on- or off-campus counseling, mental health, or other support services.

Notice of complainant rights
Complainants must be notified of the following:
Their right to file criminal charges with local law enforcement officials in sexual assault cases;
Rights under the crime victims bill of rights, Minn. Stat. §§ 611A.01 – 611A.06, including the right to assistance from the Crime Victims Reparations Board and the commissioner of public safety;
Availability of prompt assistance from campus officials, upon request, in notifying the appropriate campus investigating authorities and law enforcement officials, and, at the direction of law enforcement authorities, assistance in obtaining, securing, and maintaining evidence in connection with a sexual violence incident;
Assistance available from campus authorities in preserving for a sexual violence complainant materials relating to a campus disciplinary proceeding;
Complaints of incidents of sexual violence made to campus security authorities must be promptly and appropriately investigated and resolved;
Upon a sexual assault complainant’s request, the college, university, or system office may take action to prevent unwanted contact with the alleged assailant, including, but not limited to, transfer of the complainant and/or the respondent to alternative classes, or to a work site or to alternative college-owned housing, if such alternatives are available and feasible. Upon the request of the complainant, students who reported sexual assaults to the college or university and subsequently chose to transfer to another college or university will be provided with information about resources for victims of sexual assault at the college or university to which the complainant is transferring

Part 6. Investigation and Disciplinary Procedures
Subpart A. Immediate action
A college or university may, at any time during the report/complaint process, reassign or place on administrative leave an employee alleged to have violated Board Policy 1B.3, in accordance with the procedures in System Procedure 1B.1.1. Such action must be consistent with the applicable collective bargaining agreement or personnel plan.
A college or university may summarily suspend or take other temporary measures against a student alleged to have committed a violation of Board Policy 1B.3, in accordance with System Procedure 1B.1.1 or Board Policy 3.6.
Subpart B. General principles Colleges, universities, and the system office shall use System Procedure 1B.1.1 Report/Complaint of Discrimination/Harassment Investigations and Resolution when investigating complaints of sexual violence. Procedures used in response to a complaint of sexual violence should avoid requiring complainants to follow any plan of action, to prevent the possibility of re-victimization.
College and university investigation and disciplinary procedures concerning allegations of sexual violence against employees or students must:
Be respectful of the needs and rights of individuals involved and treat them with dignity;
Not suggest to the complainant that he or she was at fault for the sexual assault or should have behaved differently to prevent the assault;
Proceed as promptly as possible
Permit a student complainant and a student respondent to have the same opportunity to have an appropriate support person or advisor present at any interview or hearing, in a manner consistent with the governing procedures and applicable data practices law;
Afford employees the right to representation consistent with the appropriate collective bargaining agreement or personnel plan;
Be conducted in accordance with applicable due process standards and privacy laws;
Simultaneously inform both the complainant and respondent of the outcome in a timely manner, as permitted by applicable privacy law.
Be based on a preponderance of evidence standard, meaning that it is more likely than not that the policy, procedure, or code has been violated.
The past sexual history of the complainant and respondent must be deemed irrelevant except as that history may directly relate to the incident being considered.
A respondent’s use of any drug, including alcohol, judged to be related to an offense may be considered to be an exacerbating rather than mitigating circumstance.
Subpart C. Relationship to parallel proceedings
In general, college, university, and system office investigation and disciplinary procedures for allegations of sexual violence will proceed independent of any action taken in criminal or civil courts. A college or university need not, and in most cases should not, delay its proceedings while a parallel legal action is ongoing. If a college or university is aware of a criminal proceeding involving the alleged incident, they may contact the prosecuting authority to coordinate when feasible. Criminal or civil court proceedings are not a substitute for college, university, and system office procedures.
Subpart D. Memorandum of understanding with local law enforcement
Each college or university shall enter into a memorandum of understanding with the primary law enforcement agencies that serve their campus(es). Prior to the start of each academic year, each college or university shall distribute an electronic copy of the MOU to all employees on the campus that are subject to the memorandum. Colleges and universities are exempt from the MOU requirement if they and local or county law enforcement agencies establish a sexual assault protocol team to facilitate effective cooperation and collaboration between the college or university and law enforcement.
Subpart E. False statements prohibited
Colleges, universities, and the system office take allegations of sexual violence very seriously and recognizes the consequences such allegations may have on a respondent as well as the complainant. Any individual who knowingly provides false information regarding the filing of a complaint or report of sexual violence, or who provides false information during the investigation of such a complaint or report, may be subject to discipline or, under certain circumstances, legal action. Complaints of conduct that are found not to violate policy are not assumed to be false.

Subpart F. Withdrawn complaint
If a complainant no longer desires to pursue a complaint through the college’s or university’s proceeding, the college or university reserves the right to investigate and resolve the complaint as it deems appropriate.

Subpart G. Discretion to pursue certain allegations
Minnesota State Colleges and Universities reserves discretion whether to pursue alleged violations of policy under appropriate circumstances, including, but not limited to, a determination that an effective investigation is not feasible because of the passage of time, or because the respondent is no longer a student or employee of the college, or university, or system office.

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

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

Part 7. Sexual Violence Prevention and Education
Subpart A. Campus-wide training
Colleges, universities, and the system office shall:
Include in their sexual violence policy a description of educational programs that they offer to students and employees to promote the awareness of sexual violence offenses, including sexual violence prevention measures and procedures for responding to incidents.
Provide training on awareness of sexual violence prevention measures and procedures for responding to incidents of sexual violence. At a minimum, all incoming students and all new employees must be provided with this training;
Emphasize in their educational programs the importance of preserving evidence for proof of a criminal offense, safe and positive options for bystander intervention, and information on risk reduction to recognize warning signs of abusive behavior and risk associated with the perpetration of sexual violence.

Subpart B. Other training and education
Colleges and universities and affiliated student organizations are encouraged to develop educational programs, brochures, posters, and other means of information to decrease the incidence of sexual violence and advise individuals of the legal and other options available if they are the complainants of an incident or if they learn of such an incident.

Subpart C. Training for individuals charged with decision-making authority
Prior to serving as either an investigator or decision maker for complaints under this procedure, administrators shall complete investigator or decision-maker training provided by the system office.
Investigators/decisionmakers, campus security officers, and anyone else involved in the adjudication process must receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Part 8. Maintenance of report/complaint procedure documentation
Data that is collected, created, received, maintained, or disseminated about incidents of sexual violence will be handled in accordance with the privacy requirements of Minn. Stat. § 13 Government Data Practices and other applicable laws. Information on reports of incidents of sexual violence that are made to Campus Security Authorities must be documented in accordance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, codified at 20 U.S.C. § 1092 (f). The information will be used to report campus crime statistics on college and university campuses as required by the Clery Act.
During and upon the completion of the complaint process, the complaint file must be maintained in a secure location. Access to complaint file information, including information stored electronically, must be in accordance with the applicable collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act, and other applicable law and policy.
Each college, university and the system office shall annually report statistics on sexual assaults to the Minnesota Office of Higher Education. Additionally, the report must be published on each college and university website in accordance with state law.

For questions about sexual violence, please see a Counselor for assistance. Please call 218-262-6786 or 218-262-6752, visit Student Services, Building M, or contact Dave Olds, Designated Officer: Hibbing Community College, 1515 East 25th Street, Hibbing, MN 55746, 800-224-4422 or 218-262-6705 or e-mail davidolds@hibbing.edu

Sexual Violence Resources
For questions or to report sexual violence, please contact Dave Olds, 1B.3 Designated Officer: Hibbing Community College, Student Services, Building M, 1515 East 25th Street, Hibbing, MN 55746, 800-224-4422 or 218-262-6705 or e-mail davidolds@hibbing.edu.

Reports of sexual violence can be filed anonymously or by name using the following form found here, OR by downloading the mobile application on your mobile device. Once you install the mobile application, you will need to enter a unique 4-digit sign-up code, which is D5JH. If this is an emergency, please call 911.

For confidential support on campus, please see a campus Counselor for assistance. You can contact them at 218-262-6786 or 218-262-6752, email at donnagoettum@hibbing.edu or lisabestul@hibbing.edu or visit Student Services in Building M.

Other off campus resources available:
- The Sexual Assault Program of Northern St. Louis County: 1-800-300-3102 or 218-749-4725
- Fairview Range Medical Center/Emergency Room 218-262-4881
- Hibbing Police Department: 911

Minnesota State Policy & Procedure:
http://www.minnstate.edu/board/policy/1b03.html
http://www.minnstate.edu/board/procedure/1b03p1.html

Violence Against Women’s Act (V.A.W.A.):
Hibbing Community College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the college community. Toward that end, Hibbing Community College issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a Hibbing Community College official.

Sexual Assault and Harassment Procedure:
- If you are the victim of a sexual assault at this institution, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The college strongly advocates that a victim of sexual assault report the incident in a timely manner.
- Victims of sexual assaults occurring on campus should contact 911, campus counselors, Dave Olds (1B1 Officer) at 218-262-6759, or HCC Maintenance at 218-969-3019 or 218-969-6019, or other designated campus officials as soon as possible after the offense. Please remember it is most important to preserve evidence. Do not bathe, douche, use the toilet, or change clothing. Note everything about the location. If you have been raped, you should seek medical attention immediately regardless of whether you report the matter to the police.
- Every attempt is made to maintain the anonymity of the sexual assault survivor. Every attempt will be made not to release names to the media. Unless requested by the sexual assault survivor, names and addresses of survivors are released to the Hibbing Police Department. Because of laws concerning government data contained in Minnesota Statutes §13, the Minnesota Government Data Practices Act, Hibbing Community College cannot guarantee confidentiality to those who report incidents of sexual violence except where those reports are privileged communications with counselors. Some off-campus reports also may be legally privileged by law, such as reports to
clergy, private legal counsel, or health care professionals. HCC Maintenance or a Campus Security Authority (CSA) will attempt to provide support and advice for sexual assault survivors while waiting for a college official to arrive. Each report of sexual assault will be investigated in order to provide better protection to the survivor of a sexual assault and all members of the college community. Sexual assault survivors should be aware of the need of the college to release information (for the protection and safety of others) regarding the fact that an assault has occurred.

- The Director of Facilities and Student Conduct will be the office of official record for reports of sexual assault. Students, faculty, and staff are encouraged to contact the Director of Facilities and Student Conduct, Dave Olds, (218-262-6759 or davidolds@hibbing.edu) to report any information regarding assaults.
- Sexual assault survivors have the right to have reports made anonymously (third party) to the Hibbing Police Department. A campus counselor will assist the survivor in making this report if the survivor so wishes. Filing a police report will not obligate the victim to prosecute. Filling a police report will:
  1. Ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
  2. Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later;
  3. Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.
- In these situations, the name of the complainant will not be forwarded. Third party reports may prevent the college and the Hibbing Police Department from actively investigating the criminal activity.
- Counseling and medical services are available both on and off campus. If you are the victim of a sexual assault, HCC encourages you to contact one or more of the following:
  
  HCC Counseling Center 218-262-6752 or 218-262-6786
  Advocates for Family Peace 218-263-8344 or 1-800-909-8366
  Sexual Assault Program of Northern St. Louis County 218-749-4725 or 1-800-300-3102
- If the Provost (or a designee) determines that a threat continues to exist for the community, information about the reported sexual assault will be reported to the campus community, whether reported by a sexual assault survivor or through a third-party report. As much detail as possible regarding location, date and time of the assault, and any information which might help identify the assailant will be reported. The method(s) of communication may be in the form of posters, appropriate notices, campus newsletter, radio station, local media, etc.
- Each report will be taken as presented by the complainant. Appropriate criminal classifications will be determined after a review of all facts by the Hibbing Police Department personnel.
- Complainants of sexual violence may contact any campus security authority for appropriate assistance or to report incidents. Absolute confidentiality of reports made to campus security authorities cannot be promised. However, campus security authorities shall not disclose personally identifiable information about a complainant of sexual violence without the complainant’s consent except as may be required or permitted by law. There may be instances in which Hibbing Community College determines it needs to act regardless of whether the parties have reached a personal resolution or if the complainant requests that no action be taken. In such instances, Hibbing Community College will investigate and take appropriate action, taking care to protect the identity of the complainant and any other reporter in accordance with this procedure.
- Any campus security authority (CSA) or Hibbing Community College employee with supervisory or student-advising responsibility who has been informed of an alleged incident of sexual violence must follow Hibbing Community College procedures for making a report for the annual crime statistics report. In addition, the campus security authority shall report to other school officials, as appropriate, such as the Director of Facilities and Student Conduct, the campus office responsible for administering the student conduct code, and/or the designated Title IX compliance coordinator, in order to initiate any applicable investigative or other resolution procedures. Campus security authorities may be obligated to report to law enforcement the fact that a sexual assault has occurred, but the name or other personally identifiable information about the complainant will be provided only with the consent of the complainant, except as may be required or permitted by law.
- The college will take appropriate action to safeguard the alleged survivor and, at the same time, protect the rights of the alleged perpetrator. If the survivor of a sexual assault requests, the college will attempt to provide, if reasonably available, alternative housing accommodations for students as well as a change in classes.
- The college will normally not take any disciplinary action against a member of the campus community without a written complaint and the assistance of the complainant in the disciplinary process, unless the college determines there is a clear danger to the victim or the college community.
- HCC is obligated to comply with a student’s request to change their academic and/or living situations after an alleged sex offense, and the options for those changes, if those changes are requested by the victim and are reasonably available. Options may include breaking a housing contract so the student could obtain off-campus housing, etc.
Campus Disciplinary Action for Sex Offenses:

- The college disciplinary process is an option for any person wishing to report a case of student misconduct. In order for HCC to proceed, a written complaint (whether by the victim or a third party) must be filed with the Provost or designee. If the complaint is criminal in nature, it will be forwarded to law enforcement.
- There are different standards of proof in the college conduct proceeding than in the possible criminal action. The college conduct proceeding determines whether the person’s status as a student will be altered, whereas the criminal process determines if there will be limitations on the person's liberty. As there are different standards and the purpose of each proceeding is different, HCC encourages students who are the victims of sexual assault to go forward with the college process.
- The college process is outlined in the Student Code of Conduct (available on the HCC website [http://hibbing.edu/academics/student-handbook.pdf](http://hibbing.edu/academics/student-handbook.pdf) or in the student handbook). The HCC Student Code of Conduct clearly lays out the obligation and responsibility of students in regards to personal conduct on and off-campus. This code of conduct does not replace nor does it reduce any requirements of civil or criminal law imposed upon citizens as members of the larger community. Therefore, students who violate civil or criminal law may be subject to both legal and college sanctions for the same conduct when the conduct occurs off-campus but is related to the college community.
- The accuser and the accused are entitled to the same due process during a disciplinary proceeding; and
- Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding that is brought alleging a sex offense. Compliance with this paragraph does not constitute a violation of the Family Educational Rights and Privacy Act (FERPA). For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution’s final determination with respect of the alleged sex offense and any sanction that is imposed against the accused.
- Hibbing Community College may, at any time during the report/complaint process, reassign or place on administrative leave an employee alleged to have violated this policy, in accordance with the procedures in System Procedure 1B.1.1. Such action must be consistent with the applicable collective bargaining agreement or personnel plan.
- Hibbing Community College may summarily suspend or take other temporary measures against a student alleged to have committed a violation of this policy, in accordance with System Procedure 1B.1.1 or Board Policy 3.6.
- Hibbing Community College shall use system procedure 1B.1.1 Report/Complaint of Discrimination/Harassment Investigations and Resolution when investigating complaints of sexual violence. Procedures used in response to a complaint of sexual violence should avoid requiring complainants to follow any plan of action, to prevent the possibility of re-victimization.
Sexual Violence Prevention Resources and Education:

Hibbing Community College offers educational programs to students and employees to promote the awareness of sexual violence offenses, including sexual violence prevention measures and procedures for responding to incidents. Training on awareness of sexual violence prevention measures and procedures for responding to incidents of sexual violence is also provided to new students and new employees via Cardinal Kickoff, Residential Life staff and counseling offices, and on D2L. Included in this education is the importance of preserving evidence for proof of a criminal offense, safe and positive options for bystander intervention, and information on risk reduction to recognize warning signs of abusive behavior and risk associated with the perpetration of sexual violence. Literature on date rape, sexual violence, abuse, and agencies that can offer support and referral services are available in literature racks around campus. Other measures include nightly security patrols of the campus, escort services, outdoor lighting, inspection of the campus for potentially dangerous areas, and at Cardinal Hall, the use of indoor and outdoor security cameras.

Sexual Violence Resources

For questions or to report sexual violence, please contact Dave Olds, 1B.3 Designated Officer: Hibbing Community College, 1515 East 25th Street, Hibbing, MN 55746, 800-224-4422 or 218-262-6705 or e-mail davidolds@hibbing.edu. Reports of sexual violence can be filed anonymously or by name using the following form found here. OR by downloading the mobile application on your mobile device. Once you install the mobile application, you will need to enter a unique 4-digit sign-up code, which is DSJH.

If this is an emergency, please call 911.

For confidential support on campus, please see a campus Counselor for assistance. You can contact them at 218-262-6786 or 218-262-6752, email at donnagroettum@hibbing.edu or lisabelstul@hibbing.edu or visit Student Services.

Other off campus resources available:
- The Sexual Assault Program of Northern St. Louis County: 1-800-300-3102 or 218-749-4725
- Fairview Range Medical Center/Emergency Room 218-262-4881
- Hibbing Police Department: 911

MinnesotaStatePolicy&Procedure:
http://www.minnstate.edu/board/policy/1b03.html
http://www.minnstate.edu/board/procedure/1b03p1.html

Maintenance of Report/Complaint Procedure Documentation:

Data that is collected, created, received, maintained or disseminated about incidents of sexual violence will be handled in accordance with the privacy requirements of the Minnesota Statutes §13 (Minnesota Government Data Practices Act), and other applicable laws.

Information on reports of incidents of sexual violence that are made to Campus Security Authorities shall be documented in accordance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, codified at 20 United States Code section 1092 (f). Such information will be used to report campus crime statistics on Hibbing Community College campus as required by that Act.

During and upon the completion of the complaint process, the complaint file shall be maintained in a secure location. Access to complaint file information shall be in accordance with the applicable collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act and other applicable law and policy.
Resources:

A guiding principle in the reporting of sexual assault is to avoid re-victimizing the sexual assault survivor by forcing the person into any plan of action. Sexual assault survivors may contact 911, an HCC counselor, David Olds (1B1 Officer) or community services for assistance. The following resources provide immediate aid or on-going consultation for survivors of sexual assault.

**Support Within Reach** is a collaborative effort between Hibbing CC and the Sexual Assault Program of Northern St. Louis County (800-300-3102 or 218-749-4725) and the Advocates for Family Peace (800-909-8336 or 218-263-8344). Their mission is to enhance the campus community’s awareness, understanding, safety, and accountability regarding sexual violence, sexual harassment, and stalking. Program goals include:
- Providing on-site services at Cardinal Kickoff and includes a 24-hour crisis-line, one-to-one support, medical and legal advocacy, and referrals.
- Provide awareness and education related to issues surrounding sexual violence to students, faculty, and staff including special campus groups and athletes.

### HCC Campus Official Contact Information

<table>
<thead>
<tr>
<th>Contact Name</th>
<th>Office</th>
<th>Cell</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aaron Reini, HCC Interim Provost Administration – Building L</td>
<td>218-262-7362</td>
<td>218-966-0745</td>
</tr>
<tr>
<td>Jessalyn, Interim Academic Dean Administration – Building L</td>
<td>218-262-6722</td>
<td>218-969-9688</td>
</tr>
<tr>
<td>Dave Olds, Director of Facilities &amp; Student Conduct</td>
<td>218-262-6705</td>
<td>218-969-8342</td>
</tr>
<tr>
<td>Steffanie Lynn, Student Housing Director</td>
<td>218-262-7246</td>
<td>218-966-9207</td>
</tr>
<tr>
<td>Donna Groettum, Counselor</td>
<td>218-262-6786</td>
<td></td>
</tr>
<tr>
<td>Lisa Bestul, HCC Counselor</td>
<td>218-262-6752</td>
<td>218-966-7193</td>
</tr>
<tr>
<td>HCC Maintenance</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Off Campus Agencies Contact Information

<table>
<thead>
<tr>
<th>Contact Name</th>
<th>Office</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hibbing Police Department</td>
<td>218-263-3601</td>
<td>(Non-Emergency)</td>
</tr>
<tr>
<td>Emergency Services</td>
<td>911 (9-911 from campus phone)</td>
<td></td>
</tr>
<tr>
<td>Advocates for Family Peace</td>
<td>218-263-8344 or 1-800-909-8366</td>
<td></td>
</tr>
<tr>
<td>Sexual Assault Program of Northern St. Louis County</td>
<td>218-749-4725 or 1-800-300-3102</td>
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</tr>
</tbody>
</table>

### Law Enforcement Agency Information Regarding Registered Sex Offenders:

The Federal Campus Sex Crimes Prevention Act, effective October 28, 2002, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state regarding registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

The Minnesota Bureau of Criminal Apprehension administers a predatory offender registration and tracking program. Information regarding this program can be found at the following website: https://dps.mn.gov/divisions/bca/bca-divisions/investigations/Pages/predatory-offender-registrations.aspx

- Any questions regarding the program may be directed to the Minnesota Bureau of Criminal Apprehension’s Minnesota Predatory Offender Registration unit at 651-793-7070 or 1-888-234-1248.
- Information about Level 3 Predatory Offenders can be found at the Department of Corrections website at http://www.doc.state.mn.us/PAGES/ or by calling 651-642-0200. An offender locator, for offenders that have the highest risk of re-offence, can be accessed at this website also.
- Information about sex offenders can also be obtained from the Hibbing County Sheriff’s Department at 218-262-0134 or the Hibbing Police Department at 218-263-3601.
CRIME REPORTING

Reporting Policies:

The Provost’s office, located in Room L-110 (218-262-7362), is the office to which all criminal reports should be made. Everyone on campus (including students, faculty, staff and visitors) are encouraged to be fully aware of the safety issues on the campus and to report immediately any and all potentially criminal activity to the Provost and/or the Hibbing Police Department. Individuals reporting to HCC who also wish to file a complaint with the Hibbing Police Department will be provided with assistance from HCC upon request. Personal awareness and applying personal safety practices are the foundation of a safe community.

HCC has a variety of policies and procedures relating to campus security, and it expressly reserves the right to modify or adopt additional policies and procedures at any time without notice. Such changes may appear in successive issues of this report.

HCC normally requires a written complaint from someone to begin the investigation process. HCC also usually needs the assistance of the complainant in the disciplinary process against the accused. HCC will make exceptions, when necessary, including cases presenting clear danger to the victim and/or the college community.

HCC will issue an annual report of criminal reports made to the Provost and other law enforcement agencies for crimes occurring on college property or facilities. The annual report includes reported crimes alleged to have occurred on the campus and facilities owned or rented by HCC and/or recognized student organizations. The report is found on the HCC webpage at http://www.hibbing.edu/on-campus-services/on-campus-security.html and notification of its availability and location is emailed directly to all enrolled students and faculty and staff. It includes the following reports of crime:

- Criminal Homicide
- Sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Hate Crimes

Also reported are any arrests or disciplinary actions for the following offenses:

- Liquor law violations
- Drug abuse violations
- Weapons possession

When reports are made to the Provost, the Provost, his designee, or other security personnel on duty will decide if a threat continues to exist to the campus community. If a threat continues to exist, a warning will be sent out informing the campus community.

Reporting Procedures (How do I report a crime on campus?):

All criminal activity occurring on campus should be reported immediately to the office of the Provost and/or to the Hibbing Police Department. College personnel will assist the complainant in completing criminal reports. These reports will also be forwarded to the Hibbing Police Department. In appropriate cases, reports will also be shared with the appropriate administrator. HCC will assist the Hibbing Police Department with investigations.

Every effort should be made to ensure that physical evidence is maintained and protected. Immediate reports will assist in preserving evidence.

If you are a victim of a crime or witness a crime:

1. Call the Hibbing Police Department (911 for emergencies [9-911 on campus phone] or the Hibbing Police Department front desk at 218-263-3601 for non-emergencies), or HCC Maintenance at 218-969-3019, 218-969-6019 or the Provost at 218-262-7362 for situations including medical assistance, fires, suspicious people or activities, crime reports, traffic accidents, or other illegal activities.
2. If you can safely do this, obtain a description of the offender(s), including sex, age, race, hair, clothing and other distinguishable features and attempt to obtain a description and license number of any vehicle involved. Note the direction taken by offenders or vehicles and report those to campus personnel or the Hibbing Police Department.

3. Preserve the crime scene. Do not touch any items involved in the incident. Close off the area of the incident, and do not allow anyone in the crime area until campus personnel and/or the Hibbing Police Department arrive.

Campus security authorities will accept third-party reports in cases of sexual assault in order to protect the victim's identity. Person's filing a complaint with the Provost will be provided a copy of the college's policies and procedures.

Any employees, faculty or staff, who become aware of an allegation of violation of college policy, student code of conduct, civil or criminal law should report the allegation to their supervisor and the Provost. The following staff are considered Campus Security Authorities (CSA’s) as they have significant responsibility for student and campus activities. They must report potential criminal activity of which they are aware to the Provost:

<table>
<thead>
<tr>
<th>Academic Dean</th>
<th>Coaches</th>
<th>Registrar</th>
</tr>
</thead>
<tbody>
<tr>
<td>Activities Coordinators</td>
<td>Director of Facilities and Student Conduct</td>
<td>Residential Assistants (RA’s)</td>
</tr>
<tr>
<td>Admissions Director</td>
<td>Financial Aid Director</td>
<td>Residential Life Director</td>
</tr>
<tr>
<td>Affirmative Action Officer</td>
<td>Intramural Coordinators</td>
<td>Student Advisors</td>
</tr>
<tr>
<td>Alumni Directors</td>
<td>Law Enforcement Cadets</td>
<td>Student Senate Advisor</td>
</tr>
<tr>
<td>Assistant Coaches</td>
<td>Maintenance Staff</td>
<td>Student Life Director</td>
</tr>
<tr>
<td>Athletic Directors</td>
<td>Multicultural Affairs Director</td>
<td>Student Support Services Director</td>
</tr>
<tr>
<td>Bookstore Manager</td>
<td>Non-professional Counselors</td>
<td></td>
</tr>
<tr>
<td>Campus-Security Officers</td>
<td>Provost</td>
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</table>

The individuals should not attempt to investigate but should instead report and allow designated campus officials to investigate. All persons in the HCC community are encouraged to assist anyone in reporting alleged criminal activity by contacting the Provost and/or the Hibbing Police Department, as well as providing assistance in making the report.

Student organizations utilizing any facility are encouraged to report safety and security concerns to the Provost.

Counselors are required to provide statistical information relating to crimes on campus but may continue to honor the confidentiality of victims.

HCC encourages you to report a crime immediately or within a day or two. This timeframe gives the best opportunity to collect evidence which can form a stronger case for potential prosecution and greatly assists the Campus Security or local law enforcement in performing a better investigation into the allegation.

**Emergency Numbers:**

- Fire, Police, Ambulance: 911 (9-911 from campus phone)
- Provost: 218-262-7362
- HCC Safety / Facilities Director: 218-969-8342
- HCC Switchboard: 218-262-7200
- HCC Housing Director (cell): 218-966-9207
- HCC Maintenance (cell): 218-969-3019, 218-969-6019, or 218-969-9019

**Hibbing Community College's Response to Reports of Crime:**

All allegations will be investigated. These investigations may be made in conjunction with the Hibbing Police Department. Reports will be classified by the Provost in conjunction with the appropriate police agency according to the FBI Uniform Crime Reporting definitions.
When alleged perpetrators are identified as students, the case will be forwarded to the appropriate office for investigation and appropriate action. Criminal investigation, arrest and prosecution can occur independently, before, during or after the campus judicial process.

Hibbing Community College will, upon written request, disclose to the alleged victim or a crime or violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Hibbing Community College will provide the results of the disciplinary hearing to the victim’s next of kin, if so requested.

**Policies Concerning Law Enforcement:**

The Provost serves as the primary liaison for HCC’s security with all law enforcement agencies. Campus Security Authorities are employees of HCC; they are not certified or sworn peace officers. Campus Security Authorities are authorized, when appropriate, to make a citizen’s arrest. Typically, such arrests are made only in the presence of a Minnesota police officer. HCC Administration works closely with the Hibbing Police Department and State and Federal law enforcement agencies to track and respond to campus criminal activity.

Report all crime immediately! All criminal activity on campus should be reported immediately to the Hibbing Police Department (911 for emergencies [9-911 on campus phone] or Hibbing Police Department front desk at 218-263-3601 for non-emergencies), or HCC’s Provost (218-262-7362).

- HCC will assist the complainant in completing criminal reports.
- HCC will accept third party reports in certain cases, such as sex offenses. Maintain all physical evidence. Do not wash off or destroy what may be critical evidence.
EMERGENCY RESPONSE/NOTIFICATION SYSTEM

Hibbing Community College is required to immediately notify the campus community upon confirmation of a significant emergency or a dangerous situation involving an immediate threat to the health or safety to students and employees occurring on campus.

The Provost, Crisis Operation Team, and other relevant staff, depending upon the nature of the emergency will manage crises or unexpected tragedies that adversely affect students, their families, college employees, and community members. Anyone who becomes aware of a crisis that affects our college should, dial 911 immediately, contact the Provost or an Administrator, or a member of the Crisis Team. Please do not assume that others are aware of any situation.

Hibbing Community College administration, or their designee, will make an immediate determination about the need for timely warning to the greater college community through our wireless emergency notification system (Star Alert).

Upon notification of the incident the college administration or designee and the HCC Crisis Operation Team will meet and determine additional response options and will immediately prepare a response plan.

Procedure for disseminating any emergency information to the larger community will be based upon the type of threat being presented. All media contact will be handled by the college Provost.

The Star Alert system is part of the overall campus emergency plan. HCC contracted with Blackboard Connect, an Emergency Notification System providing this service. The multimodal service allows HCC officials the ability to send emergency voice messages via: landline, cellular telephone, and e-mail messages when circumstances dictate an alert to issue.

Star Alert is only activated when a situation exists that presents an imminent danger to the campus. An “imminent danger” is defined to be a situation that threatens the immediate safety of the campus community, is not anticipated, and failure to provide such a warning may result in serious harm. Examples of such emergencies may include: a tornado in the Hibbing area, chemical or hazardous material spills, an armed and actively violent person, etc. Star Alert messages are only activated if the situation is determined to be imminent and requires immediate action.

Contact information collected and imputed into the Star Alert system is extracted from information on file in E-Services. The Star Alert system is only used for purposes of emergency communication and will not be sold or used for marketing or any purpose other than emergency communications. “Emergency communications” is defined to be communication that is vital information to help minimize any significant risk to the health and safety of the community.

Procedure
Star Alert may be activated by: Provost, Academic Dean, Director of Facilities and Student Conduct, Director of Admissions, SSS Director, or others designated by administration.
Star Alert is tested once a semester to ensure the system is in good working order and to assist campus community members with emergency preparedness in the event of an actual emergency.

Registration
1. All Students, Faculty and Staff are automatically enrolled in Star Alert. (Individuals are responsible for providing accurate data. HCC assumes no liability or responsibility for improper or outdated data). See below on how to update data.

2. Student contact data is collected from E-Services and may be updated by: A) Logging into https://hibbing.bbcportal.com/, B) Enter your first name, last name, school email, and choose a password – an email will be sent to you from Blackboard Connect confirming your registration, C) Sign in with your email account and password you created, D) You will need to answer 3 security questions and click Save, E) Find Contact screen – use your student or employee ID and click Submit, F) Enter a cell phone number or school email address that is associated with your contact record at HCC and click Submit; G) Once a match is found, click Associate; H) Update your contact preferences by placing a check mark in the proper boxes. From Viewing pre-loaded data screen, select Next or select Skip, I) From Tell Us About Yourself screen, provide additional contact information by clicking on the icons – Add Address, Add Email, and Add Phone. To edit or delete a contact point, simply hover your mouse over any contact point to click Edit (pencil icon) to modify your contact point or click Delete (trashcan icon) to
remove them. Click Next when you are finished, J) On Set Your Preferences page, click Done to complete the registration process, K) Sign out by clicking on the down arrow by your name at the top of the screen. Every student must assure their information is accurate and current for successful Star Alert notification.  

3. Faculty and Staff data is collected from the HCC directory. Faculty and Staff should follow the same instructions as above for students to register themselves into the system and verify/update any information.

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EMERGENCY NOTIFICATIONS & TIMELY WARNINGS

Emergency notifications are issued for any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus such as, but not limited to, serious disease/illness, dangerous weather, natural disaster, bomb threat, explosion, or chemical hazard. Some Clery Act defined crimes may also be included.

The college Provost, or designee, will assess the situation. Upon confirmation of an emergency or dangerous situation posing an immediate threat to the health or safety of individuals on campus the Provost, or designee, will primarily issue a notice over the wireless emergency notification system (Star Alert). In addition, if the confirmed threat is perceived as ongoing or continuing, the notification may go out in the form of campus email notification, D2L student platform, campus social media pages, and posted on the HCC website. Paper notices may also be posted around campus. Depending upon the nature of the threat, (e.g., isolated gas leak) the notification may only go to a particular segment of the college community.

A scheduled test of the emergency response system (Star Alert) is conducted at random at least once a year by the Provost and the Safety Coordinator, along with other scheduled drills, exercises and appropriate follow-through activities with the Safety Committee, designed for assessment and evaluation of emergency plans and capabilities. Representatives from outside organizations may be involved with these tests, depending on the subject and nature of the test incident(s).

Publicizing the procedures of HCC’s test emergency response system may vary from email notification to mail or radio notification.

Documentation (description, date, time, announced/unannounced) of the test will be done by the Safety Coordinator and kept in their office for a minimum of seven (7) years.

Timely Warnings must be issued by HCC for any Clery Act crime that occurs on our Clery geography that is:

1) Reported to campus security authorities or local police agencies and
2) Is considered by the institution to represent a serious or continuing threat to students and employees

When timely warnings are made to the campus community, the identity of the victim must be withheld as confidential. Exception: Clery crimes reported to pastoral counselors or professional counselors are not subject to the timely warning requirement.

Upon determination of a crime that has occurred and continues to pose a potential serious or continuing threat to the college community, the Provost, or designee, without delay, must issue a campus wide timely warning on a case-by-case basis based on the nature of the crime and the continuing danger to the campus community unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to respond to or otherwise mitigate the emergency. The warning is not just a cautionary statement but will include information about the crime that triggered the warning. Examples of such threats could include, but are not limited to, a rash of dormitory burglaries or motor vehicle thefts, a campus reported rape in which the alleged perpetrator has not been caught, random fires being set around campus, reported murder, non-negligent manslaughter, negligent manslaughter, sex offenses (forcible or non-forcible), robbery, aggravated assault, burglary, and any bias-motivated crimes. Timely warnings are issued for threats to crimes against persons or to property.

As available pertinent information becomes available, the timely warning may identify date and time of the incident plus location, nature of the crime and possible suspect descriptions. Information promoting safety that may aid individuals in protecting themselves may be included in the warning. Additional warnings may be issued as information becomes available. Local radio stations may be used to help disseminate information, depending upon the nature of the incident.
First responders to the scene usually include the Hibbing Police Department and/or Hibbing Fire Department, depending on the nature of the incident, along with other organizations who will work together to manage the incident if necessary. St. Louis County’s computer system, including the Hibbing Police and the Hibbing Fire Department, have an electronic file with a map of Hibbing Community College should an incident occur on HCC’s geography.

**HCC Campus Official Contact Information**

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<thead>
<tr>
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<tr>
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<td>Hibbing Police Department</td>
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</tr>
<tr>
<td>Hibbing Fire Department</td>
<td>911</td>
<td>911</td>
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</tbody>
</table>
EVACUATION PROCEDURES

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 changes. It is recommended that departments pre-determine designated assembly points, direct occupants to those locations, and prevent re-entry to the facility. Emergency assembly points should be at least 50 feet from the building and away from areas where emergency personnel will respond, such as roadways or near fire hydrants.

In the event of an emergency or dangerous situation, designated staff will direct students, faculty, staff, and guests in the evacuation of relevant campus buildings. The campus community will be asked to follow building and campus evacuation protocols and to obey directions from HCC and on-scene emergency responders. Certain events, like a hazardous materials release, may require everyone to shelter-in-place to prevent exposure to harmful elements. A test of evacuation procedures is conducted annually for the entire campus.

Evacuation Protocol:
- Building evacuations occur when an alarm sounds continuously.
- Do not use elevators during an emergency evacuation.
- Everyone must exit the building quickly and proceed in an orderly manner to the pre-determined designated emergency assembly area. Be alert and pay attention to what is happening around you. Remain at the assembly point until directed by emergency personnel.
- Some emergency situations and weather emergencies may require that you take shelter in the building. Each room on campus has a copy of the Emergency Evacuation Plan posted by the door that provides a detailed evacuation route from the building, indoor shelter areas, emergency phone numbers, and the location of first aid and AED kits. (See example evacuation map listed below.)

SAMPLE Emergency Evacuation Plan Map in Office/Classroom
(See next page)
CRISIS / DISASTER PREPAREDNESS

An extensive Emergency Procedures Guide (EPG) was developed for campus wide distribution. This document is located on the Safety Board in Building M and provides emergency contacts/numbers and includes detailed instructions for the following events:

- General Emergency Procedures
- Emergency Phone Numbers
- Crime Reporting
- Fire/Explosions
- Tornado Warning
- Medical Emergencies
- Mechanical/Utility Failure
- Natural Gas Leaks
- Hazardous Materials Spills/Leaks
- Terrorism
- Violent Intruder/Lockdowns
- Bomb Threat
CRIME STATISTICS

This information is being provided to you as in compliance with the Federal Crime Awareness & Campus Security Act of 1990 (Clery Act).

Data for this report is collected from local law enforcement, HCC Provost, HCC Director of Residential Life, and any other campus employees. Data includes Hibbing Community College off-campus college sponsored activities that are monitored by local law enforcement.

This report is available from the HCC website (http://www.hibbing.edu/on-campus-services/on-campus-security.html) and the department of education website (http://ope.ed.gov/security). A hard copy of this report is available upon request in the Administration office.

<table>
<thead>
<tr>
<th>Reported Offense - Criminal Offenses</th>
<th>Year</th>
<th>On-Campus Property</th>
<th>On-Campus Student Housing Facilities*</th>
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* Bias Motivation: Race, gender, religion, sexual orientation, ethnicity/national origin, and disability. The crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property are included in the list of crimes that must be reported as hate crime statistics if there is evidence that the crime was perpetrated by the offender’s bias towards the victim’s actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin or disability.

### Arrests

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Disciplinary Actions

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ANNUAL FIRE SAFETY REPORT for RESIDENCE HALL

Residential Facility Fire Safety Systems:

Hibbing Community College has one residential facility. The facility has a fire alarm system that is inspected and tested annually with J.N. Johnson Company. The inspection report is kept on file with the Maintenance Services department and is available upon request. All campus fire extinguishers are certified annually by a contractor and inspected monthly by the HCC Maintenance Services department staff.

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Any person who willfully tampers with fire alarm equipment resulting in a false fire alarm is subject to criminal punishment.

Fire Evacuation Procedures:

- Loud, intermittent beeps will sound when a fire alarm is in progress. All residents must follow fire exit routes posted on the inside of all suite doors. In accordance with Minnesota State Law, when the building alarm sounds, all residents are required to leave the building. Residents cannot re-enter a building until notified by official campus personnel.
- Electrical devices and lights should be turned off before exiting the building and windows should be kept open. Residents should wear shoes and clothes appropriate for the weather. Residents should lock and close bedroom and suite doors taking keys and fob devices with them.
- Once outside move away from the building and keep streets, fire lanes, hydrant areas, and walkway areas clear for emergency vehicles and personnel.
• In the event of limited or poor evacuation, the Director of Residential Life is authorized to direct residence hall staff to enter student rooms to ensure evacuation. Any violations of evacuation procedures by residents will be handled through conduct proceedings.

**Procedures on Reporting a Fire:**

• When a fire is discovered, the nearest fire alarm should be activated and all building occupants begin evacuation.
• Call 911 (9-911 if using an emergency/courtesy campus phone) to report to Hibbing Fire Department.
• Notify Provost, Maintenance Services staff, or Director of Residential Life. They will contact the fire alarm system management company and Hibbing Fire Department to confirm actual fire or false alarm.
• The Provost, Safety Officer, or Director of Maintenance Services must report the incident (even if a false alarm) to the State Fire Marshal as required by state law [Minn. Stat. 299f.452(1998)].

**Rules on Items Posing Potential Fire Threat in On-Campus Housing:**

Residential Life provides each student living on campus a copy of the Residential housing handbook which clearly states that:

• Any type of candle, incense or any flammable or slow-burning substances are strictly prohibited in all on-campus housing facilities and resident rooms. Residents who are in possession of any of these substances will receive a written warning to remove items within 24 hours and/or may be subject to disciplinary actions.
• Microwaves are allowed in rooms; however, they must be tended while in use. Cooking appliances such as toasters, popcorn poppers, pizza ovens, warming plates, or any other appliances which have either exposed heating elements or produce excessive heat can only be used in kitchenette/commons areas. Any residents who exhibit negligence while cooking or using ovens and sets off the room fire alarm may face disciplinary action.

**Fire Safety Prevention and Training:**

Fire safety education and training is currently limited to Resident Assistants and Facility Services staff. Fire Safety is a topic of discussion with ALL resident students at their Orientation session on the day they move into their room and is covered in the Residential Life Student Handbook.

The following are recommendations for all residential students:

• Know every regular and emergency exit from the building you are in. Know how to activate the alarm system and what it sounds like.
• Arrange the contents of your room with fire safety in mind. Maintain clear and unobstructed access to your room door, from both the inside and outside, at all times.
• Do not overload electrical outlets. Do not use broken, frayed or cracked electrical cords. Do not suspend lamps or lights by their own cords.
• Smoking is NOT allowed in any college building.
• Do not allow excess clutter of flammable materials.

**Current Student Housing Fire Statistics:**

<table>
<thead>
<tr>
<th></th>
<th>Cardinal Hall</th>
</tr>
</thead>
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<tr>
<td>Number of Fire Calls in Residence Halls</td>
<td>2018</td>
</tr>
<tr>
<td>Unintentional</td>
<td>1</td>
</tr>
<tr>
<td>Intentional</td>
<td>0</td>
</tr>
<tr>
<td>Undetermined</td>
<td>0</td>
</tr>
<tr>
<td>Injuries Requiring Treatment</td>
<td>0</td>
</tr>
<tr>
<td>Injuries Resulting in Death</td>
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</tr>
<tr>
<td>Damaged Property Value</td>
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</tr>
</tbody>
</table>
DEFINITIONS

GENERAL DEFINITIONS

Business Day – Defined as “Monday through Friday, excluding any day when HCC is closed.”

Campus – Defined as
• any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by HCC in direct support or, or in a manner related to, HCC’s educational purposes, including residence halls; and
• any building or property that is within or reasonably contiguous to the area identified in the first part of this definition, that is owned by HCC but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Campus Eye - Sexual Violence reporting system.

Campus residences – Defined as residential facilities for students on campus.

Campus Security Authority – Campus security authority includes the following categories of individuals at HCC.
• Individuals who have campus security responsibilities in addition;
• Any individual or organization identified in HCC’s policy as an individual or organization to which students and employees should report criminal offenses;
• An official of HCC who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings; advisors to recognized student organizations, and athletic coaches. Professional counselors, whose official responsibilities include providing mental health counseling, and who are functioning within the scope of their license or certification are not included in this definition.

MinnState – Minnesota State Colleges and Universities

Non-campus building or property – Defined as
• any building or property owned or controlled by a student organization that is officially recognized by HCC or
• any building or property owned or controlled by HCC that is used in direct support of, or in relation to, HCC’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of HCC.

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

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

CRIMINAL DEFINITIONS

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

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

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

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

Drug Abuse Violations – Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs and the equipment or devices utilized in their preparation and/or use. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadones); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
**Hate Crimes** – Crimes that manifest evidence of prejudice based on race, religion, sexual orientation, disability, gender, or ethnicity.

**Intimidation** – To lawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

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

**Liquor Law Violations** – The violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. Drunkenness and driving under the influence are not included in this definition.

**Manslaughter** – The reckless or grossly negligent killing of a human being, excluding traffic fatalities.

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

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

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

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

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

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

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

**DEFINITIONS OF SEXUAL OFFENSES**

**Forcible**
Any sexual act directed against another person, forcibly or against that person’s will where the victim is incapable of giving consent.

- **Forcible Rape (except Statutory Rape):** The carnal knowledge of a person, forcibly or against that person’s will, or both; or not forcibly or against the person’s will where the victim is incapable of giving consent because of youth or his or her temporary or permanent mental or physical incapacity.

- **Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly or against that person’s will, or both; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity.

- **Sexual Assault with an Object:** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly or against that person’s will, or both; or not forcibly or against the person’s will where the victim is incapable of giving consent because of youth or his or her temporary or permanent mental or physical incapacity. An “object” or “instrument” is anything used by the offender other than the offender’s genitalia. Examples are a finger, bottle, handgun, stick, etc.

- **Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly or against that person’s will, or both; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity. Forcible fondling includes “indecent liberties” and “child molesting.”

**Non-forcible**
Unlawful, non-forcible sexual intercourse, except “prostitution offenses.”

- **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by laws.

- **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.
Definitions of the SaVE Act, domestic violence, dating violence, and stalking have the following definitions:

**Domestic Violence** – is defined as a felony or misdemeanor crime of violence committed:
- by a current or former spouse or intimate partner of the victim.
- by a person with whom the victim shared a child in common.
- by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner.
- by a person similarly situated to a spouse of the victim under the domestic or family violence law of the jurisdiction in which the crime of violence occurred;
- by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Dating Violence** – “means violence committed by a person – (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship.” 42 U.S.C. § 13925(a)(10).

**Sexual Assault** - is defined as an offense that meets the definition of Rape, Fondling, Incest or Statutory Rape as used in the FBI’s UCR program and included in Appendix A of 34 CFR Part 668.

**Stalking** – is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to
- fear for the person’s safety or the safety of others; or
- suffer substantial emotional distress.