

ANNUAL CAMPUS SECURITY AND FIRE SAFETY REPORT

College of Saint Mary

Includes Statistics for
Calendar Years 2020,
2021, and 2022



September, 2023

Dear College of Saint Mary Community,

At College of Saint Mary, we prioritize the well-being and security of our students, faculty, staff, and visitors. We believe every individual deserves a safe and secure environment to learn, work, and thrive. To ensure this, we have implemented a comprehensive range of measures and initiatives that focus on prevention, preparedness, and response.

First and foremost, our campus safety policies and procedures have been designed to create a secure environment for all members of the University community. We continuously review and update these policies to align with best practices and industry standards. We encourage you to familiarize yourself with these guidelines, which can be found on our College of Saint Mary website, <https://collegeofstmary.sharepoint.com/campusservices/safetyandsecurity>, or obtained from the campus Department of Safety and Security located in Hixson-Lied Commons, Room 144.

Two crucial aspects of maintaining a safe campus are transparency and accountability. College of Saint Mary is required to report Clery Act information in an Annual Security Report (ASR) to comply with federal law. The Clery Act, also known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, is a federal law that mandates transparency and accountability in campus crime reporting and the provision of campus safety information. Therefore, we are committed to providing accurate and comprehensive crime statistics in our ASR, as well as fire statistics in the accompanying Fire Safety Report, both of which are available to all members of the College of Saint Mary community at the above-mentioned website or obtained from the Department of Safety and Security. The following ASR and Fire Safety Report is an annual publication that provides comprehensive information about campus crime and fire statistics, security policies, and procedures for the 2022 calendar year. It is intended to ensure members of the College of Saint Mary community, including students, faculty, staff, and prospective students, have access to accurate and up-to-date information regarding campus safety.

Finally, we value your feedback and input. We encourage you to reach out to us with any concerns, suggestions, or ideas related to campus safety and security. Your perspectives are invaluable in helping us shape our policies and initiatives, and we are committed to maintaining an open and transparent dialogue with our community.

In conclusion, your safety and security are of utmost importance to us. We are dedicated to creating a campus environment that fosters learning, growth, and well-being for all. By working together, we can ensure College of Saint Mary remains a safe and secure place for everyone.

Sincerely,
Nate Neufind
Vice President of Operations
nneufind@csm.edu



HISTORY OF COLLEGE OF SAINT MARY

Catherine McAuley, the foundress of the Sisters of Mercy and an early 19th century Irishwoman, had a bold vision. She believed that “nothing was more productive of good to society than the careful education of women...since their example and advice will always possess influence.” Omaha’s College of Saint Mary is one of those schools.

Mother Mary Leo Gallagher, another Sister of Mercy, carried on the tradition and opened the doors of College of Saint Mary in 1923. In Omaha’s old Continental Hotel at 15th and Castelar Streets, the work began. The church schools needed teachers. To be effective in these positions, Mother Gallagher believed women needed a strong liberal arts education. Mother Gallagher accomplished this feat when women had won the right to vote just three years prior. Many at the time viewed educating women as a frivolous gesture, but a woman with a vision will not be deterred.

The dynamic leadership of women such as Mother Gallagher, the first president of the College, and Sister Mary Constance Walsh, the first academic dean, brought high standards to the fledgling two-year teacher’s college and led to its growth. Their dedication served as an example for those who followed.

In November 1950, the Sisters purchased 80 acres of land for \$150,000 next to a dirt road named 72nd Street and what would then become Mercy Road. A \$3 million construction project began in March 1953 and by May 1955, College of Saint Mary was a reality. That year, 255 students enrolled and by 1958 College of Saint Mary had become a four-year fully accredited college.

Today, College of Saint Mary is proud to continue its tradition of educating female leaders formed in the values of service and compassion according to the Sisters of Mercy. College of Saint Mary enrolls approximately 1,000 students and hosts both graduate and undergraduate programs.

MISSION AND CORE VALUES

College of Saint Mary is a Catholic University providing access to education for women in an environment that calls forth potential and fosters leadership. Consistent with the works, values and aspirations of the Sisters of Mercy, this mission inspires us to:

Excellence • Service • Dignity • Compassion • Inclusivity • Integrity

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Annual Security Report Overview

College of Saint Mary Campus Safety & Security

Safety and security at College of Saint Mary is a shared responsibility. Clearly, the best protection against campus crime is an aware, informed, alert campus community. Students, faculty, and staff who use reason and caution, along with a strong security presence, make our campus safer.

The vast majority of our students, faculty, staff, and visitors do not experience crime at College of Saint Mary. However, despite our best efforts, crimes may occur. The information provided herein demonstrates College of Saint Mary's commitment to campus safety and security and follows federal law. Specifically, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses.

The College of Saint Mary Safety and Security Department prepares this report in conjunction with a number of other University departments and outside agencies such as Student Affairs, the Athletic Department, Residence Life, and the Omaha Police Department to be in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This act requires colleges and universities to:

- Publish an Annual Security Report by October 1st of each year, containing three years of crime statistics and statistics on reported crimes that occurred on campus, in or on non-campus buildings or property, and on public property adjacent to the campus. The Annual Security Report must also include campus safety policies, procedures, and information about crime prevention programs.
- Maintain and disclose statistics of certain criminal offenses, including murder, robbery, sexual assault, burglary, motor vehicle theft, and more. Statistics must be gathered from local law enforcement agencies, campus security authorities, and other University officials who have significant responsibility for student and campus activities.
- Issue timely warnings to the campus community about serious or ongoing threats to safety, such as crimes or threats of violence, that may pose a risk to students and employees.
- Provide emergency notifications in the event of a significant emergency or dangerous situation occurring on or near campus (e.g., weather, disease outbreak).
- Identify and train campus security authorities, who are responsible for reporting crimes for inclusion in the annual crime statistics.
- Have policies and procedures in place for handling incidents of sexual assault, including providing support services to victims and offering prevention education programs.

The following material is designed to familiarize you with issues of safety and security at College of Saint Mary. It is important for College of Saint Mary to comply with the reporting requirements outlined by the Clery Act to promote transparency, enhance campus safety, and provide accurate information to current and prospective students, employees, and the public. If you have concerns, questions, or comments about federal or state law requirements, or College of Saint Mary's compliance with these laws, please contact the Director of Safety and Security at 402-399-2319 or csmsecurity@csm.edu.

Department of Safety and Security

Department of Safety and Security Responsibilities and Resources

The College of Saint Mary Department of Safety and Security provides year-round security for all students, staff, faculty, and visitors throughout the College of Saint Mary campus. The Department of Safety and Security is committed to providing students with a safe environment in which to learn and to keep students, staff, and faculty well informed about campus security.

Safety and Security has implemented robust emergency preparedness and response plans, ensuring we are well-equipped to handle any crisis that may arise. Our emergency notification system, CSMAAlert, is designed to quickly and effectively communicate important information to the entire community in case of an emergency. Regular drills and training sessions are conducted to enhance preparedness and familiarize everyone with emergency procedures.

Collaboration is another key element of College of Saint Mary safety and security efforts. Safety and Security maintains strong partnerships with local law enforcement agencies, community organizations, and neighboring institutions. These collaborations allow us to share resources, intelligence, and expertise, further strengthening our ability to prevent and respond to potential threats.

College of Saint Mary firmly believes education plays a vital role in promoting campus safety. To this end, Safety and Security offers a variety of crime prevention programs, workshops, and training sessions throughout the year. These initiatives aim to raise awareness, provide useful information, and empower individuals to take an active role in their personal safety and the safety of others.

Safety & Security Office	Hixson-Lied Commons	Dial 1 or 402-670-8848	csmsecurity@csm.edu Website: http://www.csm.edu/student-life/campus-living/campus-safety-and-security
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Authority of Safety and Security

College of Saint Mary Safety and Security Staff have the authority to ask persons for identification and to determine whether individuals have lawful business at CSM. Safety and Security Staff also have the authority to enforce campus rules and regulations. Safety and Security Officers do not have powers of arrest. Criminal incidents are referred to the Omaha City Police Department or other law enforcement agencies that have jurisdiction on the campus. The Department of Safety and Security at College of Saint Mary reports to the Vice President of Operations.

Department Initiatives

CSM Alert Notification System: Text and email alerts to all students, faculty, and staff in case of inclement weather, campus emergencies, safety alerts and necessary all-campus announcements.

Safe Walk Program: Security escort provided to students, faculty, staff, and visitors on campus at any time to/from their vehicles to/from any location on campus.

Situational Awareness & Personal Safety Instruction: Designed to educate and inform the College of Saint Mary community about the dangers of the current world we live in.

Vehicle Assist: Jump starting dead batteries for students, faculty, staff, and visitors.

Campus Safety Group: Consisting of 23 nearby colleges and universities, the FBI and DHS, monthly meetings are held to discuss best practices, trends, concerns, and training opportunities.

Behavioral Response Team: Weekly scheduled meetings with other campus stakeholders utilizing a team approach to a student in crisis on and off campus, intervention for student mental health and behavioral concerns, address faculty and staff concerns, and provide appropriate resources.

Building Access Policy

The College of Saint Mary Building Access Policy is designed to increase the safety of all faculty, staff, and students who work and study in our academic buildings. It also attempts to improve the physical security of the University's buildings and properties. This policy establishes regular building access hours as well as procedures for requesting student access outside of normal academic building access hours.

This policy provides guidelines for entrance into campus buildings, offices, classrooms, library, and labs after normal operating hours at College of Saint Mary. In order to provide the College of Saint Mary community with as much convenience as possible and to maintain a secure and safe campus, faculty, staff, and students are asked to comply with specific guidelines, mentioned below, when requesting access to a locked room or building.

For a list of regular operating hours, please refer to the Building Access Hours which can be found on the MyCSM page under Safety and Security.

After Hours Building Access

College of Saint Mary students requesting access to a locked building, room, or lab must have prior permission obtained through a faculty member and the Director of Safety and Security. The faculty member will notify the Director of Safety and Security with a list of approved students permitted to access the labs after hours. Students must present their College of Saint Mary ID before being let into any building after hours and must have one additional person with them. A student will not be granted access if they are alone.

Tunnels

The tunnels are locked down and are not available for public access. The use of a code allows access to the tunnels and this code is provided to students, faculty, and staff. The doors from the tunnel to each of the residence halls are only available to students and designated staff with proxy cards. Students, faculty, and staff will need to use their College of Saint Mary ID card to gain access from the tunnel system into Hill-Macaluso Hall.

Damage or Theft

College of Saint Mary is not responsible for the theft, destruction, or other loss of or damage to the property of the student (See *Student Code of Conduct*). Purchase of personal insurance is encouraged.



Crime and Incident Reporting

Reporting Emergencies

Crime Reporting

College of Saint Mary encourages students and employees to report all crimes in a prompt and timely manner to the Department of Safety and Security and/or the Omaha Police Department. If you are a student, you may report a crime to the either Safety and Security or the local police, seek internal college support, and/or pursue judicial sanctions. Safety and Security is available to all University community members and will arrange a neutral meeting place for your initial meeting with the police and, if you wish, a representative of the University can accompany you. Once you report a criminal instance to the police, the University has no control over the investigation and the legal process that may result. To contact the Department of Safety and Security dial “1” on any campus phone or call 402-670-8848 on your cell phone.

When to call 911

You should **call 911 in ALL emergencies** including, but not limited to, medical emergencies, fires, crimes in progress, car accidents, and suspicious activities. You will also need to contact Safety and Security at 402-670-8848.

What is an Emergency?

An emergency is any immediate threat to life and/or property that requires an immediate response from police, fire, or EMS. Some examples of emergencies are crimes in progress, any kind of fire, or a serious injury or illness. If you are not sure if an incident falls into an emergency classification, it is still okay to call **911** when an immediate response is needed. For non-emergency/minor crimes, the Omaha Police Department Telephone Report Squad can be contacted at 402-444-4877.

Phone Numbers

The following numbers are provided for both emergency and non-emergency situations. Use of non-emergency numbers will still provide a prompt response from the responsible agency and keep 911 lines free for emergencies. All 911 calls are voice and TTY.

Department	Phone Number
Omaha Police, Fire, EMS (Emergency)	911
Omaha Police, (non-emergency)	402-444-4877
Omaha Fire/EMS (non-emergency)	402-444-5700
Safety and Security	402-670-8848

Criminal Activity

If you observe a crime in process or behavior you suspect is criminal, immediately notify Safety and Security at 402-670-8848 or police at **911**.

DO NOT approach or attempt to apprehend the person(s) involved. Stay on the phone with the police dispatcher to provide additional information until Safety and Security or the police arrives.

Campus Security Authority

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

- Director of Residence Life
- Director of Safety and Security
- Director of Student Leadership and Inclusive Programming
- Assistant Dean of Student Success
- Assistant Dean of Student Life
- Assistant Dean of Student Support Services/Student Parent Success
- Director of Athletics
- Associate Director of Athletics
- Athletic Coaches
- Advisors to our student groups and organizations
- Resident Advisor (RA)
- Residence Life Front Desk Workers
- Campus Ministry
- Assistant Deans
- Safety and Security Officers
- Title IX Coordinator
- Title IX Committee Members

Under the Clery Act, a crime is reported when a victim, witness, other third party, or even the offender brings it to the attention of a CSA, Safety and Security Officer, or local law enforcement personnel. It does not matter whether or not the individual/s involved in the crime or reporting the crime are associated with the institution. If a CSA receives the crime information and believes it was provided in good faith, he or she should document it as a crime report and provide this report to the Director of Safety and Security. In “good faith” means there is a reasonable basis for believing the information is not simply rumor or hearsay. Information can be forwarded confidentially and without any personal identifying information.

Voluntary/Confidential Reporting

If you are the victim of a crime or breach of university policy, and you do not want to pursue action within the College of Saint Mary Judicial System or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Director of Safety and Security or designee can file a report on the details of the incident without revealing your identity. In the event a crime has taken place, we are required by law to notify the Omaha Police Department, however, you may decline pressing charges. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information the University can keep an accurate record of the number of incidents involving students, determine whether there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

Daily Crime Log

The College of Saint Mary Department of Safety and Security maintains a Daily Campus Crime Log that records, by the date the incident was reported, all crimes and other serious incidents reported to Safety and Security. This includes crimes that occurred on campus, in or on non-campus, college-owned buildings or property, on public property within the campus or immediately adjacent to and accessible from the campus, as well as crimes that occurred within the patrol jurisdiction of the College of Saint Mary's Department of Safety and Security. The Daily Crime Log includes the nature, date, time, and general location of each crime reported to the department, as well as the disposition of the complaint (if the information is known at the time of publication). The department updates the Daily Crime Log daily as crimes are reported. The College of Saint Mary's Department of Safety and Security reserves the right to withhold information under certain circumstances. The Daily Crime Log is available for public inspection during normal business hours, at the department's office in Room 144 of the Hixson-Lied Commons.

Mandatory Reporting/Child Abuse and Neglect Reporting

All College of Saint Mary employees, and student employees in the administration of their job duties, are required to immediately report possible acts of sexual assault, domestic violence, dating violence and stalking. All individuals in the state of Nebraska are mandatory reporters of child abuse and neglect, further mentioned below.

Employees are responsible for reporting potential or suspected incidents of child abuse, to include physical, sexual, educational, maltreatment or medical neglect. This policy is in place to make sure the safety, permanency and well-being of every child is appropriate and safe.

- All College of Saint Mary employees, who in the course of their employment witness or receive information related to suspected physical or sexual abuse or neglect of children, must report such information to the Department of Health and Human Services (DHHS) of the state where the suspected abuse has taken place within 24 hours. The Nebraska Child Abuse/Neglect Hotline is 1-800-652-1999. The employee should inform the Director of Safety and Security once they have reported the information to the DHHS.
- The definition of child abuse or neglect as defined by Neb. Rev. Stat. §28-710 is: (1) A person commits child abuse if he or she knowingly, intentionally, or negligently causes or permits a minor child to be: (a) Placed in a situation that endangers his or her life or physical or mental health; (b) Cruelly confined or cruelly punished; (c) Deprived of necessary food, clothing, shelter, or care; (d) Left unattended in a motor vehicle if such minor child is six years of age or younger; (e) Placed in a situation to be sexually exploited by allowing, encouraging, or forcing such minor child to solicit for or engage in prostitution, debauchery, public indecency, or obscene or pornographic photography, films, or depictions; or (f) Placed in a situation to be sexually abused.



Emergency Management and Preparedness

Emergency Response and Evacuation

The College of Saint Mary Safety and Security Department is available 24-hours-a-day, 7-days-a-week by calling 402-672-8848. In addition, the Department of Safety and Security works closely with the City of Omaha Police Department, City of Omaha Fire Department, Douglas County Sheriff Department, Nebraska State Patrol, and Douglas County Department of Emergency Management for their assistance in the event of an emergency. College of Saint Mary also has partnerships with local providers to assist with counseling assistance programs needed due to an emergency situation.

Every potential emergency requires a unique response. The Director of Safety and Security coordinates emergency management planning for College of Saint Mary. Emergency procedures and policies used to provide guidance for immediate response and the ensuing recovery process in the event of an emergency are available at MyCSM/Campus Services/Safety and Security or <https://collegeofstmary.sharepoint.com/campusservices/safetyandsecurity>. This information includes emergency contact numbers, what to do in case of specific emergencies, and routes to the nearest hospital from different locations on campus.

CSMAAlert Emergency Notification System

College of Saint Mary has a multi-tiered emergency notification system that allows the College of Saint Mary Senior Leadership Team and the Department of Safety and Security to contact the University community within minutes via e-mail, text messaging, and posting on MyCSM. It is our belief rapid notification is one of the best protections available for members of our campus community.

The success of the system depends on the community receiving timely information. With this system, members of the College of Saint Mary Community will receive an emergency text message on their personal cell phone.

All students, faculty and staff are automatically added to the College of Saint Mary Emergency Notification System. This technology allows for cell phones to be notified first in the event of an emergency. Any contact information provided will be kept secure and will be used only for emergency notification purposes.

The Department of Safety and Security will also post CSMAAlerts on desktop computers, MyCSM, the Safety and Security website, College of Saint Mary Social Media Sites, as well as send campus-wide emails to all students, faculty, and staff. This multi-tiered system is designed with the intention of reaching every person on campus in the event of an emergency.

Emergency Notifications

Per the provisions of the Jeanne Clery Disclosures of Campus Security Policies and Campus Crime Statistics, the College of Saint Mary will issue an Immediate Emergency Notification to the campus community under certain circumstances. Emergency notifications are triggered by a far broader range of potential threats than a timely warning. An Emergency Notification will be issued when there is any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on the campus of College of Saint Mary. An “immediate” threat as used here encompasses an imminent or impending threat, such as an approaching tornado as well as a fire in a campus building.

If a situation arises that poses an immediate threat to the health and safety of students or employees, a CSMAAlert will be issued to expedite emergency response and evacuation procedures. The goal of a CSMAAlert is to notify as many people as possible, as rapidly as possible, with adequate follow-up information as needed. Information will be disseminated via a variety of channels: The College of Saint Mary’s Department of Safety and Security distributes information via our Text Alert Emergency Notification System (text message, and email message). College of Saint Mary Emergency Notifications are issued for incidents such as but not limited to an active threat/shooter, major hazardous materials release, major fire, extended power outage, infectious disease outbreak or a tornado that would directly impact the campus.

College of Saint Mary has implemented a formal process that gives the Director of Safety and Security or designee the authority to confirm a significant emergency or dangerous situation. This allows for the development of content; to determine the appropriate segment(s) of the campus community to receive the notification, and to initiate CSMAAlert Notification to send an emergency message to the campus community.

Timely Warnings

College of Saint Mary will issue Timely Warnings to the campus community with information necessary to make informed decisions about their health and safety. Per the provisions of the Jeanne Clery Disclosures of Campus Security Policies and Campus Crime Statistics, the College of Saint Mary Safety must issue Timely Warnings to the campus community under certain circumstances. These circumstances include, but are not limited to:

1. Murder and non-negligent manslaughter
2. Negligent manslaughter
3. Forcible and non-forcible sex offenses, including rape, sodomy, sexual assault with an object, fondling, statutory rape, and incest.
4. Robbery
5. Aggravated Assault
6. Burglary
7. Motor vehicle theft
8. Arson
9. Violence Against Women Act (VAWA) crimes, which includes any incidents of domestic violence, dating violence and stalking.
10. Hate crimes which involve any of the above-mentioned offenses, and, in addition, any incidents of larceny-theft, simple assault, intimidation, and any other crime involving bodily injury, or destruction/damage/vandalism of property that were motivated by bias. Hate crimes will be reported by the following applicable category of prejudice: those crimes that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, disability, national origin, or gender identity.
11. Arrest and referrals for disciplinary action for weapons (including carrying and possession); drug abuse violations, and liquor law violations.

Emergency Drills and Testing

Regular drills and training sessions are conducted to enhance preparedness and familiarize everyone with emergency procedures. Fire drills will be conducted in both residence halls twice a year, once each semester. These drills will require a complete evacuation of the building and will test and evaluate the response to a fire alarm (see the Annual Fire Safety Report below for additional information). Tests of the CSMAlert Emergency Notification System are conducted twice a year, once each semester.

Missing Student Procedure

In compliance with the Missing Person Procedures Title 20 U.S.C. 1092 C (Section 488 of the Higher Education Opportunity Act of 2008), it is the policy of the Assistant Dean of Student Life, and the Department of Safety and Security to investigate any report of a missing student who resides at College of Saint Mary. College of Saint Mary's practice, procedures, and policy are as follows:

The term *missing student* shall refer to any College of Saint Mary student living on campus who is reported missing from their residence.

Upon check-in to the campus residence halls, all students will have the opportunity to identify an individual to be contacted by the University in case the student is determined to be missing. Students have the option to register a confidential contact person to be notified in the case that the student is determined to be missing and that only authorized campus officials and law enforcement officers in the furtherance of a missing person investigation may have access to this information.

- For students under the age of 18, that notification will be made to the student's parent or guardian within 24 hours of the time the student is determined to be missing.
- Any notification to parents, guardians, or designated contacts will be made by the Assistant Dean of Student Life or designee.

If a member of the College of Saint Mary community has reason to believe a student is missing, a report should be made to the Assistant Dean of Student Life at 402-399-2309; or the Director of Safety and Security at 402-399-2319. All possible efforts will be made to locate the student to determine their state of health and well-being through collaboration of the Office of Student Life, the Department of Safety and Security and the missing student's friends and floor mates. Within 24 hours, a university official will call the emergency contact for this purpose on file in the student's confidential records to report the student missing.

If not located after 24 hours have passed, appropriate family members, associates or a university official will make a confidential official missing person report to the law enforcement agency with jurisdiction. The University will also contact the missing student's custodial parent or guardian. The Department of Safety and Security will cooperate with, aid, and assist the primary investigative agency in all ways prescribed by law.

Clery Geography Property Definitions and Maps

In compliance with the Clery Act and as mentioned above, College of Saint Mary is required to disclose crime statistics for the campus, public areas immediately adjacent to campus, and specific non-campus facilities. These statistics are gathered from campus security, local law enforcement, and other University officials who have significant responsibility for student and campus activities.

Although not directly responsible for off-campus security, College of Saint Mary's Department of Safety and Security works closely with the Omaha City Police Department in monitoring the neighborhood surrounding the College of Saint Mary Campus. When responding to criminal incidents (both on campus and off) that involve or affect the University, the Omaha City Police Department routinely advises the Department of Safety and Security for informational and/or follow-up purposes.

On campus property, public property, non-campus buildings or property are defined as follows:

On Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institutions educational purposes, including residence halls and any building that is within or reasonably contiguous to the above, that is owned by the institution but is controlled by another person.

The following properties are also considered on campus property:

Spellman Child Development Center – 6908 Mercy Rd.
Sisters of Mercy Villa - 1857 S 72nd Street

Housing - Residence halls or other university-owned residences.

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

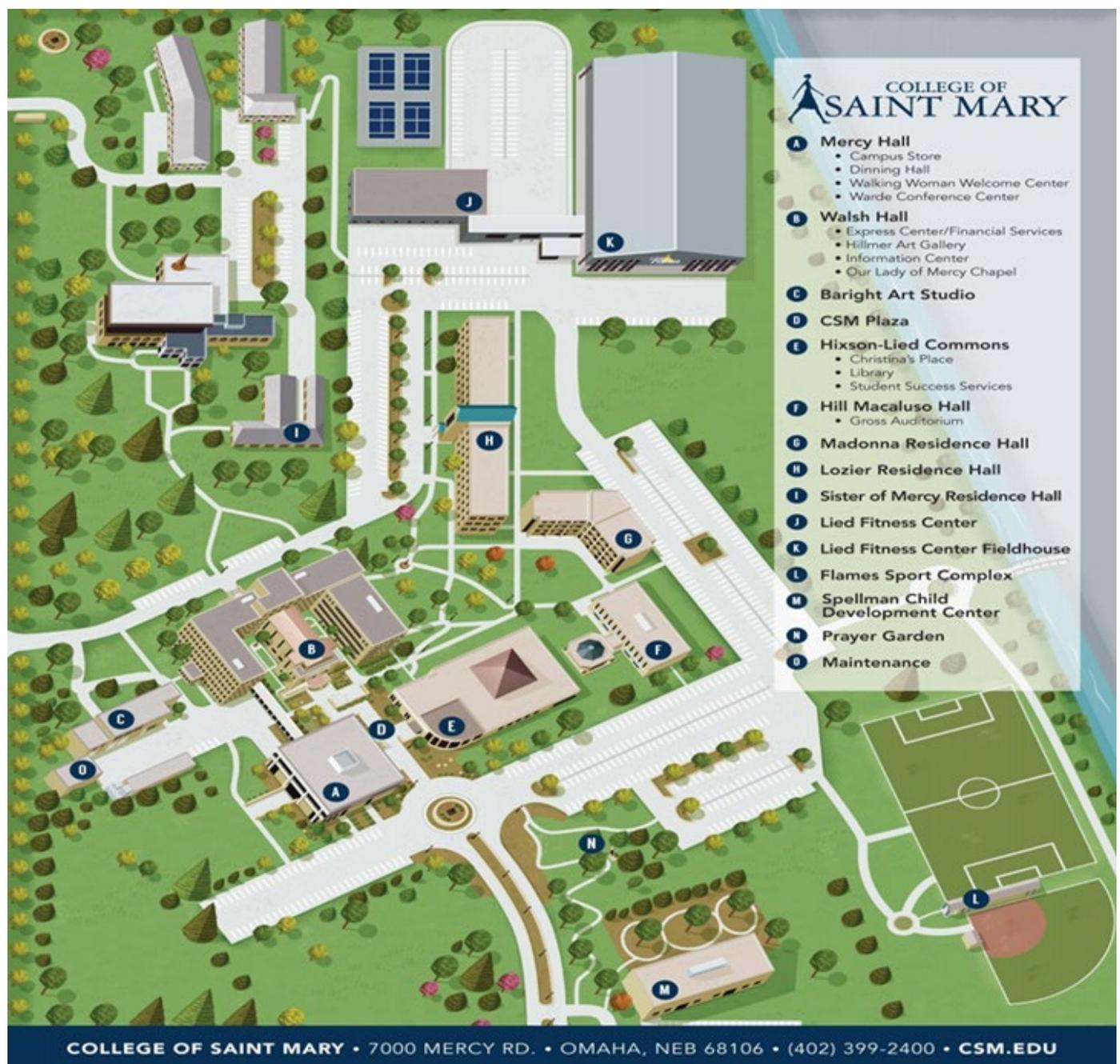
- 72nd Street from Mercy Rd. to Pine Street; Pine Street from 72nd Street to the far side of the bridge; Mercy Rd between 72nd Street and the bridge; Heritage Park; all sidewalks running along the outside of campus; the portion of the Keystone Trail running from Mercy Rd. to the flagpoles; and all adjacent bus stops.

Non-Campus Buildings or properties: Any building or property owned by or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

- The pedestrian bridge adjacent to the flagpoles and the portion of the Keystone Trail running from Mercy Rd. to the flagpoles.

Hotels and other facilities used by College of Saint Mary students during short stay trips for activities when one or more of the following is true:

- It is a repeated visit to one location for overnight stay (the institution goes to the same location each year)
- It is an “away” trip (institutional trip of more than one night)





Campus Crime Classifications

Definitions

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 usually accompanied by the use of a weapon or by 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 of a structure 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.

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.

Dating Violence - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence - 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 shares 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 laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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 joyriding.)

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

Sex Assault (Sex Offenses) - Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent: rape, forcible rape; forcible sodomy; sexual assault with an object; forcible fondling and attempted rape.

Rape - The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape - Sexual intercourse with a person who is under the statutory age of consent.

Stalking - 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.

Disciplinary Referrals - Incidents in which a student was not arrested but was referred for campus disciplinary action for liquor law violations, drug law violations, or illegal weapons possession. Do not include disciplinary referrals for violation of university policy if there was no violation of the law. For example, if a student of legal drinking age violates a "dry campus" policy and is referred for disciplinary action, this statistic should not be included in the crime statistics.

Liquor Law Violation - The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, or 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; any attempts to commit any of the foregoing violations. This list does not include public drunkenness and driving under the influence.

Drug Law Violation - Violations of State and local laws related to the possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone's); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

Weapon Law Violation - The violation of laws or ordinances regulating weapons.

Hate Crimes - Any crime that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim's actual or perceived race; religion; gender; sexual orientation; ethnicity; national origin; gender identity, or disabilities. See below for further information.

Hate Crimes

A Hate Crime, as defined by the Federal Bureau of Investigation (FBI), refers to a criminal offense committed against an individual or property that is motivated, in whole or in part, by bias, prejudice, or hatred towards a particular race, religion, sexual orientation, ethnicity, gender identity, or disability. These crimes typically involve acts such as assault, vandalism, intimidation, or even murder, where the perpetrator's motivation is rooted in hatred towards a specific group.

College of Saint Mary is required by federal law to include in this report all incidents reported to the Department of Safety and Security or to other campus security authorities that involved any of the crimes listed above, as well as for simple assault, larceny-theft, intimidation, and vandalism of property, if these crimes also manifested evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, national origin, gender identity, or disability.

The Following Crimes Only Apply to Hate Crime Reporting

Simple Assault - Assaults and attempted assaults where no weapon was used, and which did not result in serious or aggravated injury to the victim. (This only applies in hate crime reporting).

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

Intimidation - To intentionally say or do something which would cause a person of ordinary sensibilities to be fearful of bodily harm.

Vandalism - To willfully or maliciously destroy, injure, disfigure, or deface any public or private property; real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

Reported Hate Crimes

There were no reported Hate Crimes on campus or adjacent public property in 2020 or 2021. There were two reported Larceny-Theft incidents in 2022 (no further information was provided by the Omaha Police Department).

Unfounded Crimes

Unfounded crimes refer to reported crimes that have been determined by the institution or law enforcement authorities to be baseless or lacking sufficient evidence upon investigation. When an institution of higher education receives reports of crimes on campus or within their jurisdiction, they are required to investigate and classify these crimes according to specific criteria defined by various reporting guidelines, such as the Clery Act.

Unfounded crimes can result from a variety of factors, including but not limited to cases where the reported crime did not meet the legal definition of a crime, insufficient evidence to support the reported offense, false or misleading information provided by the reporter, or when an investigation reveals that no crime actually occurred.

It is crucial for College of Saint Mary to accurately classify and report crimes, including identifying unfounded cases, in order to provide an accurate representation of the safety and security on our campus. This enables students, staff, and the wider community to make informed decisions and take appropriate precautions.

No unfounded crimes were reported on campus in 2020, 2021, or 2022.

College of Saint Mary Campus Crime Statistics

The crime statistics reported below accurately reflect crimes occurring at or near College of Saint Mary, as defined by the Campus Security Act of 1990. College of Saint Mary issues this report in the interest of its students, employees, and prospective students, and meets the requirements of the Campus Security Act of 1990. Questions regarding this report should be directed to the Director of Safety & Security at 402-399-2319.

Clery Act Statistical Information

A federal law, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, establishes the requirements for collecting and reporting campus crime statistics. The classifications of crimes used in these reports are defined in the United States Department of Justice and FBI Unified Crime Reports; or for sex offenses, the National Incident Based Reporting System. The College of Saint Mary Clery Reporting Officer is the Director of Safety and Security and works with not only the Department of Safety and Security, but with the Assistant Dean of Student Life, Residence Life, and the Omaha City Police Department to compile an accurate account of campus crimes for the designated year.

The following is the report of statistics for years 2020, 2021, and 2022. The 2023 Annual Campus Security and Fire Safety Report is located on the College of Saint Mary website at this address: <http://www.csm.edu/student-life/campus-living/campus-safety-and-security>.

Offense	Location	2020	2021	2022
Aggravated Assault	On Campus	0	0	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Arson	On Campus	0	0	1
	Residence Halls	0	0	1
	Non-Campus	0	0	0
	Public Property	0	0	0
Burglary	On Campus	0	0	1
	Residence Halls	0	0	1
	Non-Campus	0	0	0
	Public Property	0	0	0
Manslaughter- Negligent	On Campus	0	0	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Murder / Non-Negligent Manslaughter	On Campus	0	0	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Motor Vehicle Theft	On Campus	0	0	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Robbery	On Campus	0	0	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0

Sex Offense (Rape)	On Campus	0	0	1
	Residence Halls	0	0	1
	Non-Campus	0	0	0
	Public Property	0	0	0
Sex Offense (Fondling)	On Campus	0	0	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Sex Offense (Incest)	On Campus	0	0	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Sex Offense (Statutory Rape)	On Campus	0	0	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0

Omaha Police Department coding process does not distinguish between murder/none-negligent manslaughter, or between forcible and non-forcible sex offenses. These distinctions are found in charges filed by prosecutors. Also, Omaha Police coding systems do not distinguish hate crimes. Under Nebraska statutes, hate/bias charges are filed by the prosecutor in addition to the underlying charges as a sentence enhancement.

Omaha Police statistics represent incidents reported to the police and have not been subjected to the Uniform Crime Reporting rules such as multiple victim/offense, hierarchy, etc.

In order for the Omaha Police Department to maintain complete and accurate records in its databases, all files used to compile its response to College of Saint Mary's request for information to be included and the annual campus security report are dynamic. Dynamic files allow continuous data entry, which could result in additions, deletions, and/or modifications at any time. Due to the dynamic nature of the data, numbers may vary in previous or subsequent reports.

Crimes reported in the *Residence Halls* are also included in the *On-Campus* category.

Per federal mandate, requests for crime statistics were made to the Omaha Police Department and other jurisdictions.

Registered Sex Offenders

The University complies with federal legislation that requires institutions of higher education to inform interested persons within the campus community about how information regarding registered sex offenders within the state can be obtained. This information can be found at the *Nebraska Sex Offender Registry Database* which is located at <https://sor.nebraska.gov/>

Sexual Harassment Prevention and Awareness

Sexual Misconduct and Harassment Policy

College of Saint Mary’s Sexual Misconduct and Harassment Policy strives to ensure our institutional mission and values are upheld in order to maintain a community free from the harmful consequences of sexual and gender-based harassment. College of Saint Mary will take appropriate action to prevent, correct, and discipline harassing, or violent behavior found to violate this policy.

Applicable laws to sexual violence per Nebraska State Statutes in regard to any criminal investigation undertaken by law enforcement can be viewed at: <http://nebraskalegislature.gov/laws/laws.php>.

The Violence Against Women (VAWA) Reauthorization Act (2013), also prohibits sexual assault, domestic violence, dating violence, and stalking. This federal legislation is sometimes referred to as the Campus Sexual Violence Elimination (SAVE) Act. The following is the report of VAWA statistics for years 2020, 2021, and 2022. See below for further explanation of offenses.

Violence Against Women Act (VAWA) Incidents

Offense	Location	2020	2021	2022
Dating Violence	On Campus	0	0	1
	Residence Halls	0	0	1
	Non-Campus	0	0	0
	Public Property	0	0	0
Domestic Violence	On Campus	0	0	1
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Stalking	On Campus	2	0	1
	Residence Halls	2	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0

Sexual Violence or Sexual Harassment Reporting, Policy, and Procedures

The College of Saint Mary Sexual Misconduct, Harassment, Relationship Violence and Stalking Policy strives to ensure our institutional mission and values are upheld in order to maintain a community free from the harmful consequences of sexual and gender-based harassment. College of Saint Mary is committed to providing a non-discriminatory and harassment-free educational, living, and working environments for all members of our community. College of Saint Mary will take appropriate action to prevent, correct, and discipline harassing or violent behavior that is found to violate this policy.

It is the policy of College of Saint Mary to provide equal employment and educational opportunities to faculty, staff, students, and applicants without regard to race, color, religion, gender, marital status, national origin, age, disability, citizenship, sexual orientation, veteran status, and any group protected by federal, state, or local statutes. Sexual violence and sexual harassment are prohibited by law and by College of Saint Mary policy. College of Saint Mary will not tolerate sexual violence or sexual harassment in any form, including but not limited to, sexual assault, stranger, acquaintance or date rape, stalking, domestic or dating violence, sexual cyber harassment or bullying. A safe college environment is beneficial for all members of the College of Saint Mary community. College of Saint Mary takes allegations of sexual misconduct very seriously.

The purpose of this policy is to provide the College of Saint Mary community with a clearly articulated set of behavioral standards, common understandings of definitions and key concepts, and descriptions and examples of prohibited conduct, including sexual misconduct, sexual harassment, stalking, and domestic and dating violence. This policy provides guidance for what students or employees should do if they have experienced conduct prohibited by this policy on campus and what College of Saint Mary will do if such conduct occurs.

A student alleged to have violated this policy can be disciplined under the Student Code of Conduct and/or prosecuted under Nebraska criminal statutes. Employees alleged to have violated this policy may also be disciplined under other College of Saint Mary policies found in Employee and Faculty handbooks and/or prosecuted under Nebraska criminal statutes.

For a complete copy of the policy or for more information, please visit MyCSM/Human Resources/[CSM Sexual Misconduct Policy, July 2020.docx](#) or contact the Title IX Coordinator.

Notice of Non-Discrimination

College of Saint Mary does not discriminate on the basis of sex in its educational, extracurricular, athletic, or other programs or in the context of employment. Title IX of the Education Amendments of 1972 prohibits sex discrimination in education programs and activities at universities that receive federal financial assistance. Title IX protects all students and employees regardless of race, color, religion, sex,

sexual orientation, gender identity, national origin, marital status, age, pregnancy, disability, or immigration status. Independent undergraduate programs may be single-sex programs, and an exemption is contained for religiously affiliated colleges if a conflict exists between Title IX and their religious tenets. Title IX prohibits sex discrimination in both the educational and employment settings. Sex discrimination and sexual harassment are also prohibited under Title VII of the Civil Rights Act of 1964. Title IX is enforced by the Office for Civil Rights within the U.S. Department of Education, which has promulgated regulations explaining and implementing Title IX.

Under the Department of Education's Title IX regulations, an institution that receives federal funding "shall not discriminate against any student, or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom." College of Saint Mary's procedures regarding Title IX pregnancy and parenting accommodations can be found in its own policy. All inquiries concerning the application of this policy or other Title IX requirements should contact the Title IX Coordinator.

A. Role of Title IX Coordinator

College of Saint Mary has designated a Title IX Coordinator to oversee implementation of this policy and facilitate the University's compliance with Title IX and related provisions of the Clery Act (as amended by VAWA).

Prohibited Misconduct

College of Saint Mary Sexual Misconduct, Harassment, Relationship Violence and Stalking Policy addresses a broad spectrum of behavior, all of which fall under the general term sexual misconduct.

A. Sexual Harassment

Sexual Harassment is defined as unwanted conduct of a sexual nature when one or more of the following occur:

1. Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of an individual's employment, academic progress, or participation in any aspect of a college program or activity; or is used as the basis for employment or academic decisions affecting such individual, or
2. Such conduct has the purpose or effect of unreasonably interfering with an individual's work, academic performance, or equal opportunity to participate in or benefit from the University's educational programs, activities, or employment. That is, the conduct is so severe, pervasive, and objectively offensive as to create a hostile educational or workplace environment under both a subjective and an objective standard. In determining whether a reasonable person in the individual's circumstances would find the work or educational environment hostile, the totality of the circumstances must be considered.
3. Any instance of sexual assault, dating violence, domestic violence, or stalking

Sexual harassment may be committed by anyone regardless of gender identity and may occur between members of the same or different sex.

Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, written, visual, or physical conduct of a sexual nature. Sexual harassment also includes harassment based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, stalking, or hostility based on sex/gender or sex/gender-stereotyping, even if the acts do not involve conduct of a sexual nature. Gender-based harassment can occur if individuals are harassed either for exhibiting what is perceived as a stereotypical characteristic of their sex, or for failing to conform to stereotypical notions of masculinity or femininity. To constitute harassment, the conduct must unreasonably interfere with an individual's work, academic performance, or equal opportunity to participate in or benefit from the University's educational programs, activities, or employment. That is, the conduct is so severe, pervasive, or persistent as to create a hostile educational or workplace environment under both a subjective and an objective standard. In determining whether a reasonable person in the individual's circumstances would find the work or educational environment hostile, the totality of the circumstances must be considered.

B. Sexual Assault and Non-Consensual Sexual Contact

Sexual assault is defined as having or attempting to subject another person to sexual intercourse either:

- Without the consent of the Complainant, or
- When the Respondent knew (or should have known) that the Complainant was incapacitated.

Sexual intercourse includes vaginal or anal penetration, however slight, with a body part (e.g., penis, tongue, finger, hand) or object, or oral penetration involving mouth to genital contact.

Non-consensual sexual contact is defined as having intentional physical contact of a sexual nature with another individual:

- Without the consent of the Complainant, or
- When the Respondent knew (or should have known) that the Complainant was incapacitated.

Non-consensual sexual contact includes touching the intimate parts of another; touching a person with one's own intimate parts; forcing a person to touch another's intimate parts; forcing a person to touch their own intimate parts; or disrobing or exposure of another without permission.

C. Unlawful non-forcible sexual intercourse (incest and statutory rape)

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

Statutory rape is the non-forcible sexual intercourse with a person who is under the statutory age of consent.

D. Sexual Exploitation

Sexual Exploitation means an act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage or any other non-legitimate purpose. The act or acts of sexual exploitation are prohibited even though the behavior does not constitute one of the other sexual misconduct offenses. Sexual exploitation may involve individuals who are known to one another, have an intimate or sexual relationship, and/or may involve individuals not known to one another.

E. Stalking

Stalking means 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.

A course of conduct refers to a pattern of behavior of two or more acts over a period of time that can be reasonably regarded as likely to alarm, harass, or cause fear of harm or injury to that person or to a third party.

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

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

Stalking includes cyber-stalking, a particular form of stalking in which technological means are used to pursue, harass, or make unwelcome contact with another person in an unsolicited fashion. Such methods include the use of the Internet, emails, social media, or blogs; landlines and cell phones; text messaging; global positioning systems; spyware on a person's computer or cellphone; or other similar devices or forms of contact.

F. Indecent Exposure

A person commits indecent exposure if that person intentionally shows their genitals in a public place or in another place where there are other persons present under circumstances in which one knows or should know that this conduct is likely to affront or alarm.

G. Domestic Violence

Domestic violence includes a single act of physical violence as well as a pattern of coercive or controlling behavior committed by a current or former spouse or intimate partner of the Complainant; by a person with whom the Complainant shares a child in common; By a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner; By a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth Complainant 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. Domestic violence takes many forms: physical; emotional; economic; stalking and harassment.

H. Dating violence

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

I. Physical Assault

Physical assault is a purposeful action meant to threaten or endanger the health or safety of any person. Examples include, but are not limited to, fighting, pushing, kicking, punching, hitting with or throwing an object at, or biting. This behavior is typically treated as a violation of the Student Code of Conduct and the Employee Handbook. When these acts occur in the context of domestic or dating violence or when the behavior is perpetrated on the basis of sex or gender, the misconduct will be resolved under the College of Saint Mary Sexual Misconduct, Harassment, Relationship Violence and Stalking Policy.

J. Retaliation

Retaliation is any act or attempt to retaliate or seek retribution against any individual or group of individuals involved in the report, investigation and/or resolution of an allegation of sexual misconduct or harassment. Forms of retaliation include intimidation, threats, pressuring, harassment, continued abuse or violence, slander and libel, or preventing participation in college activities or proceedings. Retaliation can be committed by any individual or group of individuals, not just a Complainant. Retaliatory conduct by community members and third parties is prohibited regardless of whether it occurs on or off campus, in person, or through social media, e-mail, or other forms of communication.

College of Saint Mary expressly prohibits any form of retaliatory action against any individual involved in a complaint under this policy or for assisting in an investigation. Any acts of retaliation shall be a violation of this policy and shall be grounds for disciplinary action up to and including expulsion for students and termination for employees.

Although College of Saint Mary does not restrict either party from discussing the investigation with other potential witnesses, communication that is deemed retaliatory, vengeful, or intended to unduly influence a witness will be treated as a violation of this policy.

K. Violations of campus no contact orders

Violations of campus No Contact orders are a violation of this policy. Suspected violations of a no contact order will be handled separately through different processes depending on whether a student or employee is suspected of the misconduct.

L. Other Campus Code Violations

The outcomes and actions taken by the Title IX process do not necessarily preclude other disciplinary actions from being taken using other College of Saint Mary disciplinary procedures. The Title IX investigations and outcomes may be used as support for other disciplinary processes.

Other Important Concepts and Definitions

A. Hostile Environment

Hostile Environment is when sexual harassment is so severe, pervasive, and objectively offensive that it effectively interferes, limits, or deprives someone of the ability to participate in or benefit from the University's educational programs, activities, or employment. In determining whether a reasonable person in the individual's circumstances would find the work or educational environment hostile, the totality of the circumstances must be considered.

B. Consent

Consent must be communicated clearly, either verbally or non-verbally, through an outward demonstration signifying a person has chosen to engage in specific sexual activity. The person must act freely and voluntarily and have knowledge of the nature of the act involved. A person who is giving consent cannot be incapacitated by drugs or alcohol, unconscious, passed out, coming in and out of consciousness, or have a disability or disorder that would impair his/her understanding of the act. Consent cannot be inferred from the absence of a "no" and may not be inferred from silence, passivity, lack of resistance, or a lack of an active response (e.g., freezing or being physically unable to communicate). Past consent does not imply future consent. Consent can be revoked at any time.

The presence or absence of consent is based on the totality of the circumstances.

Consent cannot be procured by the use of physical force, compulsion, threats, intimidating behavior, or coercion. Sexual activity accompanied by coercion or force is not consensual.

C. Coercion

Coercion is present when an individual is compelled by another individual to initiate or continue sexual activity against their will. Coercion can include a wide range of behaviors, including intimidation, manipulation, implied threats of physical harm, or blackmail which places a person in fear of immediate harm or physical injury. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Coercion is more than persuading an individual to engage in sexual activity. For the use of pressure to result in coercion, the amount must be unreasonable. This is more than an effort to persuade, entice, or attract another person to gain sexual access. Factors include the frequency, intensity, degree of isolation of the person being pressured, and the duration of the pressure. Coercing an individual into engaging in sexual activity violates this policy in the same way as physically forcing someone into engaging in sexual activity.

D. Force

Force refers to the use or threat of physical violence and/or imposing on someone physically to engage in sexual contact or intercourse. Force can also include threats, intimidation (implied threats), or coercion used to overcome resistance.

E. Incapacitation

Incapacitation is a state where an individual cannot make an informed and rational decision to engage in sexual activity because they lack conscious knowledge of the nature of the act.

Incapacitation is the inability, temporarily or permanently, to make rational, reasonable judgments. An individual is incapacitated, and therefore unable to give consent, if they are asleep, unconscious, or otherwise unaware that the sexual activity is occurring.

Incapacitation may result from the use of alcohol and/or drugs. Incapacitation is a state beyond drunkenness or intoxication. Consumption of alcohol or other drugs alone is insufficient to establish incapacitation. The impact of alcohol and drugs varies from person to person; however, warning signs that a person may be approaching incapacitation includes slurred speech, vomiting, unsteady gait, odor of alcohol, combativeness, loss of consciousness, or emotional volatility.

The test for whether a person should know if another individual is incapacitated is whether a reasonable person in the same position knew or should have known of the Complainant's incapacitation.

Being intoxicated or impaired by drugs or alcohol is not an excuse for sexual harassment, sexual violence, stalking, intimate partner violence, or other sexual misconduct and does not diminish one's responsibility to obtain informed and freely given consent.

F. Preponderance of the Evidence

Preponderance of the Evidence means it is "more likely than not," based upon the information provided, that the respondent is responsible for the alleged violation(s). This is the standard used to review evidence during Formal Resolutions and Appeals.



College of Saint Mary Title IX Policy Statements

College of Saint Mary's Commitment

Title IX of the Education Amendments of 1972 prohibits sex discrimination in education programs and activities at universities that receive federal financial assistance. Independent undergraduate programs may be single-sex programs, and an exemption is contained for religiously affiliated colleges if a conflict exists between Title IX and their religious tenets. Title IX prohibits sex discrimination in both the educational and employment settings.

As set forth above, it is the policy of College of Saint Mary to provide equal employment and educational opportunities to faculty, staff, students, and applicants without regard to race, color, religion, gender, marital status, national origin, age, disability, citizenship, sexual orientation, veteran status, and any group protected by federal, state, or local statutes. Sexual violence and sexual harassment are prohibited by law and by College of Saint Mary policy. College of Saint Mary will not tolerate sexual violence or sexual harassment in any form, including but not limited to, sexual assault, stranger, acquaintance or date rape, stalking, domestic or dating violence, sexual cyber harassment or bullying.

All College of Saint Mary employees are required to immediately report possible acts of sexual harassment or sexual violence to the Title IX Coordinator. Questions regarding Title IX, including its application and/or concerns about noncompliance, should be directed to the Title IX Coordinator. For a complete copy of the policy or for more information, please visit MyCSM/Campus Services/Human Resources or contact the Title IX Coordinator. Individuals who believe they have experienced sex discrimination, harassment, and/or retaliation in violation of University's policy should contact Title IX as soon as possible.

How to Report

There are several ways you can report possible acts of sexual harassment or sexual violence.

- Send an email to TitleIX@csm.edu
- Call the Title IX Coordinator at 402-399-2664

Use the online form at <http://www.csm.edu/student-life/student-support/title-ix>

Scope of the Policy

College of Saint Mary denounces harassment of and discrimination against any and all individuals or groups. The policy applies to all community members, including students, faculty, adjunct faculty, staff, student workers, contractors, and visitors. The Title IX complaint provisions of this policy apply only to current and prospective students and employees.

All College of Saint Mary community members are responsible for their actions and behavior, and are required to follow University policies and local, state, and federal law. This policy applies to conduct that occurs on College of Saint Mary property or at a College of Saint Mary sponsored event that takes place off campus. Off-campus conduct that is not a College of Saint Mary sponsored event that creates a hostile learning or working environment on campus may be covered under this policy. This policy applies to conduct that occurs within the United States. Title IX does not apply to sexual harassment or sexual misconduct that occurs off campus, in a private setting, that is not part of College of Saint Mary's educational program or activity. However, College of Saint Mary will offer support and services to individuals regardless of where the misconduct occurred.

When used in this policy, "Complainant" refers to an individual (student or employee) who is subject to alleged discrimination, harassment, or retaliation regarding the application of this policy. "Respondent" refers to an individual who has been accused of prohibited conduct under this policy. "Third party" refers to any other participant in the process, including a witness to the incident or an individual who makes a report on behalf of someone else.

Reporting Parties or Third Parties are encouraged to report sexual misconduct or harassment to College of Saint Mary officials regardless of where the incident occurred, or who committed it. However, College of Saint Mary has jurisdiction to take disciplinary action only against a Respondent who is a current student or employee. Even if College of Saint Mary does not have jurisdiction over the Respondent, College of Saint Mary will provide support for the safety and well-being of the Complainant and the broader campus community.

Privacy and Confidentiality

College of Saint Mary is committed to protecting the privacy of all individuals involved in a report of sexual misconduct, including sexual harassment, sexual violence, stalking, or intimate partner violence. All College of Saint Mary employees who are involved in the college's Title IX response, including investigators, Title IX Designees, and Appeals Authority receive specific instruction about respecting and safeguarding private information. Throughout the process, every effort will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review of the report. Such a review is essential to protecting the safety of the Complainant, Respondent, and the broader campus community and to maintaining an environment free from sex discrimination and gender-based harassment. Privacy and confidentiality have distinct meanings under this policy.

A. Privacy

Privacy generally means that information related to a report of misconduct will only be shared with a limited group of individuals. The use of this information is limited to those college employees who "need to know" in order to assist in the active review, investigation, provide supportive measures, or resolution of the report. While not bound by confidentiality, these individuals will be discreet, and respect the privacy of all individuals involved in the process. The Title IX Coordinator will determine which employees have a "need to know."

At no time will College of Saint Mary release personally identifying information of the Complainant to the general public without the express consent of the Complainant. The release of the Complainant or other necessary parties' personally identifying information to the general public is guided by Family Educational Rights and Privacy Act (FERPA) and the Jeanne Clery Act. However, College of Saint Mary may share non-identifying information about reports received in aggregate form, including data about outcomes and sanctions.

Under this policy, all College of Saint Mary employees, who are not specifically designated as confidential resources, are required to share reports of sexual violence, harassment, dating/domestic violence, or stalking with the Title IX Coordinator. This includes faculty; staff; coaches; security officers; and RAs. In general, College of Saint Mary employees do not have legally protected confidentiality.

A College of Saint Mary student, faculty, or staff member who has a complaint against another College of Saint Mary community member involving allegations of conduct prohibited by this policy should contact the Title IX Coordinator.

B. Confidentiality

Confidentiality means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without the express permission of the individual.

These individuals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others or as otherwise required by law. Off campus confidential resources are available and are listed in this policy. The Title IX Coordinator, in some circumstances, may offer confidentiality which is described below.

In general, College of Saint Mary employees do not have legally protected confidentiality, with the exception of the campus counselor. Therefore, all other employees who receives a report of sexual assault or harassment is required to share the report with the Title IX Coordinator.

C. Responsible Employees

A “Responsible Employee”, under Title IX, is an employee: who has the authority to take action to redress sexual or gender-based harassment or violence; has the duty to report to appropriate school officials sexual or gender-based harassment or violence; or an individual who could reasonably be thought to have the authority or responsibility to take action.

The University is on official notice if the Title IX Coordinator or other responsible employee has actual knowledge of alleged sexual harassment that has occurred within the school’s education program or activities. This includes incidents that are reported directly, are witnessed, or are reported by a third party (parent, another student), etc. All of these should be reported to the Title IX Coordinator immediately.

In all cases of reported sexual violence, sexual harassment, stalking, or domestic/dating violence that occurs on campus or at a campus event, the College of Saint Mary President will be notified of the situation, however, all personally identifying information will be withheld.

D. Request for Confidentiality

Where a Complainant requests from the Title IX Coordinator that a name or other identifiable information not be shared with the Respondent or that no formal action be taken, the Title IX Coordinator will balance this request with its dual obligations to provide a safe and non-discriminatory environment for the entire community and to afford a Respondent fundamental fairness by providing notice and an opportunity to respond before action is taken.

College of Saint Mary will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation or disciplinary action, but its ability to do so may be limited based on the nature of the request by the Complainant.

When weighing a Complainant’s request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors.

The presence of one or more of the considered factors could lead the University to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the University will likely respect the Complainant’s request for confidentiality.

If the University determines it cannot maintain a Complainant’s confidentiality, the University will inform the Complainant prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University’s response.

The Department of Safety and Security will be notified of any reports of sexual violence occurring on campus. Pursuant to federal law, the Jeanne Clery Act, College of Saint Mary has a legal responsibility for documenting and providing statistics of reported incidences of sexual assault and other crimes to the U.S. Department of Education. The information contained in a “Clery report” only tracks the number of Clery reportable offenses. All personally identifying information will be removed from the statistical report.

E. Timely Warnings

If a report of misconduct discloses a serious, immediate, or continuing threat to the College of Saint Mary community, the University may issue a campus wide timely warning or notification (which may take the form of an email, text, or other electronic communication to community members) to protect the health or safety of the community and to heighten safety awareness. A timely warning may include a campus wide notification for a report of sexual assault, stalking, and intimate partner violence on campus. The timely warning will not include any identifying information about the Complainant. The University reserves the right to send campus wide notifications on any report of sexual misconduct.

Resources for Victims of Sexual Violence

College of Saint Mary recognizes that deciding whether to make a report, either to the University or law enforcement, and choosing how to proceed can be difficult decisions. College of Saint Mary encourages all individuals affected by sexual misconduct to seek the support of campus and community resources. These professionals can provide guidance in making decisions, information about available resources and procedural options, and assistance to either party in the event that a report and/or resolution under this policy is pursued. Individuals are encouraged to use all available resources on and off campus, regardless of when or where the incident occurred. A list of these resources is provided in writing to all students and employees and made readily available.

A. Confidential Counseling

If you are uncertain whether you want to report or you want to speak confidentially to a trained professional, the following are excellent resources we encourage you to contact.

Virtual Care Group

855-522-1226

<https://www.thevirtualcaregroup.com/csm>

Provides free unlimited counseling sessions to all students.

Women’s Center for Advancement (WCA)

3801 Harney St. / 402-345-6555

Hotline 402-345-7273 or email DirectSupport@wcaomaha.org

Provides free counseling, victim advocacy, legal assistance and more to victims of domestic violence, sexual assault, human trafficking, and stalking.

CHI Health Creighton University Medical Center -Bergan Mercy- One Professional Center- Employee Assistance Program (EAP)

7710 Mercy Rd. / 402-398-5566 or (888) 847-4975

College of Saint Mary partnership that provides counseling services and referrals for more specific behavioral health needs for employees of College of Saint Mary.

Project Harmony

11949 Q St. / 402-595-1326

Report Child Abuse 1-800-652-1999

A child advocacy center dedicated to ending the cycle of abuse. Comprehensive services for children and their families including immediate crisis counseling, case coordination, advocacy, and medical exams for your child.

B. Campus Safety and Law Enforcement

College of Saint Mary's Department of Safety and Security has established a strong working relationship with the Omaha Police Department and are here to help keep you safe.

College of Saint Mary Safety and Security

Hixon Lied Commons 144 / 402-670-8848* or dial 1 from any campus phone. 24-hour assistance

College of Saint Mary Safety officers provide a safe walk program to help you feel safe on campus at all times. They can also help inform you of your rights and enforce no contact orders should you need assistance.

Omaha Police Department (OPD)

For emergency help or to file a report call: 911

General information

505 S. 15th St. / 402-444-5600

C. 24/7 Confidential Crisis Services- Call, Text, or Chat online

All services are free and available 24 hours, 7 days a week in convenient and confidential manners to provide you with support when you need it the most.

Crisis Text Line

Text HOME to 741741

Free confidential texting service available 24/7.

Trevor Project

1-866-488-7386

Text START to 678678

Free LGBTQ resource for crisis intervention provided 24/7. Available to chat online.

Rape, Abuse and Incest National Network

1-800-656-4673

National Sexual Assault hotline and online chat. Also available in Spanish and free for everyone.

D. Other Helpful Resources

College of Saint Mary Student Financial Aid- Express Center

1st Floor Walsh Hall, the Express Center is open Monday through Friday from 8 a.m.—5 p.m.

402-399-2429

Immigrant Legal Center (ILC)

4223 Center Street

402-898-1349 or info@immigrantic.org

ILC continues to provide free legal services to immigrants who have incomes below 150% of the federal poverty guidelines.

Nebraska Immigration Legal Assistance Hotline (NILAH)

Monday-Friday 9am-3pm

1-855-307-6730

A confidential centralized hotline that provides resources and referrals for those in need of immigration legal assistance.

Catholic Charities of Omaha - Immigration Legal Assistance Services

5211 S. 31st Street

402-939-4615

Offers quality bilingual legal immigration assistance services at a low to no cost.

Legal Aid of Nebraska

209 S. 19th St., Suite 200

402-348-1069

Legal Aid seeks to empower individuals to take action on their own behalf and increase the likelihood of achieving a positive legal outcome by providing the knowledge and resources to help people understand and navigate the civil legal system.

Victim Information and Notification Everyday (Vine)

888-268-8463

<https://www.vinelink.com/#state-selection>

Free and confidential victim notification network will notify you of an offender's custody information. You can also download the app, VINElink and receive updates via phone, email or text.

myPlan

Free phone app that can help you or someone you care about identify if they are experiencing relationship abuse, how to navigate it, make a safety plan and provides access to resources.

E. Medical Resources in the Event of Sexual Violence

Individuals are encouraged to seek medical care to assess and address their healthcare needs. When seeking care, you have the option of requesting your care be provided under the State of Nebraska's Victim Compensation Fund.

Local Omaha hospitals offer immediate services to victims of sexual assault and domestic violence 24 hours per day, seven days a week. Forensic Nurse Examiners (FNE) are nurses who have received special training in the collection of forensic evidence in sexual assault and rape cases. Completing a forensic examination does not require an individual to file a police report, but would help preserve evidence in case the individual decides to file a police report at a later date.

The nearest medical facilities to campus are:

CHI Health Creighton University Medical

Center - Bergan Mercy

7500 Mercy Rd/ (402) 398-6161

This medical center provides a team of FNEs to respond to any of the five emergency departments in its health system. FNEs seek to reduce the physical and psychological trauma by additionally collaborating with interdisciplinary community response teams.

Methodist Hospital

8303 Dodge St. / 402-354-4424 *24-hour hotline

Methodist has a survivor program adjacent to the Emergency Department that provides a team of specially trained professionals: FNE, Physician, Victim Advocate and Law Enforcement Officer. Teams respond to all Methodist hospital locations.

There may be legal options available if the sexual misconduct offense is also a crime in the state or locality in which the incident occurred. These options are available solely at the discretion of the Complainant, who has the right to file a report and/or pursue charges at any time.

The preservation of evidence may assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order. Below are suggestions for preserving evidence related to an incident of sexual misconduct. It is important to keep in mind that each suggestion may not apply in every incident:

General evidence preservation suggestions:

- Do not alter, dispose of, or destroy any physical evidence. Evidence includes DNA that can be collected from clothing, skin, hair, underneath nails, etc.
- If there is suspicion that a drink may have been drugged, inform a medical assistance provider and/or law enforcement as soon as possible so they can attempt to collect possible evidence (e.g., from the drink, through urine or blood sample).
- Preserve evidence of electronic communications by saving them and/or by taking screen shots of text messages, instant messages, social networking pages, or other electronic communications, and by keeping pictures, logs, or copies of documents that relate to the incident and/or perpetrator.
- Even if Complainant chooses not to make a complaint regarding sexual misconduct, they should nevertheless consider speaking with someone from the Title IX Team or law enforcement to preserve evidence in the event that they change their mind at a later date.
- Because some evidence, particularly evidence that may be located on the body, dissipates quickly (within 48-96 hours), individuals who have been sexually assaulted and wish to preserve evidence should go to a hospital or medical facility immediately to seek a medical examination and/or evidence collection.

Reporting Prohibited Conduct

College of Saint Mary is committed to providing a variety of accessible means of reporting sexual misconduct so that all instances of sexual violence or harassment will be reported. The Title IX Coordinator is specifically charged with coordinating College of Saint Mary's efforts to comply with Title IX responsibilities to include responding to allegations of sexual misconduct or harassment to stop the conduct, address its effects, and prevent its recurrence.

A. Campus Reporting

There are several ways to report possible acts of sexual misconduct or harassment.

- Report to the Title IX Coordinator directly in Walsh Hall Room 297
- Send an email to TitleIX@csm.edu
- Call Title IX Coordinator at 402-399-2664
- Use the online form at <http://www.csm.edu/TitleIX>

B. Reporting to Law Enforcement

The Complainant has the right to choose whether or not to notify law enforcement. If a Complainant chooses to report to law enforcement, campus authorities can assist, at the Complainant's request, in contacting local law enforcement and will cooperate with law enforcement agencies if a Complainant decides to pursue the criminal process to the extent permitted by law. Except where the Complainant is less than 19 years old, the University will respect a Complainant's choice whether or not to report an incident to local law enforcement, unless the University determines that there is an overriding issue with

the safety or welfare of the College of Saint Mary community. A Complainant has the right to decline to participate. When a report involves suspected abuse of a minor under the age of 19, College of Saint Mary is required by state law to notify the state Department of Health and Human Services (DHHS).

College of Saint Mary's policy, definitions, and standard of proof may differ from Nebraska criminal law. A Complainant may seek a resolution through College of Saint Mary's Title IX process, may pursue criminal action, may choose one but not the other, or may choose both. Neither law enforcement's decision whether or not to prosecute, nor the outcome of any criminal prosecution are determinative of whether sexual harassment, sexual violence, stalking, or domestic/dating violence has occurred under this policy. Proceedings under College of Saint Mary's Sexual Misconduct, Harassment, Relationship Violence and Stalking Policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus. Individuals are not required to file a criminal complaint.

C. Anonymous reporting

Any individual may make an anonymous report concerning an act of sexual violence or harassment. An individual may report the incident without disclosing one's name, identifying the respondent, or requesting any action. Anonymous reports can be provided by using the online form at <http://www.csm.edu/student-life/student-support/title-ix>.

Another person may also report an assault anonymously on behalf of the Complainant. Depending on the level of information available about the incident or the individuals involved, anonymous reporting may impact the College's ability to respond, investigate, or take further action.

D. False Reports

College of Saint Mary takes validity of information very seriously since a charge of sexual misconduct or harassment may have severe consequences.

A Complainant who makes a report that is later found to have been intentionally false or made maliciously without regard for truth may be subject to disciplinary action. This provision does not apply to reports made in good faith, even if the facts alleged in the report are not substantiated by an investigation. Similarly, a Respondent or witness who is later proven to have intentionally given false information during the course of an investigation may be subject to disciplinary action.

E. Reports Involving Minors

As mentioned above, all College of Saint Mary employees, who in the course of their employment witness or receive information related to suspected physical or sexual abuse or neglect of children, must report such information to the Department of Health and Human Services (DHHS) of the state where

the suspected abuse has taken place within 24 hours. The Nebraska Child Abuse/Neglect Hotline is 1-800-652-1999. The employee should report to the Director of Safety and Security once they have reported the information to the DHHS. The State of Nebraska defines minor to be anyone under the age of 19.

Amnesty for Drug/Alcohol Violations

College of Saint Mary seeks to remove any barriers to reporting. An individual who reports sexual harassment, sexual violence, stalking, and domestic and dating violence either as a Complainant or a third party, will not be subject to disciplinary action by College of Saint Mary for their own personal consumption of alcohol or drugs at or near the time of the incident, provided any such violations did not and do not place the health or safety of any other person at risk. College of Saint Mary may, however, initiate an educational discussion or pursue other educational or therapeutic remedies regarding alcohol or other drugs for those individuals.

Reporting Considerations: Timeliness of Report and Location of Incident

Complainants and third-party witnesses are encouraged to report sexual misconduct and harassment as soon as possible in order to maximize College of Saint Mary's ability to respond promptly and effectively. College of Saint Mary does not, however, limit the timeframe for reporting. If the Respondent is not a student or employee, the College will not be able to act against the Respondent under Title IX, but it will still seek to provide support through other campus and community resources.

The Title IX requirements and procedures applies to incidences that occur on campus or at a College of Saint Mary sponsored event. However, off-campus conduct that creates a hostile learning or working environment on campus may be covered under this policy.

University Procedures for Responding to Reports of Prohibited Conduct

An individual who wishes to make a report of sexual harassment, sexual violence, stalking, and domestic and dating violence is encouraged to make a report directly to the Title IX Coordinator. In every report of sexual harassment, sexual violence, stalking, and domestic and dating violence, the Title IX Coordinator or designee will conduct an initial Title IX assessment.

A. Initial Assessment

Upon receiving information about a potential violation of this policy, the Title IX Coordinator will first determine whether or not the information provided states a potential violation of this policy. The Title IX Coordinator will notify the Complainant in writing of the decision.

If there is a potential violation of this policy, the Title IX Coordinator will conduct an initial assessment within seven (7) working days after receiving notice of the alleged misconduct. The first step of the assessment will usually be a preliminary meeting with the Complainant with the Title IX Coordinator or designee. The purpose of the preliminary meeting is to gain a basic understanding of the nature and circumstances of the report; it is not intended to be a full interview.

B. Interim Supportive Measures

In all cases of alleged sexual misconduct or harassment, regardless of whether the Complainant wishes to pursue College of Saint Mary disciplinary action or report to law enforcement, College of Saint Mary

will undertake an appropriate inquiry and take prompt and effective action to support and protect the Complainant. The purpose of interim supportive measures is to avoid depriving any student or employee of their right to an education, safe work environment, and safe college community. A Complainant may request specific accommodations from the Title IX Coordinator. If the request is reasonable, the Title IX Coordinator will coordinate with the appropriate University official to obtain the requested action. For further information please contact the Title IX Coordinator at (402) 399-2664.

Regardless of whether the alleged offense cites a possible Title IX violation, College of Saint Mary will provide information about the student or employees' rights, options, and on and off campus resources when any report of sexual harassment or sexual violence is received by College of Saint Mary.

The Title IX Coordinator will offer interim supportive measures to the Respondent as well once notification is given. The Respondent may request specific accommodations from the Title IX Coordinator. If the request is reasonable, the Title IX Coordinator will coordinate with the appropriate University official to obtain the requested action. When requesting or coordinating supportive measures for either party, the Title IX Coordinator may disclose the name of the Complainant or Respondent and other supporting information on a "need to know" basis and only to the extent necessary to obtain the requested support. In addition, the Title IX Coordinator will maintain as confidential any accommodations or protective measures provided, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide accommodations or protective measures.

C. Withdrawal of Complaint

Prior to the completion of the resolution options described in this policy, the Complainant may withdraw the sexual misconduct complaint. Withdrawal of the complaint will, in most circumstances, end any investigation or process taking place under this policy. College of Saint Mary reserves the right to move forward with a complaint, even after the Complainant withdraws it, in order to protect the interests and safety of the College of Saint Mary community.

Disciplinary Procedures

All proceedings under this policy will include a prompt, fair, and impartial process from the initial investigation to the final result. College of Saint Mary applies a presumption of innocence throughout the disciplinary process. The burden of proof is on the University to prove a finding of responsibility.

a. Informal Resolution

An option available to students, faculty, and staff is to seek a voluntary, informal resolution. This option is available only after a formal complaint is filed and the Respondent has been notified of the complaint and given full disclosure of the allegations and their options. An informal resolution can be voluntarily entered any time prior to a final determination. The parties must provide written consent to participate in the informal process. Either party may withdraw from the informal resolution process and resume the formal process at any time prior to a resolution being reached.

The parties to any such informal resolution will not be required to deal directly with each other. Instead, the Title IX Coordinator or other designee may arrange for or facilitate mediation between the involved parties and coordinate other informal resolution measures. Either party may request that the informal resolution process be terminated at any time. If the situation is not able to be resolved informally or if either party chooses not to engage in an informal resolution, a formal process could commence. A summary of the outcomes from an Informal Resolutions shall be provided to the Appellate Authority, who is the Vice President of Academic Affairs. An informal resolution is not available in any case where

an employee is accused of sexually harassing a student. An informal resolution does not preclude an employee's supervisor from taking disciplinary actions, if necessary. Student misconduct addressed using the informal resolution process may still be addressed through the Student Judicial System.

b. Formal Resolution Process

A Complainant may initiate the formal resolution process by filing a "formal complaint" with the Title IX Coordinator which must be in writing. The formal complaint must include the allegations against the respondent and request the school to investigate the allegation. The formal complaint must include an original signature or digital signature.

Once a formal complaint is made, College of Saint Mary must provide written notice to the parties of the investigation. The written notice must describe the process to be utilized and disclose sufficient details regarding the complaint, including, if known, the identities of the parties, the conduct at issue, and the date and location of the alleged incident. This written notice must also include a statement that the Respondent is presumed not responsible and that a determination will not be made until the conclusion of the grievance process. The notice must also advise the parties of their right to an advisor of their choice, who may be an attorney. The notice should apprise the parties of the prohibitions against making false statements and retaliation.

When initiating a formal resolution following a formal complaint, the Title IX Coordinator may consolidate multiple complaints involving different persons when they arise from the same facts or circumstances.

When a Formal Resolutions process involves sexual violence and students, the Title IX procedures and outcomes replace the Judicial Process described in the College of Saint Mary Student Handbook. At the discretion of the Title IX Coordinator, other non-Title IX violations may be handled separately through different processes or within the Title IX disciplinary procedure if actions are connected to the Title IX offense.

In situations that require College of Saint Mary to proceed with Title IX disciplinary procedures without a Complainant, the Title IX Coordinators can initiate a formal complaint against the Respondent on behalf of the University. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a Complainant or a party during the disciplinary process. The act of initiating a formal complaint in absence of a Complainant does not create a conflict of interest or bias.

The Title IX Coordinator will appoint an investigator to begin an investigation. The Investigator will be selected from the Title IX trained designees, who have received annual training through seminars and webinars on the issues related to dating violence, domestic violence, sexual assault and stalking, as well as how to conduct an investigation. The Title IX Coordinator will ensure there are no conflicts of interest between the parties involved and the investigator. Rather than a formal hearing process, the University will use an investigation to determine whether the conduct violated the University's policy definitions for sexual misconduct. Once a decision has been made to open an investigation, the Title IX Coordinator must provide a written "Notice of Investigation" to the Respondent listing the potential violation with sufficient details and with sufficient time to prepare a response before the initial interview with the Investigator. The Respondent will be informed of the prohibition against retaliation and instructed not to destroy any potentially relevant documentation or evidence in any format. If the Respondent refuses to meet or cooperate with the investigation or with the Title IX Coordinator, the investigation will proceed without input from the Respondent.

The investigator will take steps to complete the investigation within a reasonably prompt timeframe once an investigation is opened. Although Investigations will occur as quickly as possible, the complexity of the investigation, the severity and extent of the harassment, and the number of involved parties can impact duration. Extensions of time frames may be given for good cause, with a written notice given to the parties. A Title IX investigation can occur even if law enforcement is conducting its own investigation. Although the Title IX investigation may be reasonably delayed in order to allow law enforcement to collect evidence, it does not need to wait until the law enforcement investigation is completed or criminal cases have been resolved. The reasonableness of delaying a Title IX investigation pending the completion of a law enforcement investigation or criminal case will be made on a case-by-case basis by the Title IX Coordinator.

If the scope of the investigation expands, the Title IX Coordinator must issue a supplemental written notice to the parties that meet the requirements in the initial notice.

At any point during the investigation, if it is determined that the conduct alleged, if assumed true:

- Does not constitute sexual harassment;
- Did not occur in the College's education program or activity; or
- Did not occur against a person in the United States

then the College *must* dismiss the complaint for purposes of its Title IX grievance procedure. However, the conduct may be addressed through other College of Saint Mary policies and procedures.

During the investigation, the College *may* dismiss a formal complaint at any time if:

- The Complainant would like to withdraw the complaint;
- The Respondent is no longer enrolled or employed by the College; or
- Specific circumstances prevent the College from gathering sufficient evidence to reach a determination.

The Title IX Coordinator will provide written notice of a dismissal (mandatory or discretionary) to the parties and the reason for the dismissal.

During the investigation, the burden of proof and the burden of gathering evidence rests on College of Saint Mary, not the parties. College of Saint Mary may not access either party's health, psychiatric, or counseling records without consent. In addition, the parties must have equal opportunity to present witnesses, including both fact and expert witnesses, together with any inculpatory and exculpatory evidence. College of Saint Mary may not restrict the ability of either party to discuss the allegations or to gather and present relevant evidence. As a result, it is impermissible to prohibit the parties from communicating with witnesses.

The Title IX Coordinator will provide written notice to the parties and witnesses of any interview, meeting, or hearing that the individual is expected to attend, with sufficient time for the party to prepare to participate, to include: the date, time, and location; the participants; and the purpose.

In general, in a case where the Respondent raises consent as a defense, any prior consensual relationship between the parties may be deemed relevant to assess the manner and nature of communications between the parties but is not necessarily determinative. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Generally, prior sexual history of either party will not be considered relevant to an investigation. However, in limited circumstances, such as pattern evidence, it may be relevant in the determination of responsibility or, in the case of Respondent, the determination of

a sanction. Additionally, a prior finding (post appeal rights) of responsibility for a similar act of sexual misconduct will always be deemed relevant and may be considered in deciding as to responsibility and/or assigning of a sanction.

At the conclusion of the investigation, the investigator will prepare a written investigative report summarizing the relevant facts determined through the investigation, referencing any supporting documentation or statements.

The investigator will present the report to the Title IX Coordinator who will ask for feedback and comment from both parties and their advisors. The Complainant and Respondent each have 10 days following the receipt of the report to write a response to it, if they so wish. Responses will be included

in the final report. Upon receiving feedback and comment, the Title IX Coordinator will review the report and supplemental information. The Title IX Coordinator may request assistance in reviewing the report from other Title IX Designees, except the Investigator. The Title IX Coordinator and Title IX Designees, when requested, will review it to determine whether or not there is adequate information available to proceed to a conduct hearing. The Title IX Coordinator may request that additional information be gathered in order to make an appropriate determination.

Should a determination be made that the information gathered warrants a Conduct Hearing, the complete report, with party responses, will be sent forward to the hearing panel for adjudication. The Title IX Coordinator will provide finalized investigation reports to the parties and their advisors. The report must be provided at least 10 days prior to the hearing.

1. Conduct Hearing

The Conduct Hearing is not an investigative hearing. It is a deliberative hearing in which the Hearing Board will weigh the information provided and will accept it as fact, or not. The Conduct Hearing is a closed hearing; it is not open to the public. The individuals who may appear before the Conduct Hearing Board are the Complainant, the Respondent; any individual serving as an approved Advisor; the Title IX Coordinator; and any individuals appearing as witnesses. Due to the sensitive nature of these cases, either party participating in the hearing will have the opportunity to do so without having to physically be in the same room. The concerned party can have the ability to call-in from an alternate on-campus location through the use of Zoom or other video conference system that allows for live, simultaneous video and audio of all participants.

Role of Advisor or Support Person

During a formal resolution process, the Respondent and Complainant can each be accompanied by one advisor of choice who may assist, advise, and support the person throughout the formal resolution process/investigation. An advisor may be present for related meetings or interviews but cannot actively participate. The choice whether or not to invite an advisor is solely that of the Complainant and Respondent. An advisor may not participate in the formal investigative process in any other capacity in reference to the same incident, including, but not limited to, serving as a witness, co-Complainant, or co-Respondent. If the advisor of choice is a college faculty or staff member, the College will not require the individual to serve as an advisor. However, if the individual voluntarily accepts the role as advisor, the College will support the decision.

If either party is unable to obtain an advisor, College of Saint Mary will provide one free of charge for the purpose of conducting cross examination for the party. The advisor provided does not have to be an attorney.

Appeals

Both the Complainant and the Respondent have the right to appeal. Third parties do not have the right to appeal. An appeal must be submitted in writing to the Title IX Coordinator within seven (7) calendar days of being notified of the outcome and must set forth the reasons for the appeal.

Potential Sanctions

An individual found responsible for violations of this policy will face a range of sanctions. Sanctions depend upon the severity of the incident and take into account any previous incidences.

Records

The Title IX Coordinator will retain records of all reports, allegations, and complaints, regardless of whether the matter is resolved by Title IX assessment, informal resolution, or formal resolution. All records will be maintained for seven (7) years. Complaints resolved by Title IX assessment or informal resolutions are not part of a student's conduct file or academic record. Affirmative findings of responsibility in matters resolved through the formal process are part of a student's file and academic record.

Education and Prevention Programs

As part of College of Saint Mary's commitment to preventing and eliminating crimes of sexual assault, domestic violence, dating violence, stalking and all other discrimination on the basis of sex, College of Saint Mary will have educational programs designed to promote the awareness and prevention of sexual assault, domestic violence, dating violence, stalking and other forms of sexual misconduct. These educational programs are intended for incoming students and new employees, in addition to ongoing campaigns for students and employees. These programs will provide information on the following: relevant definitions of sexual assault, domestic violence, dating violence, stalking and consent; safe and positive options for bystander intervention when there is risk for sexual offense; information on risk reduction strategies to decrease perpetration and avoid potential attacks; empower individuals to promote safety and help change the culture; warning signs of abusive behavior; overview of Title IX federal law; and a summary of College of Saint Mary's Sexual Misconduct, Harassment, Relationship Violence and Stalking Policy procedures and disciplinary proceedings.

The following section provides further details on specific ongoing prevention and education initiatives for students, faculty, and staff.

- A. Students
 - i. SafeColleges

This online prevention and education module is available for all students; however, it is mandatory for all freshman, transfer, and student athletes. SafeColleges provides primary and refresher courses on sexual violence awareness; policies, responses and rights within University's disciplinary proceedings, University procedures, information on healthy relationships, risk reduction, victim protections and bystander intervention.

ii. Bystander Intervention Training

This comprehensive Bystander Intervention Training is uniquely created to empower individuals to recognize and effectively address potentially harmful situations. The courses will help communicate that violence will not be tolerated and everyone has a role in changing the culture. Bystander Intervention Training will be offered to the campus community and additional trainings are provided to clubs, other campus identified groups and by invitation of course instructors.

iii. Women's Center for Advancement

The Women's Center for Advancement is a community partner that offers ongoing prevention and education on the topics of sexual violence.

iv. Title IX Basics for Students

This presentation will provide an overview of Title IX federal law, important definitions and a summary of College of Saint Mary Sexual Misconduct, Harassment, Relationship Violence and Stalking Policy.

v. Behind Closed Doors

Through role-playing, participants in the Behind Closed Doors Sessions will learn how to put their current knowledge of policies and procedures into action. Confronters will practice mediation skills and crisis response skills while keeping in mind the identity of those they may be confronting.

B. Campus Activities and Events

College of Saint Mary hosts a variety of events and activities throughout the year to provide strong messages of awareness and prevention of sexual assault, domestic violence, dating violence and stalking. Activities and events occur during National Stalking Awareness Month, National Teen Dating Violence Awareness Month and Sexual Assault Awareness Month.

C. Faculty and Staff

To promote and maintain a safe environment, faculty and staff will be strongly encouraged to engage in comprehensive, culturally competent, and trauma informed programming, activities and events being offered throughout the year.

i. Title IX Responsible Employee Training

All faculty and staff will receive "Responsible Employee" training during their first 30 days of new hire. This training will provide an overview of Title IX federal law, important definitions and a summary of College of Saint Mary Sexual Misconduct, Harassment, Relationship Violence and Stalking Policy procedures and disciplinary proceedings.

ii. Bystander Intervention Training for Employees

Bystander Intervention training will be made available upon request to faculty and staff who wish to participate. This training is designed to empower College of Saint Mary faculty and staff to address potentially harmful situations and help create a community where violence will not be tolerated.

D. Title IX Coordinator and Title IX Team

The Title IX Coordinator and the Title IX Team will receive annual and ongoing trainings in order to conduct and effectively respond to situations involving sexual assault, domestic violence, dating violence and stalking. These trainings can include but are not limited to information on the causes and effects of sexual assault, intimate partner violence and stalking; trauma-informed responses and investigations; neurobiology of trauma; cultural competency in cases of intimate partner violence; tactics of offenders; and review of student conduct code.

Survivor Bill of Rights

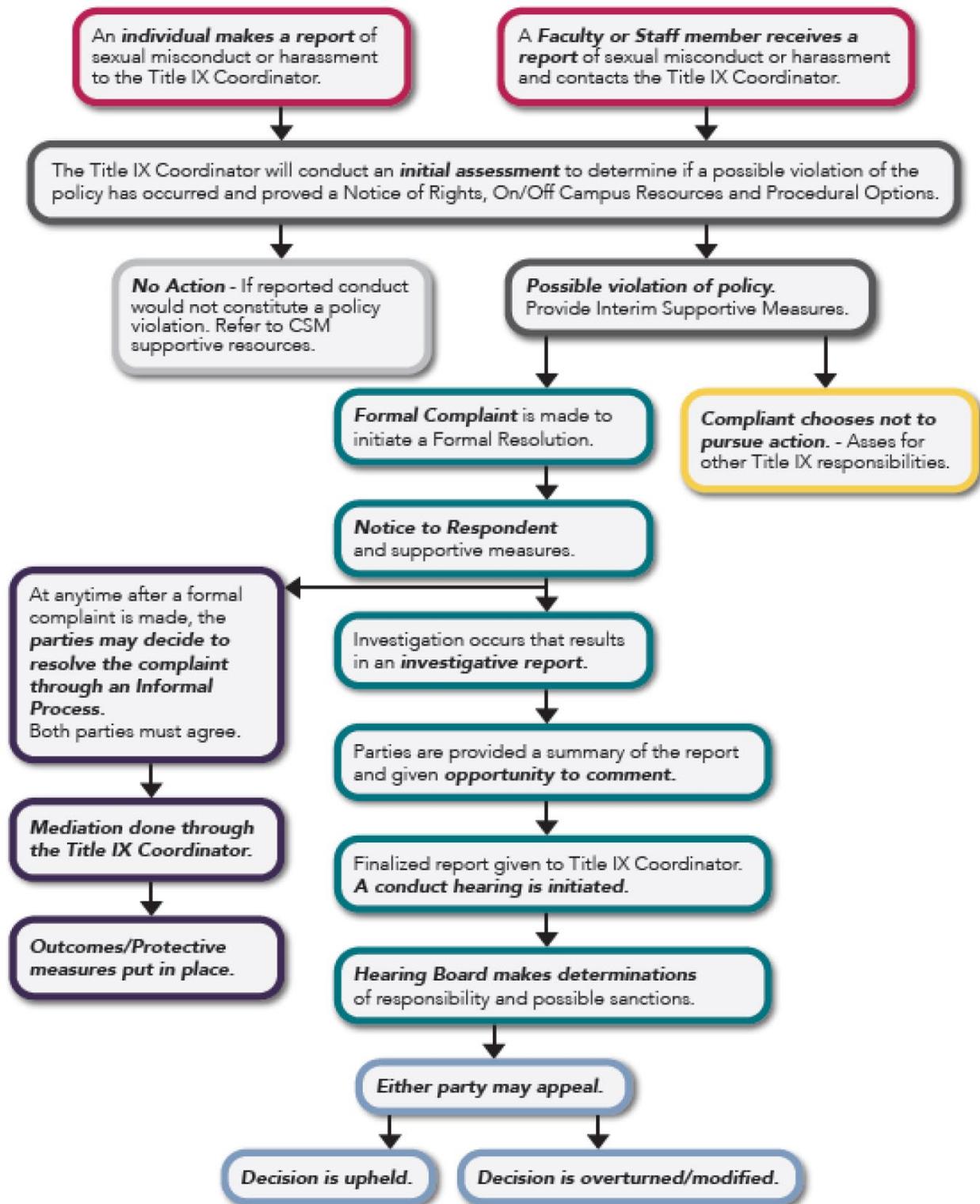
At the College of Saint Mary, we believe in the power of a careful education and are dedicated to providing an environment that calls forth potential and leadership. We recognize the impact of violence on victims can be severe and long lasting. As such, we are committed to providing survivors of sexual assault, dating violence, domestic violence, and stalking with options, support, and assistance to ensure they can continue to participate in campus programs, activities and employment. All survivors of these crimes, regardless of race, color, religion, gender, genderidentity, sexual orientation, age, pregnancy, ability, and documentation status, have the following rights regardless of whether the crime occurs on or off campus.

College of Saint Mary Survivor Bill of Rights has been established to summarize the rights and help ensure the needs of survivors are met.

Campus Survivor Rights

- You have the right to live, learn and/or work in a community free from gender-based discrimination.
- You have the right to have your disclosure(s) of sexual assault, dating violence, domestic violence and/or stalking be treated seriously.
- You have the right to know that any disclosure of sexual assault, dating violence, domestic violence and/or stalking made to a College of Saint Mary employee may result in the private outreach from the Title IX Coordinator.
- You have a right to know you have amnesty for drug or alcohol violations of College of Saint Mary policy that occurred at the time of the incident.
- You have the right to know all of your reporting options, both on and off campus.
- You have the right to choose whether you wish to participate in any formal investigative process.
- You have a right to ask for and to receive appropriate interim support and reasonable protective measures to help you heal, live, learn and/or work at College of Saint Mary, regardless of your choice to file a report on or off campus.
- You have the right to be informed of the medical, counseling, crisis response, legal, campus disciplinary, pertinent local resources and/or victim advocacy services available through campus or community resources. You have the right to choose which services are appropriate for you.
- You have the right to be free from retaliation for seeking supportive services and/or choosing to report.

Flow Chart for Title IX Complaint Procedures





Alcohol, Drugs, and Weapons

College of Saint Mary does not encourage consumption of alcoholic beverages, nor does it promote the use or abuse of them. College of Saint Mary adheres to the laws of the state of Nebraska and does not permit students under the age of 21 to possess or consume alcoholic beverages on campus. The following policies are in effect:

1. Students 21 years of age or older may consume alcohol in their own residence hall room, or the room of another resident who is 21 years of age or older, with no more than five individuals present.
2. Students 21 years of age or older may not possess or consume alcohol in the presence of minors (under 21).
3. Students 21 years of age or older are strictly forbidden from offering, providing, or selling alcohol to minors.
4. Consumption of alcohol and/or possession of open containers in any public areas, including parking lots and residence hall lounges, is not permitted on campus. Exceptions will be made for events sponsored by Student Senate, RHC or others where the Director of Student Leadership & Organizations grants specific permission for the event. Provisions for compliance with the legal age, safety, security, and availability of food and alternative beverages will be considered in determining approval. For these events, students must obtain a third-party vendor to serve and/or sell alcohol.
5. Kegs, home brews, and all other common bulk alcohol containers are not permitted on campus.
6. Any student who becomes intoxicated or who, while under the influence of alcohol, acts in a manner detrimental to her own good name or the good name of the University, will be subject to conduct sanctions, including potential notification of parents and possible expulsion. This expectation exists regardless of the location of the behavior (on- or off-campus), or whether the student is participating in university-related or sponsored activities.

Good Samaritan Policy

College of Saint Mary's Good Samaritan Policy ensures students that seek assistance for the individual and others will not be subject to university disciplinary action with respect to our alcohol policy. This policy is designed to promote and in accordance with Nebraska's Good Samaritan Law. Nebraska's Good Samaritan Law (LB439) provides minors (under 21) limited legal immunity if they call for medical assistance, remain on the scene and cooperate with law enforcement. The law does not provide protection for acts of sexual violence, threats, assaults, fake ID use, procuring for minors, harassment or hazing and other violations not named.

Student health and safety are the primary concerns of the College of Saint Mary community. In the case of a medical emergency, students should call 911 **first** then contact the Department of Safety and Security by dialing "1" on any campus phone or by calling 402-670-8848. Students that seek assistance from these sources, the individual assisted, and others involved will not be subject to university disciplinary action with respect to our alcohol policy. This policy does not preclude disciplinary action regarding other violations of university standards, such as: causing or threatening physical harm, sexual assault, vandalism of university property, harassment, hazing, or any other policy violations not named. Students should also be aware that this College of Saint Mary policy does not prevent action by local county or state authorities. Safety and Security officers or other College of Saint Mary staff members will record names of intoxicated students to enable any follow-up that may be deemed necessary to ensure students' well-being. Other information may also be recorded to allow any other appropriate follow-up.

College of Saint Mary's policy does not preclude disciplinary action regarding other violations of university standards, such as: causing or threatening physical harm, sexual assault, vandalism of Uni College of Saint Mary property, harassment, hazing, or any other policy violations not named. Students should also be aware that this College of Saint Mary policy does not prevent action by local county or state authorities. Safety and Security Officers or other College of Saint Mary staff members will record names of intoxicated students to enable any follow-up that may be deemed necessary to ensure students' well-being. Other information may also be recorded to allow any other appropriate follow-up.

In order for this policy to apply, the intoxicated student(s) must agree to timely completion of recommended alcohol education activities, assessment, and/or treatment depending on the level of concern for student health and safety. Severe or repeated incidents will prompt a higher degree of medical interest. Failure to complete recommended follow-up will result in disciplinary action and could also prompt the imposition of a medical withdrawal. Likewise, organizations involved in an incident must agree to take recommended steps to address concerns.

College of Saint Mary prohibits the unlawful possession, use, or distribution of illicit drugs by any student on University's property or as part of any of the University's activities on or off campus.

College of Saint Mary strives for a drug-free environment and takes seriously the negative effects illegal drugs and controlled substances have on its students and community. College of Saint Mary expects students to comply with state and federal laws.

- a. The possession, sale, distribution, or use of illegal or controlled substances is prohibited.
- b. The presence of residue or paraphernalia, including but not limited to bongs, scales, and pipes, is prohibited. Drug paraphernalia will be permanently confiscated.
- c. The use of prescription drugs for non-medical reasons is prohibited. Prescription drugs may only be used by the student to whom they are prescribed.

- d. Odors, such as in the case of marijuana, are considered evidence of drug use; students may be held accountable for violations based on smell alone.
- e. Operating under the influence is prohibited.

As it is stated in our mission, College of Saint Mary calls us to pay attention to the development of mind, body, and spirit. Therefore, College of Saint Mary recognizes the use of alcohol and drugs have potential health risks. There are numerous, serious health risks associated with the use of illicit drugs and alcohol. Substance abuse, when left untreated, may lead to damaged vital organs such as the liver, brain, and kidneys. These effects, more often than not, lead to poor academic performance, loss of jobs, arrests, arguments with family and friends, and serious accidents. Consequently, when appropriate, College of Saint Mary will refer students to the CHI Health Creighton University Medical Center Bergan Mercy Counseling Assistance Program (CAP) for an evaluation. This program is located at 7710 Mercy Road Omaha, NE 68124. 24-hour telephone number (402) 398-5566. Toll Free 1-888-847-4975. Students will be expected to follow through with the recommendations CAP may suggest.

Any student in violation of our alcohol and drug policy will be referred to the conduct process outlined in the *Student Code of Conduct* and may be subject to the prosecution and punishment by law enforcement.

Nebraska State Statutes

State Penalties and Sanctions for Illegal Possession of Controlled Substances

The framework for the regulation of most drugs, also called controlled substances, is set out in the Uniform Controlled Substances Act. In addition, there are other Nebraska State laws which establish penalties for various drug related offenses which are summarized below.

Crimes Involving Minors: Any person 18 years of age or older who distributes, delivers, or sells controlled substances to a person under the age of 18 years shall be punished by the next higher penalty classification for a first offense or second offense involving drugs such as heroin, speed, cocaine, LSD, or pentazocine. The law also provides for an enhanced penalty for anyone 18 years of age or older to employ, use, persuade, or coerce any person under the age of 18 years to manufacture, transport, distribute, carry, deliver, dispense, or possess with intent to do the same of a controlled substance or a counterfeit controlled substance. Neb. Rev. Stat. § 28-416(4) and (5) (Cum. Supp. 2016).

Being Under the Influence of Any Controlled Substance for Unauthorized Purpose: It is a violation of Nebraska law to be under the influence of any controlled substance for a purpose other than the treatment of a sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings. Neb. Rev. Stat. § 28-417(1) (g) (Cum. Support 2001).

Drug Paraphernalia Offenses: It is a violation of Nebraska law to use, or to possess with intent to use, drug paraphernalia to manufacture, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance. Neb. Rev. Stat. § 28-441(1) (Reissue 1995). "Drug paraphernalia" is defined to include such things as hypodermic syringes, needles, pipes and bongs and other items used, intended for use or designed for use with controlled substances. Neb. Rev. Stat. § 28-439 (Reissue 1995). It is unlawful to deliver or manufacture drug paraphernalia. Neb. Rev. Stat. § 28-442 (Reissue 1995). It is a violation of Nebraska law for a person 18 years of age or older to deliver drug paraphernalia to a person under the age of 18 who is at least 3 years his or her junior. Neb. Rev. Stat. § 28-443 (Reissue 1995).

A violation of Neb. Rev. Stat. § 28-441 is punishable by a fine of not more than \$100 for first offense, not less than \$100 and not more than \$300 for second offense, and not less than \$200 and not more than \$500 on third or subsequent

conviction. Neb. Rev. Stat. §§ 28-441 and 29-436. The penalty for violation of Neb. Rev. Stat. § 28-442 is not more than six months imprisonment or \$1,000 fine or both. Neb. Rev. Stat. § 28-442 (Reissue 2001) and § 28-106 (1) (Cum. Supp. 2016). The penalty for violation of Neb. Rev. Stat. § 28-443 is imprisonment for not more than one year, or \$1,000 fine, or both. Neb. Rev. Stat. § 28-443 and § 28-106 (1) (Cum. Supp. 2016).

Imitation Controlled Substances: It is a violation of Nebraska law to knowingly, intentionally manufacture, distribute, deliver, or possess with intent to distribute or deliver an imitation controlled substance. "Imitation controlled substance" is a substance which is not a controlled substance, but which is represented to be an illicit controlled substance. Neb. Rev. Stat. § 28-445 (Cum. Supp. 2014). First offense violations of this law are punishable by a three-month imprisonment, or \$500 fine, or both. A second offense violation of this statute is punishable by not more than six months imprisonment, or \$1,000 fine, or both. Neb. Rev. Stat. § 28-445 (Cum. Supp. 2014) and § 28-106 (1) (Cum. Supp. 2016).

Controlled Substance Analogue: For purposes of Nebraska's Uniform Controlled Substance Act, analogue controlled substances (often called "designer drugs") are treated as controlled substances. Such an analogue is defined as (a) substantially similar in chemical structure to the chemical structure of a controlled substance or (b) having a stimulant, depressant, analgesic, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the effect of a controlled substance. Neb. Rev. Stat. § 28-401 (30) (Cum. Supp. 2016).

Selected Nebraska Alcohol Offenses

Minor in Possession: It is against the law for a person under the age of 21 years to possess alcohol. Neb. Rev. Stat. § 53-180.02 (Cum. Supp. 2001). Violation of this law is punishable by a three-month imprisonment, or \$500 fine, or both. Neb. Rev. Stat. § 53-180.05 (1) (Cum. Supp. 2015).

Procuring Alcohol: It is a violation of Nebraska law to sell, give away, dispose of, exchange, or deliver, or permit the sale, gift or procuring of any alcoholic liquors to or for any minor or to any person who is mentally incompetent. Neb. Rev. Stat. § 53-180 (Reissue 1998). Violation of this law is punishable by not more than 1-year imprisonment, or \$1,000 fine, or both. Neb. Rev. Stat. § 53-180.05 (1) (Cum. Supp. 2015).

Federal and Nebraska State Legal Sanctions for the Unlawful Possession or Distribution of Illicit Drugs and Alcohol

Nebraska Sanctions for Driving under the Influence

Driving Under Influence of Alcoholic Liquor or Drug Penalties

- (1) It shall be unlawful for any person to operate or be in the actual physical control of any motor vehicle:
 - (a) While under the influence of alcoholic liquor or of any drug;
 - (b) When such person has a concentration of eight-hundredths of one gram or more by weight of alcohol per one hundred milliliters of his or her blood.
 - (c) When such person has a concentration of eight-hundredths of one gram or more by weight of alcohol per two hundred ten liters of his or her breath.
- (2) Any person who operates or is in the actual physical control of any motor vehicle while in a condition described in subsection (1) of this section shall be guilty of a crime and upon conviction punished as provided in sections 60-6,197.02 to 60-6,197.08.

All Above Information found from: <http://nebraskalegislature.gov/laws/statutes.php?statute=60-6,196>

Nebraska's General Penalties for Drinking and Driving

	<u>1st Offense</u> Class W Misdemeanor	<u>2nd Offense</u> Class W Misdemeanor or Class I misdemeanor, depending on BAC	<u>3rd Offense</u> Class W Misdemeanor or Class IIIA Felony, depending on BAC	<u>4th Offense</u> Class IIIA Felony or Class IIA Felony, depending on BAC	<u>5th Offense</u> Class IIA Felony or Class II Felony, depending on BAC
Jail	7 to 60 days	30 days up to 6 months	90 days up to 1 year	180 days	2 to 20 years, or 2 to 50 years
Fines and Penalties	Up to \$500	Up to \$5000	Up to \$1,000	Up to \$10,000	Up to \$25,000
License Suspension or Revocation	6 months	18 months	2-15 years	15 years	15 years
IID** Required	Yes	Yes	Possible	Possible	Possible

Nebraska's Penalties for Drinking and Driving under the Age of 21

Penalties for violations of this law may include one or more of the following: the impoundment of the offender's license for thirty days or more; the requirement to attend an alcohol education class; the requirement to complete twenty hours or more of community service; or submission to an alcohol assessment by a licensed counselor.

Refusal to Submit Chemical Test

A person who refuses to submit to a chemical test or a test or tests of his or her blood, breath, or urine by any peace officer shall be guilty of a Class V misdemeanor. Class V misdemeanor consists of a fine. In addition, the person's license will be revoked for a period of 90 days.

Sanctions Under Nebraska Law for Unlawful Possession or Distribution of Illicit Drugs

Drug	Quantity	Penalty for "Simple" Possession	Penalty for Manufacture, Distribution, Delivery, Dispensation, Possession with Intent to Manufacture, Distribute, Deliver or Dispense
Methamphetamine/"Meth"/"Speed" Schedule1 II(c)(3)	Any detectable amount up to 10 grams	Up to 2 years imprisonment & 9-12 months post-release supervision or \$10,000 fine or both. Class IV felony.	Not less than 1 year imprisonment and not more than 50 years imprisonment. Class II felony.
	At least 10 grams but less than 28 grams		Not less than 3 years imprisonment and not more than 50 years imprisonment. Class ID felony.
	At least 28 grams but less		Not less than 5 years imprisonment and not more than 50 years imprisonment.

	than 140 grams		Class IB felony.
	140 grams or more		Not less than 20 years imprisonment and not more than life imprisonment. Class 1B felony.
Heroin Schedule I(b)(11)	Any detectable amount up to 10 grams	Up to 2 years imprisonment & 9-12 months post-release supervision or \$10,000 fine or both. Class IV felony.	Not less than 1 year imprisonment and not more than 50 years imprisonment. Class II felony.
	At least 10 grams but less than 28 grams		Not less than 3 years imprisonment and not more than 50 years imprisonment. Class 1D felony.
	At least 28 grams but less than 140 grams		Not less than 5 years imprisonment and not more than 50 years imprisonment. Class 1C felony.
	140 grams or more		Not less than 20 years imprisonment and not more than life imprisonment. Class 1B felony.
Cocaine or Base Cocaine ("Crack Cocaine") Schedule II(a)(4)	Any detectable amount up to 10 grams	Up to 2 years imprisonment & 9-12 months post-release supervision or \$10,000 fine or both.	Not less than 1 year imprisonment and not more than 50 years imprisonment. Class II felony.
	At least 10 grams but less than 28 grams		Not less than 3 years imprisonment and not more than 50 years imprisonment. Class 1D felony.
	At least 28 grams but less than 140 grams		Not less than 5 years imprisonment and not more than 50 years imprisonment. Class 1C felony.
	140 grams or more		Not less than 20 years imprisonment and not more than life imprisonment. Class 1B felony.
Phencyclidine/"PCP /"Angel Dust" Schedule II(d)(4)	Any detectable amount	Up to 2 years imprisonment & 9-12 months post-release supervision or \$10,000 fine or both. Class IV	Not less than 1 year imprisonment and not more than 50 years imprisonment. Class II felony.

		felony.	
Lysergic Acid Diethylamide/"LSD" Schedule I(c)(6)	Any detectable amount	Up to 2 years imprisonment & 9-12 months post-release supervision or \$10,000 fine or both. Class IV felony.	Up to 4 years imprisonment and 9-24 months post-release supervision or \$25,000 fine or both. Class III felony.
Fentanyl/"China White" Schedule II(b)(5)	Any detectable amount 140 grams	Up to 2 years imprisonment & 9-12 months post-release supervision or \$10,000 fine or both. Class IV felony.	Not less than 1 year imprisonment and not more than 50 years imprisonment. Class II felony.
"Exceptionally Hazardous Drugs"	Any detectable amount	Up to 2 years imprisonment & 9-12 months post-release supervision or \$10,000 fine or both. Class IV felony.	Not less than 1 year imprisonment and not more than 50 years imprisonment. Class II felony.
Schedule I/II/III drugs not classified as "Exceptionally Hazardous Drugs"	Any detectable amount	Up to 2 years imprisonment & 9-12 months post-release supervision or \$10,000 fine or both. Class IV felony.	Up to 20 years imprisonment. Class IIA felony.
Any Controlled Substances classified in Schedule IV or V	Any detectable amount	Up to 2 years imprisonment & 9-12 months post-release supervision or \$10,000 fine or both. Class IV felony.	Up to 3 years imprisonment and 9-24 months post-release supervision or \$10,000 fine or both. Class IIIA felony.

For complete information regarding controlled substances schedules see Neb. Rev. Stat. § 28-405 (Cum. Supp. 2015). For complete information regarding sanctions under Nebraska law for unlawful possession or distribution of illicit drugs, see Neb. Rev. Stat. § 28-416 (Cum. Supp. 2016). "Exceptionally Hazardous Drug" is defined as: (a) a narcotic drug, (b) thiophene analog of phencyclidine, (c) phencyclidine, (d) amobarbital, (e) secobarbital, (f) pentobarbital, (g) amphetamine, or (h) methamphetamine. See Neb. Rev. Stat. § 28-401 (28) (Cum. Supp. 2016).

Nebraska Possession and Sale Penalties for Marijuana

Offense	Penalty	Incarceration	Max. Fine
Possession			
Less than 1 oz. (First offense)	Infraction	N/A	\$ 300
Less than 1 oz. (Second offense)	Class IV misdemeanor	Up to 5 days	\$ 500
Less than 1 oz. (Third offense and more)	Class IIIA misdemeanor	Up to 7 days	\$ 500
1 oz. - 1 lb.	Class III Misdemeanor	Up to 3 months	\$ 500

More than 1 lb.	Class IV Felony	Up to 2 years of imprisonment and 12 months post-release supervision	\$ 10,000
Sale			
Any amount	Class II Felony	1* - 5 years	\$25,000
To a minor within 1000 feet of a school or between 100-1000 feet of other designated areas	Class ID Felony	1* - 50 years	N/A
Subsequent Offense	Class 1C Felony	3* - life	N/A
* Mandatory minimum sentence			
Hash & Concentrates			
Possession	Class IV felony	Up to 2 years of imprisonment and 12 months post-release supervision	\$ 10,000
Paraphernalia			
Possession of paraphernalia (first offense)	Infraction	N/A	\$ 100
Sale	Class II Misdemeanor	Up to 6 months	\$1,000
Sale to a Minor	Class I Misdemeanor	Up to 1 year	\$1,000
Advertise	Misdemeanor	3 months	\$500

For complete information regarding unlawful possession or distribution of marijuana, see Neb. Rev. Stat. § 28-416 (Cum. Supp. 2016).

Federal Drug Trafficking Penalties (21 USC § 841 et al.)

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The following list is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe. If death or serious bodily injury result from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substances faces mandatory life sentence and fines ranging up to \$8 million. Persons convicted on federal charges of drug trafficking within 1,000 feet of a university (21 USC 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least 1 year.

Drug/Substance	Amount	Penalty-1st Conviction
Cocaine	5 kgs. or more	Not less than 10 years prison, not more than life. Fine up to \$10 million if individual, \$50 million if other than individual.
	Less than 100 grams to 999 grams	Not less than 5 years, not more than 40 years. Fine up to \$5 million if individual, \$25 million if other than individual.
	Less than 500 grams	Up to 20 years. Fine up to \$1 million if individual, \$5 million if other than individual.
Crack Cocaine	280 grams or more	Not less than 10 years prison, not more than life. Fine up to \$10 million if individual, \$50 million if other than individual.
	28-279 grams	Not less than 5 years, not more than 40 years. Fine up to \$5 million if individual, \$25 million if other than individual.
	Less than 28 grams	Up to 20 years. Fine up to \$1 million if individual, \$5 million if other than individual.
Ecstasy	Any amount	Up to 20 years imprisonment. Fine up to \$1 million. 3 years supervised releases (following prison)
GHB	Any amount	Up to 20 years imprisonment. Fine up to \$1 million. 3 years supervised releases (following prison)
Heroin	1 kg or more	Not less than 10 years prison, not more than life. Fine up to \$10 million if individual, \$50 million if other than individual.
	10 0-999 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$5 million if individual, \$25 million if other than individual.
	Less than 100 grams	Up to 20 years. Fine up to \$1 million if individual, \$5 million if other than individual.
Ketamine	Any amount	Up to 5 years imprisonment. Fine up to \$250,000. 2 years supervised release.
LSD	10 grams or more	Not less than 10-year prison, not more than life. Fine up to \$10 million if individual, \$50 million if other than individual.
	1-10 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$5 million if individual, \$25 million if other than individual.
Marijuana	1000 kg or more, or 1000 or more plants	Not less than 10 years prison, not more than life. Fine up to \$10 million if individual, \$50 million if other than individual.
	100-999 kg, or 100-999 plants	Not less than 5 years prison, not more than 40 years. Fine up to \$5 million individual, \$25 million if other than individual.
	50-99 kg, or 50 to 99 plants	Up to 20 years imprisonment. Fine up to \$1 million if individual, \$5 million if other than individual.
	50 kg or less, 10 kg of hashish, 1kg of hashish oil, or 1 to 49 plants	Up to 5 years imprisonment. Fine up to \$250,000 if individual, \$1 million if other than individual.
Methamphetamine	50 grams or more or 500 grams or more of a mixture	Not less than 10 years prison, not more than life. Fine up to \$10 million if individual, \$50 million if other than individual.
	5-49 grams or 50	Not less than 5 years prison, not more than 40 years. Fine up

	to 499 grams of a mixture	to \$5 million if individual, \$25 million if other than individual.
	Less than 5 grams or less than 50 grams of a mixture	Up to 20 years imprisonment. Fine up to \$1 million if individual, \$5 million if other than individual.
PCP	100 grams or more	Not less than 10 years prison, not more than life. Fine up to \$10 million if individual, \$50 million if other than individual.
	10-99 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$5 million if individual, \$25 million if other than individual.
	10 grams or less	Up to 20 years imprisonment. Fine up to \$1 million if individual, \$5 million if other than individual.
Schedule I or II substance	Any weight	Up to 20 years imprisonment. Fine up to \$1 million if individual, \$5 million if other than individual.
Schedule III substance	Any weight	Up to 15 years imprisonment. Fine up to \$500,000 if individual, \$2.5 million if other than individual.
Schedule IV substance	Any weight	Up to 5 years imprisonment. Fine up to \$250,000 if individual, \$1 million if other than individual.
Schedule V substance	Any weight	Up to 1 year imprisonment. Fine up to \$100,000 if individual, \$250,000 if other than individual.

For complete information regarding unlawful possession or distribution of controlled substance, see 21 U.S.C. 841 et al.

Federal Drug Possession Penalties (21 USC § 844)

Persons convicted on Federal charges of possessing any controlled substances faces penalties up to 1 year in prison and a mandatory fine of no less than \$1,000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but no more than 2 years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than 3 years in prison and a minimum fine of \$5,000.

Weapons, Explosives, and Firearms

The following actions and behaviors are prohibited at College of Saint Mary or at College of Saint Mary -sponsored events. Possession of explosives, dangerous chemicals, and weapons including, but not limited to: firearms, bows and arrows, sling shots, hunting and other knives, blowguns, BB guns, pellet guns, air soft guns, Tasers, etc.

All faculty, staff, students, and all other persons visiting campus are prohibited from carrying a weapon of any kind, including a concealed weapon, onto College of Saint Mary property or into any College of Saint Mary facility.

A student who violates this policy will be asked to remove the weapon from campus immediately and will be subject to disciplinary action pursuant to the Code of Conduct. Further, College of Saint Mary may contact the appropriate law enforcement agency if it learns that a student has violated or is violating the policy. The student may also be subject to arrest. If a student believes a fellow student intends to or has brought a weapon or a concealed handgun onto the premise the student should alert the Department of Safety and Security by calling (402) 670-8848 or by dialing “1” on any campus phone, or by contacting the Assistant Dean of Student Life at 402-399-2309.



ARRESTS

Offense	Location	2020	2021	2022
Liquor Law Violations	On Campus	0	0	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Drug Law Violations	On Campus	0	0	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Illegal Weapons Possessions	On Campus	0	0	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0

REFERRED FOR DISCIPLINARY ACTIONS

Offense	Location	2020	2021	2022
Liquor Law Violations	On Campus	4	4	2
	Residence Halls	4	4	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Drug Law Violations	On Campus	0	0	1
	Residence Halls	0	0	1
	Non-Campus	0	0	0
	Public Property	0	0	0
Illegal Weapons Possessions	On Campus	0	0	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0

Annual Fire Safety Report

Welcome to the Annual Fire Safety Report for College of Saint Mary. College of Saint Mary is committed to providing a safe and secure environment for our students, faculty, staff, and visitors. This report aims to outline College of Saint Mary fire safety policies, procedures, and initiatives implemented throughout the past year.

Fire safety is of paramount importance at College of Saint Mary, and the University strives to ensure all members of our campus community are well-informed and prepared in the event of a fire emergency. By sharing this report, College of Saint Mary aims to promote transparency and accountability, and to keep everyone informed about the measures the University has in place to prevent and respond to fires.

This report contains comprehensive information about College of Saint Mary fire safety policies, fire prevention strategies, emergency response protocols, and educational initiatives. Also included are relevant fire statistics from the past three years, providing an overview of the fire safety situation on our campus.

College of Saint Mary's commitment to fire safety extends to all areas of the campus, including residence halls, academic buildings, laboratories, and other campus facilities. Highlighted in this report are specific fire safety measures implemented across different areas of campus to ensure the highest level of safety for everyone.

College of Saint Mary believes fostering a culture of fire safety is a collective effort, and all members of the campus community are encouraged to actively engage in fire prevention practices and familiarize themselves with College of Saint Mary fire safety guidelines. By working together, a safer environment can be created for everyone.

This annual fire safety report serves as a valuable resource, providing you with the necessary information to understand College of Saint Mary's commitment to fire safety and the University's ongoing efforts to enhance fire prevention, preparedness, and response. If you have any questions or require further information, please do not hesitate to contact our Department of Safety and Security at 402-670-8848 or by dialing "1" on any campus phone.

The purpose of issuing an annual fire safety report for College of Saint Mary is to promote transparency, accountability, and awareness regarding fire safety measures on campus. The report serves several important purposes:

Compliance

College of Saint Mary is required by law, such as the Clery Act, to publish an annual fire safety report. Compliance with such regulations is essential to maintain the institution's eligibility for federal funding and to demonstrate commitment to campus safety. Further, College of Saint Mary maintains a fire log open for public inspection in compliance with the Clery Act. An institution with on-campus student housing facilities is required to maintain a log of all reported fires that occur in those on-campus student housing facilities.

Information and Education

The report provides members of our campus community, including students, faculty, staff, and visitors, with crucial information about fire safety policies, procedures, and resources available to them. It educates individuals on how to prevent fires, respond to fire emergencies, and protect themselves and others.

Prevention and Preparedness

The report highlights fire prevention initiatives and measures implemented by College of Saint Mary, such as fire alarm systems, sprinkler systems, fire drills, and fire safety training programs. It emphasizes the importance of proactive measures in reducing fire risks and ensuring preparedness for fire emergencies.

Accountability and Improvement

By documenting fire incidents, fire safety violations, and enforcement actions taken, the report holds College of Saint Mary accountable for maintaining a safe environment. It also serves as a tool for evaluating the effectiveness of existing fire safety measures, identifying areas for improvement, and implementing changes to enhance fire safety.

Transparency and Confidence

Publishing an annual fire safety report demonstrates College of Saint Mary's commitment to the well-being and safety of our campus community. It fosters trust and confidence among students, parents, employees, and other stakeholders, assuring them College of Saint Mary takes fire safety seriously and is proactive in addressing potential risks.

Overall, the purpose of an annual fire safety report is to create a culture of fire safety, inform and empower individuals, and facilitate continuous improvement in fire prevention, preparedness, and response efforts on campus.

Fire Safety Policies and Procedures

The information set forth below outlines College of Saint Mary's fire safety policies and procedures, including information on fire prevention, evacuation procedures, and emergency response procedures.

Fire Prevention

Fire prevention is a collective effort that requires the involvement of everyone at College of Saint Mary. By implementing the measures outlined below, College of Saint Mary strives to maintain a safe and fire-resistant environment.

- 1. Installation and maintenance of fire alarms:** All buildings on campus have functioning fire alarm systems. These alarms are regularly tested and maintained to ensure they are in proper working order. These systems typically consist of manual pull-boxes located at exit doors, with smoke detector systems in corridors and common areas. Battery operated smoke detectors are installed in the dorm rooms of both residence halls. All fire alarm systems are inspected and certified by authorized companies contracted by College of Saint Mary in May of every year.
- 2. Conducting fire drills:** Fire evacuation drills are to be conducted at least twice a year, each semester, to familiarize everyone on campus with emergency procedures. This helps ensure a calm and efficient response in case of a real fire.
- 3. Educating the College of Saint Mary community:** College of Saint Mary promotes fire safety awareness by organizing educational campaigns and workshops. In addition, resident advisors (RAs) receive special training in fire extinguisher usage, residence hall fire safety guidelines and evacuation. Complete health, fire, and safety guidelines for residence halls can be found in the College of Saint Mary Residence Life Handbook.

4. Smoking policies: College of Saint Mary strictly enforces no-smoking policies, including E cigarettes and E-vapors, in all campus buildings and anywhere on campus property. Many fires start due to improper disposal of smoking materials.

5. Maintenance of electrical systems: Electrical systems, including wiring, outlets, and appliances, are regularly inspected and maintained. Reporting of any electrical issues is encouraged for timely repairs.

6. Promoting responsible cooking practices: Students living in campus housing are encouraged to use safe cooking practices. Never leave cooking unattended and regularly clean cooking areas to prevent grease buildup.

7. Controlling flammable materials: Flammable materials, such as chemicals and cleaning supplies, are required to be stored in designated areas with proper ventilation and fire-resistant cabinets. Appropriate staff and students are to be trained in the safe handling and storage of these materials.

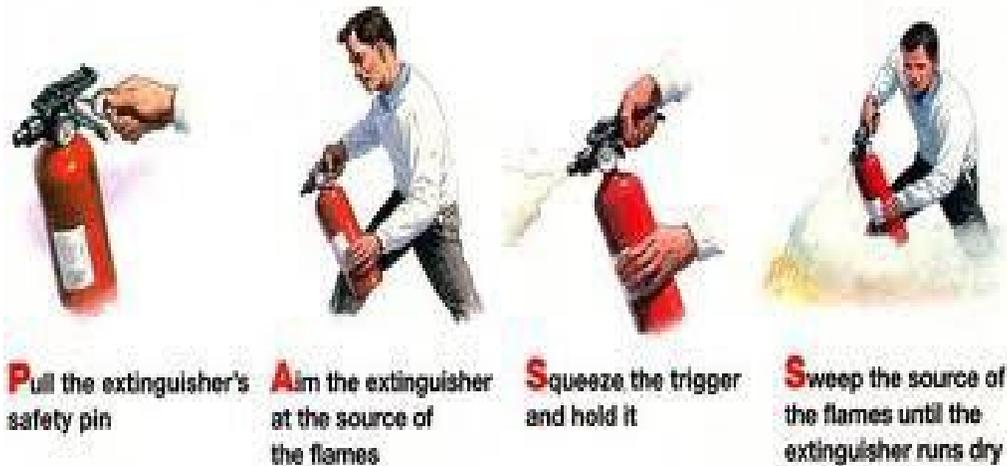
8. Installation and maintenance of fire extinguishers and sprinkler systems: Multi-purpose ABC fire extinguishers are placed in accessible areas throughout campus buildings. All fire extinguishers and sprinkler systems are inspected and certified by authorized companies contracted by College of Saint Mary in May of every year. The locations of fire extinguishers are visible and easily accessible, and designated students and staff are trained in how to use them correctly. When using a fire extinguisher use the P.A.S.S. method:

P - Pull the pin.

A - Aim.

S - Squeeze the trigger.

S - Sweep the fire.



9. Regular inspection and maintenance of fire safety equipment: This includes fire sprinkler systems, emergency exit signs, and emergency lighting. Regular inspections and maintenance are scheduled to ensure they are functioning properly.

10. Collaboration with the Omaha Fire Department: College of Saint Mary has established a working relationship with the Omaha Fire Department to conduct joint inspections, share best practices, and stay up to date with fire safety regulations.

Evacuation Procedures

When a fire or other evacuation alarm sounds, every person must follow these procedures:

- Take your keys and College of Saint Mary ID with you, if you have time and is safe for you to do so.
- Carefully and calmly exit via the closet fire exit route.
- **DO NOT USE THE ELEVATORS**
- Check each door for heat or hazard prior to opening. If your door feels hot or the exit path is hazardous, remain in the building.
- If there is a designated fire exit through your window, use it.
- Leave the room door closed.
- Stay low to the floor and cover your mouth with a wet cloth to make breathing easier in smoky conditions.
- If you notice individuals cannot negotiate the exit, move them laterally away from any obvious danger to a safe place.
- Persons with disabilities, such as those who cannot walk or must be assisted down the stairs, may elect to remain in the building until emergency personnel arrive.
- Report the status and location of anyone remaining in the building to campus responders (Safety and Security) and public officials (Police, Fire). Repeat this message often.
- Stay together at a safe distance (100 yards, upwind) from the building until Campus Safety and Security indicates you can return to the building.

The Alarm May Not Sound Continuously

- If by some chance the alarm stops, continue the evacuation, and warn others who may attempt to enter the building after the alarm stops.
- Leave the building and move at least 100 yards up wind away, leaving the driveways and walkways open for arriving police and fire equipment.
- **DO NOT** enter the building until given the all-clear from the Fire Department.
- Someone familiar with the situation and who knows the area involved should meet the fire department. Someone with keys, which may be needed to allow firefighters access to affected areas, should make them available upon arrival of the fire department.
- Notify firefighters on the scene if you suspect someone may be trapped inside the building.

If You Are Trapped

- Stay calm. There are many things you can do to protect yourself.
- If possible, go to a room with an outside window and use a flashlight or light to get people's attention.
- Close the door between you and the fire. Stuff the cracks around the door with towels, rags, or bedding and cover vents to keep the smoke out of the room.
- Use your cell phone or a land line to call the fire department and tell them exactly where you are. Do this even if you can see fire trucks on the street below.
- Wait at window and signal for help with a flashlight, if you have one, or by waving a sheet or other light-colored cloth.
- Be patient. Rescuing all the occupants of a residence hall can take some time.
- Do Not Jump from the Room - Any rescue attempts will be made by the Fire Department.
- If You Are On Fire: **Stop, Drop, and Roll** - If your clothes catch on fire, Stop, Drop, and Roll, wherever you are. Rolling smothers the fire.

Emergency Response Procedures

If a fire alarm sounds, the Omaha Fire Department and Safety and Security will respond to the affected building. If you notice a fire:

React Quickly and Calmly

1. If there is a fire, **call 911**.
2. Immediately evacuate the building (see below).
3. Never Ignore a Fire Alarm!
4. It shall be the responsibility of every person to immediately leave campus buildings whenever the fire alarm is activated, or a fire emergency exists.
5. **DO NOT USE THE ELEVATORS.**
6. When the fire alarm sounds, the Senior Leadership Team (SLT) should meet in a predetermined place to assess the extent of the situation.

Evacuation Procedures

1. Staff will announce the need for an evacuation and check all areas of the building to be sure everyone has evacuated, without putting themselves in danger. For example: “We have an emergency that makes it necessary to evacuate the building. Everyone move calmly and quickly to the nearest exit. Please let someone know if you need assistance.”
2. Do not fight a fire if you have not been trained.
3. Close doors to help prevent the fire from spreading.
4. SLT or Residence Life Staff will assign a staff member or Resident Assistant to meet firefighters and direct them to the fire’s location.
5. Meet in a designated shelter area or, weather permitting, an area outside and upwind (parking lot, etc.)
6. SLT and Residence Life Staff will make all appropriate efforts to make sure all students, faculty, and staff are accounted for.
7. Call emergency contacts.

Once the fire is Out

1. Follow the directions you receive from SLT.
2. If evacuated, wait for the approval of fire department officials before re-entering the building.
3. Assess the damage and take appropriate steps.

Documentation

Contact the Department of Safety and Security at (402) 670-8848 or by dialing “1” on any campus phone who will document all details regarding the incident.

Residence Halls

Specific details about fire safety measures in residence halls are set forth below. Safety and Security staff will respond and perform the following steps when responding to fire alarms in a residence hall:

- Safety and Security will proceed to the fire alarm panel and determine where the alarm originated.
- Safety and Security will then proceed to the area of origin to determine if there is a fire or what set off the alarm. If at any time, a real fire is suspected or confirmed, Campus Safety and security will again call 911 and make sure everyone has finished evacuating the building.
- If there is no apparent cause or the cause of the alarm is contained, Safety and Security will notify Residence Life Staff appropriately. Safety and Security will then reset the fire alarm panel and silence the alarm

Residence Life Staff will respond and perform the following steps when responding to a fire alarm in a residence hall:

- During an alarm or actual fire emergency, staff will carry out agreed-upon protocols, knocking on doors to awaken sleeping residents, but never putting themselves in danger.
- College of Saint Mary students still in a room are required to vacate immediately.
- College of Saint Mary students who refuse to vacate the room or who are found to be hiding somewhere in the room, will be held accountable for their actions, and sanctioned accordingly by the appropriate College of Saint Mary Judicial Hearing (at a later date).
- College of Saint Mary students should not wait for Residence Life Staff or Safety and Security to come to their room. Each resident is expected to provide for their own safety.
- At no time are Residence Life Staff allowed to place themselves at risk. Staff members are required to vacate a building immediately if their own safety is in jeopardy.
- Once procedures have been completed, exit the building and direct residents 100 yards, upwind away from the building and continue crowd control.

After the “All Clear” signal is given by either the Fire Department or Safety and Security, allow College of Saint Mary students to enter the hall. This signal must come from a member of the fire department or a professional Residence Life staff member.

In the event of a residence hall fire, an academic building will be opened by Safety and Security personnel to provide shelter until the building is either deemed safe to re-enter or temporary living arrangements can be made.

Fire Watches

Whenever it is brought to the attention of Safety and Security or Residence Life Staff that the fire alarm or sprinkler system is inoperable or has been placed out of service, a fire watch shall be established.

- Responsible personnel (safety and security department) shall be assigned to the fire watch.
- The entire building shall be toured at least twice during each hour of the fire watch.
- A log sheet will be completed by the officer assigned to fire watch.
- The fire watch shall be maintained at all times that the building is occupied until the fire protection system is repaired.

Prohibited Items in Residence Halls

Due to fire prevention guidelines and ventilation restrictions, the following appliances are **Prohibited** from use in individual rooms including, but not limited to the following:

- Any cooking appliance with exposed burners
- Heating surfaces including hotplates (even with a flat surface)
- Toaster ovens
- Lamps with halogen light bulbs
- Space heaters/ heater fans.

If any of these appliances are found in a resident’s room, they will be confiscated.

It is impossible to list all electrical appliances which are hazardous for use in the residence halls, although a general guideline is an appliance is prohibited if it is rated over six amps (700 watts), if it has an exposed heating element, or if it is not UL listed. Halogen lights are not permitted because they present a fire hazard.



Open Flames

Because of the risk of fire, anything with an open flame, as well as flammable materials (incense, candles, potpourri pots, etc.) is prohibited in the residence halls. In case of power failure, emergency lights will activate, and the Residence Life staff will have flashlights for assisting residents. Any decorative candles in a student's room must have a white wick or a removed wick. Students may have candle warmers.

Explosives

Gasoline, paint, ether, propane or any other flammable liquids or gasses are not allowed in any of the residential halls for any reason. Fireworks, gunpowder, or any other explosives are not allowed on campus under State Fire Codes and may not be stored on campus for any reason.

Any student found to have violated, or to have attempted to violate, local, state, federal or campus fire policies including, but not limited to: Intentionally or recklessly causing a fire which damages College of Saint Mary or personal property or which causes injury; Failure to evacuate a College of Saint Mary-controlled building during a fire alarm; Improper use of College of Saint Mary fire safety equipment; or Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on College of Saint Mary property, will be subject to College of Saint Mary disciplinary action and possible criminal prosecution.

Annual On-Campus Housing Fire Safety Systems

Location	Fire Alarm Monitoring System	Alarm strobe lighting	Audio Alarm	Full Sprinkler System	Smoke Detection (Battery operated)	Marked Fire Exits
Lozier Hall	YES	YES	YES	YES	YES	YES
Madonna Hall	YES	YES	YES	YES	YES	YES
Maryview	YES	YES	YES	YES	YES	YES

