

Hamline University
***CRIME AWARENESS AND
CAMPUS SECURITY ACT
(the CLERY ACT)
and the
ANNUAL FIRE
SAFETY REPORT***

2015

2015 Clery Act and Annual Fire Safety Report

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The Safety & Security Department, located on the main level of Drew Hall, is dedicated to the security, safety, and protection of the entire university community consisting of approximately 3,100 undergraduate students, 420 law school students and 1350 faculty, staff, and administrators. Staffed with a director, 13 full-time and two part-time Safety & Security officers, Safety & Security provides 24-hour incident response and security patrol to the Hamline community throughout the year. Safety & Security also employs 6 St. Paul Police officers on a part time basis. The safety and security of students, faculty, and staff remain one of Hamline University's primary concerns.

All members of the campus community are expected to support the efforts of the Safety & Security Department in developing and maintaining a safe and secure living/learning environment. Safety & Security strives to provide a safe University environment by following the procedures set forth in this document and encourages all community members to assume responsibility for their own safety and security. If a student or employee believes that appropriate security procedures are not being followed, or that the university environment is unsafe, please contact the Director of Safety & Security at (651) 523-2100 or by email at jschumann01@hamline.edu.

The mission of the Safety & Security Department is *"To support and advance the educational objectives of Hamline University by fostering a safe, secure and stable environment for living, learning and working."* The success of this mission depends on an interactive partnership between Safety & Security and the students, faculty, administration, staff, and visitors to the university. This partnership is based on the realization that all students, faculty, administrators, and staff must also accept their individual and collective responsibilities with respect to crime prevention and incident reporting to make Hamline University an institution that fosters a civil, orderly, and safe environment for all.

Authority of Safety & Security Officers

Hamline Safety & Security officers are charged with enforcing university policies as well as state and local laws where applicable, that occur on university property. The jurisdiction of the Hamline University Safety & Security Department is confined to Hamline University property unless assistance is requested by local/area law enforcement agencies. The Hamline University campus is considered private property and as such, access to and the ability to remain on campus property may be denied based on behavior. All persons must produce identification upon request by a Safety & Security officer while on Hamline University property. Hamline Safety & Security officers are not police officers and are not licensed by the State of Minnesota. They are empowered to make arrests pursuant to Minnesota Code Section 629.37 covering citizen's arrests. However in most instances, the St. Paul Police will be summoned to the campus should circumstances warrant an arrest.

Relationship with the St. Paul Police Department

Hamline continues to maintain a positive and on-going working relationship with state and local law enforcement agencies to address the impact of criminal behavior. The St. Paul Police Department and Hamline University Safety & Security openly exchange information concerning security and crime related matters and continue to maintain a proactive partnership with respect to the safety and welfare of the Hamline University and the local St. Paul communities. Regular meetings are held on a formal and informal basis with the St. Paul Police to discuss criminal activity, investigations and crime trends on the campus, near the campus and within the City of St. Paul. In addition, the St. Paul Police Department is informed of all serious incidents and property crimes occurring on the campus and when appropriate, will investigate crimes in conjunction with Hamline University Safety & Security personnel as well as the Dean of Students Office.

Community Reporting and Institutional Response

To achieve a safe and secure campus environment, **all** members of the campus community are encouraged to report promptly any suspicious or criminal activity observed directly to Safety & Security at x2100 and the St. Paul Police Department when the victim elects to report or is unable to make such a report. Those community members who "have significant responsibility for student and campus activities, serve as advisors to student groups or coach student athletes"

are **required** to report crimes to Safety & Security as they have been identified as “Campus Security Authorities (CSA’s)” as defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (hereafter referred to as the Clery Act). It is critical that all crimes reported to campus security authorities be reported to Safety & Security for inclusion in the University’s annual campus security report pursuant to the Clery Act. Compliance with these provisions does not constitute a violation of regulations under the Family Educational Rights and Privacy Act of 1974 (FERPA). Reporting a crime under the Clery Act does not require an investigation or disclosing identifying information about the victim. Furthermore, retaliation by an institution or an officer, employee or agent of an institution against any individual for exercising their rights or responsibilities to report crimes under any provision under the Clery Act is strictly prohibited.

Upon receipt of a call, the dispatcher will gather preliminary information from the caller and when appropriate, dispatch a Safety & Security officer to the location of the incident. The responding officer will investigate the complaint or concern. Depending upon the nature of the incident, Safety & Security will initiate the appropriate response according to department protocol and/or university policy. If necessary, the St. Paul Police Department will be contacted to assist in resolving the incident. A confidential crime stoppers tip line is also available in the Metro area and community members are encouraged to use this number to help address criminal activity.

Emergency telephones are located near the main entrance of each residence hall. Additional outside emergency phones are located at the Hamline Apartments drive way, between Sorin and Manor Halls, North West corner of the Heights Apartments, Drew Parking Lot and on the Klas Mall to encourage the prompt reporting of criminal and/or unacceptable behavior. These exterior phones are equipped with a stationary blue light above them so they are easily recognizable across campus. All members of the Hamline community should memorize the following numbers to report criminal behavior and emergencies:

**Hamline University Safety & Security
St. Paul Police, Fire, and Ambulance**

**(651) 523-2100
9-911**

Community Awareness and Crime Prevention

Crime prevention at Hamline University is based on minimizing or eliminating criminal opportunities and encouraging students and employees to be responsible for their individual safety/security and the collective safety/security of others. Safety & Security conducts crime prevention/awareness programs upon request to educate the Hamline community on measures the community can take to reduce the chances of becoming a victim of crime. These crime prevention programs consist of professionally produced DVD’s, university designed power point presentations and/or topic specific lecture materials and an open exchange among attendees. Crime prevention programs for students, faculty and staff can be arranged by contacting the Director of Safety & Security at 651-523-2078.

Crime prevention/awareness programs, presented by Safety & Security, are conducted for all residence Life Area Coordinators and Resident Assistants prior to the beginning of each academic year. We educate the residence hall staff because they may have the first immediate contact with the victims of crime. Crime prevention information including personal safety tips, emergency procedures and protocols, and the proper procedure for reporting incidents to Safety & Security are posted on the Safety & Security website for all community members. We believe that a well-informed campus community will be empowered to take preventative measures that will ultimately reduce their chances of becoming victims of criminal activity.

Crime prevention/awareness programs, presented by Safety & Security, are conducted for all Residence Life Area Coordinators, Resident Assistants prior to the beginning of each academic year recognizing they may have the first

immediate contact with the victims of crime. Safety & Security conducts crime prevention/awareness programs for other groups upon request to educate the Hamline community on measures the community can take to reduce the chances of becoming a victim of crime. These crime prevention programs consist of professionally produced videos, university designed power point presentations and/or topic specific lecture materials including an open exchange among attendees. Crime prevention programs for students, faculty and staff can be arranged by contacting the Director of Safety & Security at 651-523-2100.

Timely Warning Notifications

When serious crimes are reported on campus as defined by the Crime Awareness and Campus Security Act (Clery Act), Safety & Security will issue a timely warning (Crime Alert) to the campus community that an incident has been reported, general information surrounding the incident and how incidents of a similar nature might be prevented in the future. The criteria for the issuance of timely warnings would include “crimes that are considered to represent a serious and/or continuing threat to students and employees”. The names of those persons involved or information that could lead someone to identify the complainant or respondent will be held confidential and will not be released in the timely warning. These alerts are sent by electronic mail directly to students, faculty and staff of the university and also posted on specific doors and locations.

Daily Crime Log

A daily crime log listing all crimes reported to Safety & Security is maintained in the Safety & Security Office and is available for public review during normal business hours. The daily crime log includes general geographic and time reported information but does not include the names of reporting parties or the respondent. Crimes reported to Hamline University Safety & Security will not be withheld or removed from the crime statistics based on a decision by a court, coroner, jury, prosecutor or other non-campus official unless the crime is classified as “unfounded” by local law enforcement authorities.

Building Security

All residence halls are secured by a card access system at hours determined by the residential life office. Other than the outer main doors, all exterior doors to the residence halls are locked 24 hours a day and are considered emergency exits only complete with local audible alarms. Residence Life and Safety & Security staff check residence hall exterior doors after the scheduled locking times in an attempt to ensure that the doors remain secure. All academic and administrative buildings are checked and secured daily at predetermined times by Safety & Security staff. The university also employs a full-time locksmith to repair and replace locks that require attention to maintain the security of all campus buildings. Safety & Security strives to see that all appropriate doors are locked and asks that any student or employee noticing an unlocked or propped door to report the location immediately to Safety & Security at (651) 523-2100.

Safety Escort Program

Hamline University sponsors a Security Escort Program to provide safe, vehicular/walking transportation for students concerned about their personal safety both on-campus and to areas identified in the escort policy boundaries map (one mile radius of the main campus). The Security Escort drivers are dispatched from the Security Office in Drew Hall and rides may be obtained by calling (651) 523-2100. This service is operated for personal safety reasons and will not normally transport groups of people. Also, the drivers will not provide transportation to drive through locations or leisure activities. The Security Escort Program is under the direction of the Safety & Security Department and staffed entirely by officers/students.

Alcohol and Drug Policies

By institutional policy, Hamline University chooses to be an alcohol (limited) and drug free community. We do so out of the conviction that this policy:

- 1) Promotes a caring environment;
- 2) Enhances the atmosphere for study, learning, growth, work, and wellness;
- 3) Supports members of the community affected by or concerned with the abuse of alcohol and other drugs; and
- 4) Respects the rights of those who choose not to use alcohol or other drugs.

Additional information concerning alcohol and other drug policies may be found in the Hamline student handbook.

The possession, use, or distribution of alcoholic beverages is prohibited in most areas of the Hamline campus. Exceptions are university sponsored events and alcohol used by students of legal age in their private residence. Furthermore, the possession, use, distribution, or sale of illegal drugs on all University property is strictly prohibited in accordance with university policy and State and Federal laws. University policies and State laws regarding alcohol and drug use are enforced by Safety & Security, the residence life staff, concerned members of the campus community and the St. Paul Police Department.

Students who violate the alcohol policy, will face disciplinary action based on the severity of the infraction. The use, possession, distribution or sale of illegal drugs will be subject to disciplinary action up to and including dismissal from Hamline University. In addition to this information, we encourage all students, faculty and staff to review the Drug Free Schools and Communities Act publication which includes the legal sanctions for drug and alcohol violations as well as health risks, counseling, treatment, and rehabilitation associated with drug and alcohol use and abuse.

Chemical Abuse Programs

Prevention, Intervention, and Assistance Programs are available to all members of the Hamline Community to combat and cope with problems stemming from chemical use and abuse. Students are encouraged to contact the Hamline Health & Counseling Services Office (651-523-2204) if they themselves or a friend are affected by chemical use or abuse. Programs are also available for university employees through the Office of Human Resources (651-523-2210).

Emergency Procedures

Emergency Response

Whenever an incident occurs on campus, Safety & Security should be contacted **immediately** by telephoning (651) 523-2100. Upon arrival, the officers will confirm the reported incident, assess the situation and determine if additional resources are necessary to resolve the situation. Additional resources may include other University employees/departments or external agencies such as the St. Paul Police, the St. Paul Fire Department or St. Paul Emergency Medical Services. If the incident is determined to be a significant emergency that will impact the campus community, the Director of Safety & Security or designee activate any additional Hamline Teams or officials to deal with the incident and if appropriate, initiate the emergency notification system and begin the transition to emergency operations.

Hamline University has adopted an “all hazards approach” to campus emergencies utilizing the Incident Command System (ICS) of incident management. The Safety & Security Department and numerous other key University officials have received incident command training through the National Incident Management System (NIMS) to enhance our response to and recovery from critical campus incidents. Emergency response exercises are conducted bi-annually. In addition, data is recorded regarding each table top exercise to include a description of the exercise, the date, and time it was conducted and whether the exercise was announced or unannounced.

Emergency Notification

Hamline University will notify the community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on the campus. This notification will be initiated utilizing our emergency notification system (HU Alert) consisting of text messaging, calls to cell phones, as well as Hamline phones and e-mail alerts. The Hamline emergency notification system is populated using information compiled in the Hamline Banner system and then subscriber based for updates and additions. The system is readily available to all students, faculty and staff through the University website at <http://hamline.blackboard.com> and under Emergency Notification in the Pipeline system . All community members are strongly encouraged to keep their information updated since this is the most comprehensive and far reaching method of communicating emergency notifications. Tests of the emergency notification system are conducted semi-annually and data is gathered to measure distribution through our system provider. The university will also utilize other systems such as building intercoms, public address systems, and digital signage screens to enhance the distribution of information as time and circumstances permit.

In the event of a significant emergency, an HU Alert will be issued by Hamline University to students and staff without delay, taking into account the safety of the community. The university will determine the content of the notification and initiate the notification immediately unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. The notification will be prepared and issued through a collaborative discussion with Safety & Security staff, student life dean and communications & marketing staff. Information regarding the emergency will also be posted on the Hamline website through the office of Marketing and Communications as appropriate to inform the larger community.

Evacuation Procedures

All faculty, staff, and students should learn the evacuation routes and stairwell locations for all campus buildings they frequently occupy. Once you have evacuated, seek shelter in the nearest campus building. If Safety & Security, law enforcement or fire department personnel are on the scene, follow their directions. Fire drills are conducted semi-annually in all residential facilities on campus and are monitored by the Residential Life Staff and Safety & Security. The purpose of these drills is to prepare building occupants for an organized evacuation in case of fire or other emergency. During an evacuation, occupants are encouraged to take personal belongings (purse, wallet, HU card, cell phone, etc.) and follow the evacuation procedures for their building (close your door, proceed to the nearest exit, and use the stairs, not the elevators).

Sheltering in Place

If an incident occurs outdoors, the buildings around you become unstable or if the air outdoors becomes dangerous due to toxic or irritating substances in the air, it is usually safer to stay indoors. Thus, to “shelter in place” means to make a shelter in the building you are in. If you are outdoors, proceed to the closest building quickly or follow instructions from emergency personnel on the scene. Should this type of situation arise, a shelter in place notification will be sent to the community through our emergency notification system. To shelter in place, close all exterior doors, shut and lock all windows, turn off air conditioners and fans, close off ventilation systems if you are able (university staff will turn off building ventilation systems as quickly as possible when necessary) and place a rolled up towel under the door to the room. Monitor your cell phone and e-mail for further instructions and additional updates. A subsequent notification will be sent when it is no longer necessary to shelter in place.

Missing Students Residing in On-Campus Housing

If a member of the university community has reason to believe that a student who resides in on-campus housing is missing, he or she should **immediately** contact Safety & Security at (651) 523-2100. Safety & Security will respond to the caller and initiate an investigation. After assessing the missing person information, should Safety & Security determine the student appears to be missing and has been missing for more than 24 hours, Hamline University will notify

the St. Paul Police Department, provide them with a report and notify the student's emergency contact person (if one is provided) no later than 24 hours after the student is determined to be missing. If the missing student is under 18 years of age and is not an emancipated individual, Hamline University will notify the student's parent or legal guardian immediately after Safety & Security has determined that the student is missing. In addition to registering an emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by Hamline University in the event the student is determined to be missing for more than 24 hours. Only University officials and law enforcement will have access to the confidential contact person information. This policy does not preclude Hamline University from initiating internal missing person procedures in less than 24 hours if circumstances warrant faster implementation.

Sexual Misconduct Information

Sexual Misconduct Policy

Notice of Nondiscrimination

Hamline University does not discriminate on the basis of race, color, creed, national and ethnic origin, sex, age, religion, disability, marital status, status with respect to public assistance or sexual orientation in administration of its educational policies, financial aid program, athletics and all other programs. Harassment based upon an individual's legally protected status is a form of prohibited discrimination. In accordance of Title IX, this policy addresses the University's prohibition of sexual discrimination. Sexual Harassment is a form of sexual discrimination. Sexual harassment includes a variety of unwelcome behavior of a sexual nature, and at its most severe form includes sexual misconduct. Examples of sexual misconduct include, but are not limited to: sexual assault, domestic violence, dating violence, and stalking.

Questions or concerns regarding sexual discrimination, sexual harassment or sexual misconduct may be directed to Hamline's Title IX Coordinator:

Patti Klein (651-523-2948)
Bush Student Center 108

Questions or concerns may also be directed to the [Office of Civil Rights](#) of the United States Department of Education.

Hamline University is committed to a safe and healthy environment and as such will not tolerate sexual harassment or sexual misconduct in any form including but not limited to: sexual assault, domestic violence, dating violence, and stalking. Sexual assault is a crime and is a violation of an individual's rights and dignity. Sexual assault is not only an act of disrespect, violence, aggression or coercion against an individual, but also an attack on our University community.

The University is committed to promptly, impartially, and equitably addressing and resolving all reports of discrimination, harassment, sexual misconduct or violence, domestic or dating violence, or stalking. When the University finds that such behavior has occurred, it will take steps to prevent the recurrence of the behavior and to correct its effects.

Retaliation against an individual who brings a complaint or pursues legal action, or an individual who serves as a witness in an investigation is prohibited and will not be tolerated.

Scope of Policy

Sexual harassment or misconduct committed in connection with any University program, whether on or off campus, is prohibited and will not be tolerated. This applies to academic, educational, extra-curricular, athletic, residential and other University programs. In addition, this policy applies to off-campus conduct that the University determines may cause or threaten to cause an unacceptable disruption at the University or which may interfere with an individual's right to non-discriminatory educational environment.

This policy applies to all students, employees, contractors, and other visitors. This also applies regardless of the sexual orientation or gender identity of any of the parties. Hamline University is committed to addressing sexual misconduct and encourages victims to report incidents to appropriate university authorities. Individuals found responsible of sexual assault will be subject to any disciplinary action deemed appropriate by the university, up to and including suspension, expulsion, or discipline for student's disciplinary action up to and including termination of employment for personnel and no trespass orders and/or other disciplinary action against other individuals deemed responsible for violating the university's policy.

Definitions

Complainant - The person alleged to have been subject to conduct that violates the Sexual Misconduct Policy.

Respondent - The person accused of engaging in conduct that violates this policy.

Sexual Harassment

Sexual harassment includes unwelcome conduct such as sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal, nonverbal or physical conduct or communication of a sexual nature when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's educational experience or employment, or the individual's submission or rejection of such conduct is used as the basis of an educational program or activity decision or employment decision affecting such individual; or
- Such conduct has the purpose or effect of substantially and unreasonably interfering with an individual's education or employment or creating an intimidating, hostile, or offensive educational or work environment.

Sexual harassment is distinguished from a voluntary sexual relationship by the introduction of the element of coercion, threat, hostility, or unwanted attention of a sexual nature.

Actions that can constitute sexual harassment include:

- Unwelcome sexual flirtations, advances, or propositions;
- Requests for sexual favors
- Verbal abuse of a sexual nature, obscene language, off-color jokes, verbal commentary about an individual's body, sexual innuendo, and gossip about sexual relations
- The display of derogatory or sexually suggestive posters, cartoons, drawings, objects, notes, letters, emails, or text messages
- Visual conduct such as leering or making gestures
- Videotaping or taking photographs of a sexual nature without consent
- Cyber harassment, including but not limited to disseminating information, photos, or video of a sexual nature without consent
- Engaging in conduct of a sexual nature which creates an intimidating, hostile, or offensive academic or work environment (e.g., sexually-oriented jokes, offensive physical contact, obscene messages, and gestures)
- Punishing or threatening to take adverse action against a subordinate or student for refusing to comply with sexual demands.

Although certain forms of sexual harassment may seem self-evident, recognizing such behavior when it is happening to you or others around you can be difficult. In making such an assessment consider whether the behavior:

- Is offensive, unwanted or both
- Interferes with your ability to enjoy your employment or academic environment
- Interferes with job or academic performance
- Causes unnecessary discomfort, humiliation, or harm to you or others around you.

If at any time you are able to answer yes to any of the above questions, you should immediately contact the university's Title IX Coordinator Patti Klein 651-523-2948. Faculty and employees are reminded to review the university's Consensual Relations policy for other guidance relating to romantic relationships.

Sexual Misconduct

Sexual Misconduct is a form of sexual harassment and incorporates a variety of behaviors, including sexual assault or other sexual violence, domestic violence, dating violence, peeping, voyeurism, and going beyond the boundaries of consent (such as secretly allowing others to watch a sexual encounter). Many types of sexual misconduct include nonconsensual sexual contact, but this is not a necessary component. Threatening or intimidating speech, which meets the definition of sexual harassment, for example, will constitute sexual misconduct. Photographs, video, or other visual or auditory records of sexual activity made or shared without explicit consent constitute sexual misconduct, even if the activity documented was consensual

Sexual Assault

Sexual Assault is any sexual contact, including but not limited to sexual penetration, with another person who does not or cannot give consent. This may or may not include force. The use of alcohol or drugs does not diminish a person's responsibility for assaulting someone. Sexual Assault includes, but is not limited to:

- Unwanted sex by acquaintance or stranger
- Unwanted touching, fondling, grabbing
- Use of coercion to cause submission

Consent

Consent is words or overt actions by a person clearly indicating a freely given present agreement to perform a particular sexual act with the actor. Consent must be informed and freely and actively given. Consent can only be given by someone who acts freely, voluntarily, and with knowledge of the nature of the act involved. Consent can be withdrawn at any time. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and obtaining consent

As explained further below consent cannot be given if someone:

- Is incapacitated by drugs or alcohol
- Is threatened, coerced or intimidated into submission
- Is not conscious
- Is physically incapacitated
- Is mentally incapacitated
- Is not of legal age to consent (16 years old in Minnesota)

Consent cannot be inferred from:

- Permission for one particular act
- A prior sexual, romantic or marital relationship
- An existing sexual, romantic or marital relationship
- Silence, or an absence of resistance
- Prior sexual activity with other individuals

Incapacitation

"Incapacitation" means the physical and/or mental inability to make informed, rational judgments. Where alcohol is involved, incapacitation is determined by how the alcohol consumed impacts a person, including the person's decision-making capacity, awareness of consequences, and ability to make informed judgments. The question is whether the respondent knew, or a sober, reasonable person in the position of the accused student should have known, that the person was incapacitated.

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; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

Domestic Violence

Felony or misdemeanor crimes of violence committed by a family or household member, defined as: a current or former spouse, parent, child, or blood relative, persons residing together, individuals with a child in common, and individuals in a significant romantic or sexual relationship under Minnesota domestic or family violence laws. While not exhaustive, the following are examples of conduct that can constitute domestic violence: (1) physical harm, bodily injury or assault; (2) the infliction of fear of imminent physical harm, bodily injury, or assault; or (3) terroristic threats, criminal sexual conduct, or interference with an emergency call.

Stalking

Stalking means engaging in a course or pattern of unwelcome and unwanted conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or to suffer substantial emotional distress. Stalking can be a form of sexual harassment if based on someone's sex. Stalking behavior includes, but is not limited to:

- Repeated, unwanted, intrusive, and frightening communications by phone, mail, and/or email;
- Repeatedly leaving or sending victim unwanted items, presents, or flowers;
- Following or lying in wait for the victim at places such as home, school, work, or recreation place;
- Making direct or indirect threats to harm the victim, the victim's children, relatives, friends, or pets;
- Damaging or threatening to damage the victim's property;
- Posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth. Unreasonably obtaining personal information about the victim by accessing public records, using internet search services, hiring private investigators, going through the victim's garbage, following the victim, contacting victim's friends, family work, or neighbors, etc

Retaliation

Retaliation means adverse action taken against an individual for making a good faith report of a violation of this policy, for supporting another person's report, or participating in an investigation or other proceedings based on the report.

Consensual Relations

Students, faculty and staff members should understand that apparently "consensual sexual relationships," particularly those among persons of unequal status, may be or become a violation of this policy. Anyone who engages in a sexual relationship with a person over whom he or she has any degree of power or authority must understand that the validity of the consent involved can and may be questioned. For more information on consensual relationships, see the University's Consensual Relations policy.

Confidentiality Policy

The university encourages victims of sexual violence to talk to someone and get the support they need, and so the university can respond appropriately. While only certain university employees are considered "responsible employees" for purposes of reporting known or suspected incidents of sexual misconduct, it is the university's expectation that all students and employees who do not serve as one of the confidential sources identified above and are obligated to report

the details of the event (including names of the victim and accused) to the Title IX coordinator, and will result in an investigation of the incident and the appropriate steps will be taken to address the situation.

When a report of sexual harassment or sexual misconduct is made to the University, every effort will be made by the University to ensure confidentiality to the extent possible, subject to the University's need to investigate and respond to such complaints and to report campus crimes in accordance with applicable law. While the University is obligated to report general information regarding incidents of sexual assaults, reports will not include names or other information that may personally identify the victim.

Prevention Efforts

In conjunction with residence life programming, Hamline University conducts educational and training programs on alcohol and other drug use and abuse and the awareness and prevention of sex offenses upon request.

Additional education and training programs for students is available from several sources. The University Health and Counseling Center also offers programming surrounding issues such as healthy lifestyles, balancing your life and bystander intervention training.

All University employees are required to complete, "Sexual Harassment Prevention Training". The program educates employees on understanding, recognizing, refraining from, and reporting instances of sexual harassment and sexual abuse. The University Sexual Misconduct policy intended to eliminate, prevent, and address the effects of sexual misconduct is posted on the University website and linked in several places, including the student handbook, the staff handbook, and the faculty handbook. Key university employees have participated in extensive Title IX training including the Title IX coordinator, Title IX investigators and adjudicators, senior staff and program directors in the Office of Student Life, and Human Resources and other members of the President's Leadership Team. Additional prevention programs supplementing our existing employee training on preventing sexual harassment and sexual abuse will be implemented this year to specifically address sexual assault, domestic violence, dating violence and stalking. The goal is to achieve at least a 50% participation rate among all employees by January 31, 2015 and a 100% participation rate by June 30, 2015.

Reporting Incidents of Sexual Misconduct

Victims of sexual and relationship violence including sexual assault, sexual harassment, domestic violence, dating violence and stalking should report the offense in person to the Dean of Students Office, the Title IX Coordinator, Safety & Security or the St. Paul Police Department so that appropriate care and information can be provided. All of these incidents should be reported whether it occurred on or off campus. Hamline University will support any sexual assault victim by working with the student in any capacity necessary such as contacting the St. Paul Police Department to file a police report, contacting a support person or group, contacting the student's academic advisor and professors, providing transportation to the hospital and by providing alternative assistance in changing academic, living, transportation and work situations if these alternatives are requested by the victim and are reasonably available. These accommodations, if requested and reasonably available, will be offered regardless of whether the victim chooses to report the crime to Safety & Security or local law enforcement. Hamline University will strive to maintain confidentiality regarding any changes in alternative accommodations or protective measures to the extent possible while providing these types of assistance to victims.

In cases of sexual misconduct, Hamline University has the ability to issue "no contact orders" when both the complainant and the accused are members of the University community. In addition, regardless of University affiliation by either party, petition forms to apply for Harassment Restraining Orders and Orders for Protection are available at the St. Paul Police Department but these forms must be submitted to the Court Administrator in the Ramsey County Courthouse, 15 West Kellogg Blvd, 55102, during business hours.

Students have the option to notify local law enforcement authorities and will be assisted by campus authorities in notifying such authorities, if the student so chooses. All victims are encouraged to report the incident to the St. Paul Police Department and file criminal charges, but the filing of charges is optional. If filing charges is a consideration, sexual assault victims should go to a Hospital to obtain a medical exam and preserve evidence that may be necessary for criminal prosecution as soon as possible. If charges are not being considered, victims are still encouraged to obtain a medical examination for the treatment of injuries, sexually transmitted diseases and pregnancy.

Complainant Requests for Confidentiality or Non-action

The University is required by law to investigate and respond to reports of sex discrimination, sexual harassment, and sexual misconduct, including sexual assault. When the university receives such a report, it has a legal obligation to respond in a timely and appropriate manner. Making a report to the university does not require a complainant to initiate or participate in the university's complaint procedure, or to report to local law enforcement. However, based on information gathered, the university may determine that it has a responsibility to initiate a complaint procedure (even without the complainant's participation). If a complainant asks the university that his or her name or other identifiable information not be revealed during the investigation or that no investigation be conducted, the university will evaluate the request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students, faculty and staff. In some cases, a confidentiality request may hinder the investigation. Thus, the university may weigh the request for confidentiality or no investigation against the following factors: the ability to conduct an investigation without revealing identifiable information, the seriousness of the alleged conduct, whether there have been other discrimination, harassment, sexual misconduct, or retaliation complaints about the same individual, and the extent of any threat to the university community.

Although the university cannot guarantee confidentiality, it will strive to accommodate a complainant's requests to the extent possible consistent with the legal obligations of the university to investigate and respond effectively to reports and complaints, and to report campus crimes in accordance with applicable law. As discussed further below, the university is obligated to provide the university community with general information regarding incidents of sexual misconduct occurring on campus, but such warnings will not include names or other information that may personally identify either the complainant or the respondent.

Interim Measures and Ongoing Accommodations

At any time after a report of a potential violation of this Policy has been received by the university, the university may take immediate steps as it finds appropriate to protect a complainant or to meet its obligations to maintain a safe, nondiscriminatory environment for students and employees. The university may take such steps even when a complainant asks that the university keep a reported violation of this Policy confidential and that it not investigate the matter, and regardless of whether the complainant chooses to report to campus police or local law enforcement. *In addition, the university will make accommodations and provide protective measures for the complainant if requested and reasonably available.* Such measures will vary based on the particular facts and circumstances and based on a complainant's confidentiality preferences, but may include:

- Establishing a "no contact" order between individuals.
- Prohibiting an individual from being on campus or at university events.
- Providing escorts.
- Changing a student's or employee's status, in consultation with appropriate administrator(s).
- Changing work, class, or other schedules, in consultation with appropriate administrator(s).
- Changing housing or transportation arrangements, in consultation with appropriate administrator(s).
- Changing academic requirements or providing assistance with academic issues.
- Issuing a timely warning of any substantial threat or danger to the community.
- Making information available about and providing assistance with respect to orders for protection and harassment restraining orders, including enforcement of such orders.

*To request an accommodation or protective measure, complainants should contact the Hamline **Title IX Coordinator** or the **Dean of Students Office**.* The university will maintain as confidential any accommodations or protective measures

provided to the complainant, to the extent that maintaining such confidentiality will not impair the ability of the university to provide the accommodations or protective measures. The university will also solicit feedback from the complainant as to the effectiveness of the accommodations or protective measures, and adjust the arrangements if necessary to enhance effectiveness.

Anonymous Reports

The university will accept anonymous reports of conduct alleged to violate this Policy made to the Title IX Coordinator or to other individuals or offices listed. The individual making the report is encouraged to provide as much detailed information as possible to allow the university to investigate and respond as appropriate. The university may be limited in its ability to investigate an anonymous report unless sufficient information is furnished to enable the university to conduct a meaningful and fair investigation.

Waiver of Drug/Alcohol Violations

Individuals who report violations of this Policy, including assault, dating or domestic violence or stalking, and individuals who participate in an investigation into allegations of violations of this Policy, will not be disciplined by the university for any violation of its drug and alcohol policies in which they might have engaged in connection with the reported incident.

Investigations Conducted

Sex offenses reported to Safety & Security, the Title IX Coordinator or the Dean of Students Office will be investigated promptly and appropriate action taken. If the accused (respondent) is a student and the victim (complainant) reports the incident to the University, an investigation will be initiated by the Safety & Security Office. If the accused is an employee of the University, the investigation will be conducted by the Title IX Coordinator. The investigation will include, at a minimum, separate interviews with the complainant and respondent. During their own interview, the accuser and the accused are entitled to have an advisor of their choice present as long as the advisor is not a potential witness. A written fact finding report will be prepared by the investigator and presented to the Responsible University Authority. The Responsible University Authority will then determine whether, based on a “preponderance of evidence” (more likely occurred than not), a policy violation has occurred, and if so, the disciplinary or other action that is appropriate. Following the final determination by the Responsible University Authority, the accuser and the accused shall be simultaneously notified in writing of the outcome alleging the offense and the sanctions imposed. In all cases where there is a finding of a violation, the university will take prompt and appropriate action. Persons found responsible for sexual misconduct offenses will be subject to strict disciplinary action by the University, up to and including discharge or expulsion. To obtain more information concerning the options available to victims of sexual violence, contact the Dean of Students Office.

Immediate and On-Going Assistance for Survivors of Sexual Misconduct

Students who feel they have been the victim of any form of sexual misconduct may wish to seek support or confidential counseling from the following resources. If you are unsure as to where to go or what to do first contact Safety & Security.

On-Campus Confidential Resources

- Counseling and Health Services Center: 651-523-2204
- Religious and Spiritual Life Office: 651-523-2315

On-Campus Resources (Non-Confidential)

- Title IX Coordinator, Patti Klein, 651-523-2948
- Dean of Students Office: 651-523-2421
- Safety & Security: (651) 523-2100 (24 hour dispatch-emergency)

Off-Campus in St. Paul Community Resources

- Regions Hospital Crisis Line: 651-254-1000
- St. Paul Police: 911 or 651-291-1111 (non-emergency)
- Sexual Offense Services of Ramsey County: 651-643-3006 24 hour hotline (Confidential)
- Minnesota Victim Justice Unit: 651-291-0211
- Office of Justice Programs: 651-201-7300

Confidential resources will not file a report for investigation. Other resources are required to follow up if the identity of the alleged assailant is known or can be determined, but will do so with respect for the privacy of those allegedly involved in the incident.

Health Care Options

The St. Paul Regions Hospital has Sexual Assault Nurse Examiners (SANE's) on-call that can be at the hospital within one hour to perform a special exam and collect evidence in a "rape kit". In addition to answering any questions, SANE's will carry about a special exam which involves:

- Collecting and saving evidence that will be needed to report sexual assault to law enforcement
- Evaluating risk for pregnancy and discussing safe prevention options
- Evaluating risk of contracting a sexually transmitted infection and offering medication to reduce that risk
- Further evaluating and documenting any injuries
- Providing resources to help during your recovery. This will include advocate services, agencies for medical follow-up, information about reporting this crime to law enforcement, information about the Crime Victims Reparations Fund and many other resources.

Choosing to be seen by a SANE is about your health and safety; you have the right to decline any part of the exam at any time. You do not need to decide if you want to report this sexual assault to law enforcement right away. You can discuss your options for reporting with your SANE, a sexual assault advocate, or your friends and family. If you decide to report after you leave the hospital the evidence collected during the exam will be saved for up at 3 months. If you have already reported your assault, your SANE will make sure the correct law enforcement agency is made aware that evidence was collected. The county in which you were assaulted is required by law to pay for your forensic exam. If you have injuries that require medical care, such as stitches or x-rays, your insurance will be billed if that is possible. Any charges beyond this will be covered by the hospital at which you were seen.

For more information about Sexual Assault Nurse Examiners, please visit

http://www.hcmc.org/services/HCMC_MAINCONTENT_428

Counseling, Advocacy, and Support

The university encourages victims of sexual violence to talk to somebody about what happened so victims can get the support they need, and so the University can respond appropriately.

Descriptions of responsibilities of Title IX Coordinator

Pursuant to Title IX of the Educational Amendments of 1972 and 34 C.F.R. Part 106, the Hamline University Title IX Coordinator is the designated representative of the university with primary responsibility for coordinating University Title IX compliance efforts. The responsibilities of this position are critical to the advancement, execution, and monitoring of University-wide efforts to comply with Title IX legislation, regulation, and case law. The Title IX Coordinator is the university agent who is charged with the responsibility to oversee and monitor Title IX related policies and developments; the implementation and oversight of grievance processes and procedures, including notification, investigation and disposition of complaints; provision of educational materials and training for the campus community; conducting and/or coordinating investigations of complaints received pursuant

to Title IX; ensuring a fair and neutral process for all parties; and monitoring all other aspects of the university's Title IX compliance.

If You Are Sexually Assaulted

Get Help

1. Get to a safe place.
2. If you need emergency medical care, go to **St. Paul Regions Hospital at 640 Jackson Street** (contact Hamline Safety & Security for transportation: (651) 523-2100), where sexual assault nurse examiners (SANEs) are on-call to perform a special exam and collect evidence in a "rape kit." SANEs also can help evaluate the risk of pregnancy and sexually transmitted diseases, and provide resources to help with recovery. *Choosing to be examined by a SANE is about your health and safety; you have the right to decline any part of the exam at any time. DNA evidence may be collected up to five days after a sexual assault but is most likely to yield positive results the sooner it is collected. Evidence can be stored for up to three months while a survivor decides whether to pursue criminal charges.*

Report to police

1. **Call 9-1-1.** Calling law enforcement does not obligate you to file a police report, although you may do so. The police can provide immediate response for your protection, help you obtain medical care, and arrange a meeting for you with victim advocate services.
2. **Call Hamline Safety & Security (651) 523-2100).**
3. Contact Hamline Title IX Coordinator Patti Klein, 651-523-2948.
4. To ensure your safety on campus, the University can rearrange class schedules, enforce no-contact orders, and/or pursue Title IX investigation proceedings. Even if you choose not to report an assault to law enforcement, you have the right to continue to pursue your education in an environment free from the effects of sexual violence, including any ongoing harassment.
5. You may also tell a trusted faculty or staff member, who will work with the Title IX coordinator to provide you with support and resources. All university employees, including student employees, are required to report to the Title IX coordinator information they receive about allegations of sex-based discrimination, sexual harassment, and sexual misconduct involving students within 24 hours of receiving the information.
6. Reporting to campus authorities is not the same as reporting to the police; the University's process is an administrative — not criminal proceeding.

Find support

The Hamline Health & Counseling Center provides confidential on-campus support for victims of sexual harassment and sexual assault. Call **651-523-2204** to schedule an appointment.

The National Sexual Assault Hotline **800-656-HOPE** provides free and confidential assistance to those above the age of 18 to help you understand your options, even if you have chosen not to report to law enforcement. For academic assistance contact the Dean of Students Office at **651-523-2421**.

If You are Harassed or Stalked

If someone has harassed, stalked you, or made unwelcome sexual advances, requests for sexual favors, or threats for failure to engage in sexual relations, contact Title IX Coordinator Patti Klein, 651-523-2948. You may also contact the Dean of Students Office. The university will take measures to stop sexual harassment.

Examples of sexual harassment:

- Unwelcome sexual flirtations, advances, or propositions
- Requests for sexual favors
- Verbal abuse of a sexual nature, obscene language, off-color jokes, verbal commentary about an individual's body, sexual innuendo, and gossip about sexual relations
- The display of derogatory or sexually suggestive posters, cartoons, drawings, objects, notes, letters, emails, or text messages
- Visual conduct such as leering or making gestures
- Shooting video or photographs of a sexual nature without consent
- Cyber harassment, including but not limited to disseminating information, photos, or video of a sexual nature without consent
- Engaging in conduct of a sexual nature which creates an intimidating, hostile, or offensive academic or work environment (e.g., sexually oriented jokes, offensive physical contact, obscene messages and gestures)

On-Campus Resources

To ensure your safety on campus, the University can rearrange class schedules, enforce no-contact orders, or pursue student conduct code proceedings. Contact Title IX Coordinator Patti Klein, 651-523-2948 or Dean of Students Alan Sickbert, 651-523-2421 for assistance.

Sexual Misconduct Complaint Process and Resolution

Complaint Procedure

The following process shall generally apply to any complaint of a violation of this policy received by the university:

Initiation of Complaint

Complaints are generally initiated by individuals who believe that their rights under this policy have been violated, but any individual may initiate the complaint procedure. In addition, circumstances may arise in which a complaint may be initiated in the name of the university to protect the safety, integrity and welfare of the community as a whole. Generally, the Title IX Coordinator will make a determination of whether a complaint should be initiated in the name of the University. When a complaint is made under this policy, the university may ask that any report be confirmed in a written and signed complaint form. The Title IX Coordinator or other University official is available to assist in the completion of this form. Complaint forms are available from the Title IX Coordinator, the Dean of Students office, Human Resources or on the university's website.

Requests for Confidentiality or Non-action

Upon receiving a report of a violation of this policy, the University will seek the consent of the complainant to proceed using the procedure set forth herein. The University strives to honor any request that a complainant may make to keep any such report confidential or for the University not to investigate or respond to such report, but complying with any such request will limit the University's ability to look into and respond to a report. In deciding whether the complainant's request can be honored, the University will weigh the request against the seriousness of the alleged misconduct, the University's obligation to maintain a safe and nondiscriminatory learning environment for its students, and the University's commitment to addressing and preventing recurrence of misconduct. This determination will be made by the Title IX Coordinator.

If the university decides that it has an obligation to investigate and address the alleged policy violation, it will notify the complainant before proceeding. The university will maintain confidentiality to the extent reasonably possible, subject to its need to conduct an investigation and respond to the situation in accordance with this policy. In all cases, the individuals investigating and responding to incidents or allegations of misconduct will share information about the incident or allegation, investigation and response within and outside the university only on a "need to know" basis. However, complete confidentiality generally will not be possible. Accordingly, if a complainant is not certain that he or she wishes the university to initiate the response and resolution process, the complainant should contact a confidential reporting resource.

Interim Measures

At any time after a report of a potential violation of this policy has been received by the university, the university may take immediate steps as it finds appropriate to protect a complainant or to meet its obligations to maintain a safe, nondiscriminatory learning environment for students. The university may take such steps even when a complainant asks that the university keep a reported violation of this policy confidential and that it not investigate the matter. Such measures will vary based on the particular facts and circumstances and based on a complainant's confidentiality preferences, but may include:

- Establishing a "no contact" order between individuals.
- Prohibiting an individual from being on campus or at University events.
- Changing a student's or employee's status, in consultation with appropriate administrator(s).
- Changing work, class, or other schedules, in consultation with appropriate administrator(s).
- Changing academic requirements or providing assistance with academic issues.
- Issuing a timely warning of any substantial threat or danger to the community.

- Making information about and providing assistance with respect to orders for protection and harassment restraining orders, including enforcement of such orders.

Advisor

The complainant and the respondent have the right to be assisted by an advisor of their choice as long as the advisor is not a potential witness in the case. Guidelines for advisors are:

1. The purpose of the advisor is to support a student in the complaint process. Advisors should be chosen for their ability to assist a student with the process.
2. Advisors may confer with the student involved, but they may not actively participate in the process. The advisor may accompany the complainant or respondent to all meetings relating to the complaint procedure. The advisor may not appear in lieu of the complainant or respondent or speak on his or her behalf.
3. All information concerning any case may be made available to advisors with the written permission of the involved student.
4. Violations of confidentiality or other forms of interference with the complaint procedure by the advisor may result in disqualification of an advisor. The university will provide the parties information regarding the selection of an advisor by another party.

Non-Participation and Silence

If, at any time during the complaint procedure, a party decides not participate, the University will proceed with the Complaint process and make a determination based upon the information available. Silence in response to an allegation will not necessarily be viewed as an admission of the allegation, but may leave the complainant's allegations undisputed.

Formal and Informal Resolution Options

When a complainant or the university chooses to move forward with the complaint procedure set forth in this policy, there are two avenues for resolution of an alleged policy violation: formal and informal resolution. The complainant or the university has the option to proceed informally, when permissible. If a complaint is processed informally, the complainant, respondent or university has the option to move the complaint to the formal process at any time. *Informal resolution is never appropriate in cases involving allegations of sexual assault.*

The Title IX Coordinator is available to explain the informal and formal resolution procedures. In addition, the Title IX Coordinator may also directly refer the matter to other institutional disciplinary procedures. This referral option will generally be used when: (1) the type of behavior that is alleged to have occurred does not constitute a violation of the sexual misconduct policy or (2) the behavior that is alleged to have occurred is better handled under another disciplinary procedure. Every attempt should be made to determine the appropriate option for resolution within five (5) business days of the submission of the complaint.

a. Informal Process and Resolution

If an informal resolution is pursued, the Title IX Coordinator (or her/his designee) will attempt to facilitate a resolution that is agreeable to all parties. Under the informal process, the university will only conduct such fact-finding as is useful to resolve the conflict and as is necessary to protect the interests of the parties, the university, and the university community.

Any party to the complaint has the option to discontinue the informal process and request a formal investigation. The University also always has the discretion to initiate a formal investigation. If at any point during the informal process, the complainant, the respondent, or the University wish to cease the informal process and to proceed through the formal procedure, the informal process will stop and the formal process outlined below will be invoked.

Any informal resolution must adequately address the concerns of the complainant, as well as the rights of the respondent and the overall intent of the university to stop, remedy, and prevent policy violations. To facilitate such a resolution, the Title IX Coordinator will make a recommended resolution that may include a variety of institutional responses or requirements, including, but not limited to, the following: warning, behavioral contracts, change in housing, restitution, required attendance at educational programs, required assessment or counseling, informal complaint at the complainant's request (except in cases of sexual assault), the respondent's education record including a finding that this policy was violated, restriction of privileges, and/or probation.

If all parties to the complaint and the university agree in writing to the terms and conditions of a recommended resolution within five (5) business days, the case will be resolved without further process under this procedure. If all parties to the complaint do not agree in writing to the terms and conditions of the recommended resolution within five (5) business days, the complaint will be referred to the formal process.

b. Formal Process

If a complaint is not processed through the Informal Process, or is not resolved through the Informal Process outlined above, the complaint shall be processed according to the formal procedure outlined below.

i. Investigation

Following the submission of a completed complaint form that states a possible violation of this policy, the University will strive to complete a thorough, fair and impartial investigation. The investigation will be conducted by one or more investigators appointed by the University. At least one investigator shall be appointed for each case. The investigator(s) shall interview the complainant, respondent and/or other witnesses or request additional information from the complainant, respondent or others. In addition, the complainant and respondent shall have an opportunity to advise the investigator of any witnesses they believe should be interviewed, and/or other evidence that they believe should be reviewed by the investigator(s). All interviews with the complainant, respondent, and other witnesses will be recorded.

Every attempt will be made to complete the investigation process within fifteen (15) business days of the filing of the complaint or the referral from the informal process, but in some cases more time will be required. If a criminal complaint has been filed, the university's procedures, including any investigation, may be temporarily delayed to allow law enforcement to gather evidence. Such delay may only occur at the request of law enforcement and shall not be any longer than necessary for law enforcement to complete the gathering of evidence. In no case will the University wait for the conclusion of a criminal investigation or criminal proceeding to begin its own investigation.

ii. Adjudication

Upon completion of the investigation, an adjudicator appointed by the Title IX Coordinator will review the investigation and make a determination as to whether it is more likely than not that a violation of this policy occurred, and if so, what sanctions are warranted. The university reserves the right to appoint additional adjudicators to assist in making a determination.

The complainant and the respondent shall receive written notice of the identity of any adjudicator assigned to review the investigation. The complainant or respondent may request the removal of an adjudicator on the grounds of personal bias

or other conflict of interest. Such requests may be made by submitting a written statement to the Title IX Coordinator setting forth the basis for the challenge no later than two (2) business days after receiving the notice of the identity of the adjudicator(s) assigned to the matter. The Title IX Coordinator will determine whether to accept or deny the challenge. If the request is accepted, a replacement will be appointed and notice will be provided to the complainant and respondent. The decision of the Title IX Coordinator with regard to the challenge is final and is not appealable.

Review of Investigation File.

The investigation file will be made available to and reviewed by the adjudicator(s) upon following confirmation of his, her, or their appointment. The investigation file shall consist of the following: the complaint, the recordings of witness interviews, and any other evidence obtained through the investigations. Upon review of the investigation file, the adjudicator(s) may, in their discretion, request additional investigation by the investigator(s).

The investigation file will also be made available for review by the complainant, respondent, and their designated advisors. Confidential information in the investigation file that cannot be shared with the parties may be redacted from the file in accordance with applicable law. The file cannot be copied or removed from the investigation file at the location provided by the university for review purposes.

Following review of the investigation file, both parties shall have the opportunity to provide a written statement containing any comments or additional information the parties would like the adjudicator(s) to consider. The written statement shall not exceed 4,500 words in length. The written statement must be submitted within ten (10) business days after the investigation file becomes available to the parties. If desired, the parties shall have an opportunity to review the written statement submitted by the other party and may submit a rebuttal written statement not to exceed 1,300 words in length. The rebuttal written statement must be submitted within five (5) business days after the deadline for submission of written statements. The adjudicator(s) will ensure that the complainant and respondent have been given equivalent opportunities to present relevant information for consideration in the investigation and adjudication process.

Determination.

The adjudicator(s) will render a decision based upon the investigation file, additional written statements provided by the parties to the complaint, and any other information the adjudicator(s) deems appropriate and which is made available to both the complainant and respondent. While the Title IX Coordinator is available for consultation, the Title IX Coordinator will not participate in making a decision. The adjudicator(s) will use a preponderance of the evidence standard (or “more likely than not” standard) in determining whether a violation of the Sexual Misconduct policy has occurred.

The adjudicator(s) will render a decision and communicate the decision to the complainant and respondent. The written decision will provide findings of fact, conclusions, and where a violation is deemed to occurred, the sanctions imposed. The parties shall receive simultaneous written notice of the determination within five (5) business days after the parties’ due date for submitting any rebuttal written statement.

The determination of the adjudicator(s) may be appealed as provided below. In the event that no appeal is filed within the time periods prescribed below, the decision will be final.

If the decision is made that there is not sufficient basis to believe that it is more likely than not that a violation of this policy occurred, the parties will be notified of that determination and the complainant will be informed of other procedures for resolving the complaint and of other resources that may be available to the complainant.

If the decision is made that it is more likely than not that the policy was violated, the adjudicator(s) shall determine appropriate sanction(s). The determination will include steps to take to prevent recurrence of any such violations, and as appropriate, remedies for the Complainant. Sanctions imposed upon students who are determined to have violated this policy may include a variety of institutional responses or requirements, including, but not limited to, the following: warning (except in cases of sexual assault), removal from campus housing, not allowed to represent the University in volunteer or paid work, restitution, required attendance at educational programs, required assessment or counseling, restriction of privileges, probation, suspension, and/or expulsion.

Appropriate sanctions for university personnel deemed to have violated this policy include, but are not limited to unpaid suspensions, suspension of promotion and salary increments, suspension or withdrawal of privileges, demotion and/or termination of employment.

If it is determined that it is more likely than not that a third party violated this policy, the adjudicator(s) shall determine appropriate sanction(s) including but not limited to conditions upon presence on campus or at university events, no trespass and no contact orders, or other steps deemed necessary to protect the campus community. Third parties have no right to appeal the determination of the adjudicator(s).

Timelines

Generally, the university will complete the investigation and adjudication process outlined above within sixty (60) days of receiving a complaint or report of a violation of this policy. Some complaints and reports may, however, take longer to investigate and resolve. The university is, however, committed to investigating and resolving all matters as promptly as possible.

Treatment of Parties

The university will strive to treat all parties involved in a complaint procedure with dignity and to provide nonjudgmental support to students, faculty, and staff who are engaged in this procedure. Upon request, personal counseling services are available to students and the Employee Assistance Program is available to faculty and staff.

Conflicts

If a complainant or respondent has any concern that any individual acting for the university under this policy has a conflict of interest, such concern should be reported to the Title IX Coordinator. The Title IX Coordinator will review the concerns and take appropriate steps to ensure that no conflicts of interest exist on the part of anyone investigating or resolving a complaint under this policy. If the Title IX Coordinator has a conflict of interest with respect to a complaint, the University's President or the President's designee shall appoint an alternate person to oversee adherence to the Sexual Misconduct policy with respect to the complaint at issue. If the President is a party to the complaint or has a conflict of interest with respect to a complaint, the Chair of the Board of Regents for the university shall ensure that the institution puts in place appropriate safeguards under the circumstances to ensure that the institution promptly and equitably responds to the complaint, including, but not limited to, appointment of alternate individuals to oversee adherence to the Sexual Misconduct policy.

Reservation of Flexibility

The procedures set forth in this section reflect the university's desire to respond to complaints in good faith and in a manner that promotes fairness to all parties. The university recognizes that each case is unique and that circumstances may arise which requires that the institution reserve some flexibility in responding to the particular circumstances of the matter. In the rare cases where it is not possible or practical to follow this procedure, the university reserves the right to modify the procedure or to take other administrative action as appropriate under the circumstances.

Appeals

Following the communication of the decision by the adjudicator(s), the complainant or respondent (other than individuals who are not either students or employees of the University) may request an appeal of the decision. The request for an

appeal must be submitted in writing to the Title IX Coordinator within five (5) business days of receiving notice of the determination. Failure to file a timely appeal constitutes a waiver of any right to an appeal.

The basis for an appeal will be limited to the following:

- (i) New or newly discovered evidence which may substantially affect the outcome of the adjudication; or
- (ii) There was a procedural error, which substantially affected the outcome of the adjudication.

Appeals should not be requested frivolously. An appeal represents a procedural safeguard for the parties. In an appeal the burden of proof is on the appealing party to show by a preponderance of evidence that one or more of the above grounds for appeal are satisfied.

If the Title IX Coordinator or his/her designee determines that the appealing party has demonstrated that it is more likely than not that one of the above grounds for appeal is satisfied, the matter will be returned for further review of investigation file by a new adjudicator(s). If the grounds for appeal relate to the investigation, or warrant additional investigation, the adjudicator(s) may refer the matter to further investigation before proceeding. Upon further review, the adjudicator(s) shall utilize the same process as required for all adjudications under this policy.

If there is not adequate reason to believe that one or more grounds for appeal has been satisfied, the Title IX Coordinator may dismiss the appeal. This decision is final and is not appealable. The Title IX Coordinator or his/her designee will notify the parties to the complaint in writing of his/her determination within 10 business days of the filing of the appeal.

No Retaliation

The university prohibits retaliation against any individual who makes a good faith report of a potential violation of this policy, who supports another person's report, or who acts as a witness in any investigation into a complaint. Any concerns of retaliation should be reported to the Title IX Coordinator, the Dean of Students or the Director of Human Resources. The university will take appropriate action against any individual who retaliates against another person in violation of this policy. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

Alternative Procedures

Nothing in this policy is intended to interfere with the right of any individual to pursue other avenues of recourse which may include, but is not limited to, filing a complaint with the United States Department of Education's Office for Civil Rights (OCR).

The OCR office for institutions located in Minnesota is:

U.S. Department of Education
Office for Civil Rights
Citigroup Center
500 W. Madison Street, Suite 1475
Chicago IL 60661-4544
Tel: 312.730.1560
TDD: 877.521.2172
Email: OCR.Chicago@ed.gov

Campus Sex Crimes Prevention Act

Information regarding registered Level 3 sex offenders living in the State of Minnesota is maintained by the Minnesota Department of Safety & Security, the Minnesota Department of Corrections and the Minnesota Bureau of Criminal Apprehension. Of the three levels defined by the State of Minnesota, Level 3 sex offenders are considered the most serious and the most likely to re-offend. Information on Level 3 sex offenders may be obtained at the following web address: <https://coms.doc.state.mn.us/publicregistrantsearch>.

Crime Statistics and Information

Crime Statistics Compilation Process

The Safety & Security Department is the central reporting point for campus incidents and crimes but statistical data is gathered from several sources on campus and off-campus. These include the Dean of Students Office, the Director of Residence Life, the Athletic Department, Student Conduct Officer, Human Resources Office, the St. Paul Police Department and Campus Security Authorities. Although pastoral and professional counselors are not required to report crimes due to their confidential counseling, they are encouraged to report statistical data for inclusion in this report.

Statistical data is compiled from January 1 through December 31 of each year and is listed in the calendar year in which it was reported. Crimes are classified according to the Federal Bureau of Investigation Uniform Crime Reporting (UCR) system and the National Incident Based Reporting System (NIBRS). UCR and NIBRS programs are a nationwide, cooperative statistical effort in which University and university, city, county, State, Tribal and Federal law enforcement agencies voluntarily report data on crimes brought to their attention.

Within the FBI’s UCR reporting system is a “Hierarchy Rule” which applies to all reported crimes. The Hierarchy Rule is the requirement in the FBI’s UCR program that, “for purposes of reporting crimes in the system, when more than one criminal offense is committed during a single incident, only the most serious offense is to be included in the institutions Clery Act statistics”. The only exception to this rule is if a victim is sexually assaulted and murdered in a single incident, both crimes would then be reported in our Clery Act statistics.

Crime Reporting Areas

All crimes reported to Safety & Security that occur on University property are contained in the statistics presented herein based on the calendar year in which they were reported. Hamline University does not have off-campus student organizations recognized by the institution as student organizations with off-campus housing facilities. For the purposes of statistical crime reporting, the Clery Geography for Hamline University is divided into four reporting areas: on campus, residence halls, non-campus and public property. The on-campus area is comprised of all central campus property including residence halls. Non-campus includes outlying property owned by the University but not utilized in direct support of the educational mission of the University. Public property includes The surrounding property directly surrounding the campus property as described in the Clery definition of “public property”. The St. Paul Police Department provides a listing of all crimes reported on or near the campus on an annual basis. Crimes reported in this manner are included in the crime statistics as presented based on the location of the crime.

	2012				
REPORTABLE OFFENSE	On Campus	Non Campus	Public Property	Residence Halls *	Unfounded

Criminal Homicide Total	0	0	0	0	0
Murder/Non Neg. Manslaughter	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0
Forcible Sex Offense Total	1	0	0	1	0
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Non-Forcible Sex Offense Total	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Robbery Total	1	0	1	0	0
Aggravated Assault Total	3	0	2	3	0
Burglary Total	5	0	0	3	0
Forcible Entry	0	0	0	0	0
Non-Forcible Entry	1	0	2	0	0
Motor Vehicle Theft Total	0	0	0	0	0
Arson Total	0	0	0	0	0
Arrests					
Liquor Laws	4	0	0	4	0
Drug Laws	1	0	0	1	0

Weapons Laws	0	0	0	0	0
Referred for Disciplinary Action					
Liquor Laws	92	0	0	92	0
Drug Laws	15	0	0	15	0
Weapons Laws	0	0	0	0	0

* Residence Halls are a “subset” of the On Campus Total

Definitions Used to Classify Criminal Offenses (Calendar year 2012 only)

Criminal Homicide

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

Sex Offenses – Any sexual act against another person, without the consent of the victim, including instances where the victim is incapable of giving consent

1. **Rape** (except Statutory Rape) – The carnal knowledge of a person, 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 or physical incapacity
2. **Sodomy** – Oral or anal intercourse with another person, 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 or physical incapacity.
3. **Sexual Assault with an Object** – To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, 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 or physical incapacity.
4. **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 or physical incapacity.

Sex Offenses (Non-forcible) Unlawful, non-forcible sexual intercourse

1. **Incest** – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
2. **Statutory Rape** – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Robbery – The taking or attempting to take anything of value under confrontational circumstances from the control, custody or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm.

Aggravated Assault – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury or by the presentation of a weapon.

Burglary – The unlawful entry into a building or other structure with the intent to commit a felony or a theft.

Motor Vehicle Theft – The theft or attempted theft of a motor vehicle

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

2013 & 2014 Crime Statistics and Definition Changes

<p>The definition used to classify the crime of Rape for reporting years 2013 & 2014, was amended by the FBI UCR Summary Reporting Rape, Sodomy and Sexual Assault with an Object that are used in the UCR National Incident-Based Reporting System. In addition, the Violence, Dating Violence and Stalking were added to the list of reportable crimes and are included in this * Residence Halls are a “s</p>

Campus Total

Definitions Used to Classify Criminal Offenses (Calendar years 2013 & 2014 as amended)

Criminal Homicide

Arrests										
Liquor Laws	0	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	8	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0	0
Referred for Disciplinary Action										
Liquor Laws	66	0	0	66	0	0	74	0	74	0
Drug Laws	25	0	0	25	0	0	26	0	26	0
Weapons Laws	0	0	0	0	0	0	0	0	0	0
Dating Violence Total										
	0	0	0	0	0	0	0	0	0	0
Domestic Violence Total										
	1	0	0	1	0	0	0	0	0	0
Stalking Total										
	0	0	0	0	0	0	0	0	0	0

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

Sex Offenses – Any sexual act against another person, without the consent of the victim, including instances where the victim is incapable of giving consent

1. **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
2. **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.
3. **Incest** – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
4. **Statutory Rape** – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Robbery – The taking or attempting to take anything of value under confrontational circumstances from the control, custody or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm.

Emergency Numbers

Safety & Security (651) 523-2100
St. Paul Police, Fire, Ambulance 911

Non-Emergency Numbers

Safety & Security Dispatch	651- 523-2100
St. Paul Police Department	651-291-1111
Counseling Center Office	651-523-2204
Dean of Students Office	651-523-2421
Human Resources Office	651-523-2210
Security Escort	651-523-2100

Annual Fire Safety Report

Fire Safety Report

In compliance with the Higher Education Opportunity Act (HEOA), Hamline University has included their Annual Fire Safety Report in the following pages of this report. This information discusses on-campus residential fire statistics, fire safety systems, fire drills, residential fire safety policies and fire safety tips. In addition, a Daily Fire Log listing any fires in on-campus housing is also maintained at the Safety & Security Office and is available for public review during normal business hours. This report has been prepared to comply with the Higher Education Opportunity Act (HEOA).

Fire Statistics

Residence Hall	Total Fires	Fire #	Date	Time	Cause of Fire	Injuries Treated	Deaths	Property Damaged
Hamline Apartments	0							
Drew Hall	0							
Manor Hall	0							
Osborn Hall	0							
Peterson Hall	0							
Schilling Hall	0							
Sorin Hall	0							

Residential Fire Safety Systems and Drills

The following information details the fire safety systems in each residence hall in which students reside at Hamline University. At this time, there are no plans to expand fire safety measures based on campus building materials used in construction and the existing monitoring/suppression devices.

Fire drills are conducted semi-annually in all residence halls on campus and are monitored by the residence life staff and Safety & Security. The purpose of these drills is to prepare building occupants for an organized evacuation in case of fire or other emergency.

Residence Hall	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plans Posted	Fire Drills Each Year
Hamline Apartments	X		X	X	X	X	2
Drew Hall	X			X	X	X	2
Manor	X			X	X	X	2

Hall							
Osborn Hall	X			X	X	X	2
Peterson Hall	X			X	X	X	2
Schilling Hall	X			X	X	X	2
Sorin Hall	X		X	X	X	X	2

Other Student Housing

Residence House	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plans Posted	Fire Drills Each Year
862 Pascal				X	X		2
1475 Minnehaha				X	X		2
1485 Minnehaha				X	X		2
1515 Minnehaha Duplex				X	X		2
1471 Minnehaha				X	X		2
737 Asbury				X	X		2
1463 Minnehaha 4 - Plex				X	X		2
1561 Minnehaha				X	X		2

Residential Evacuation Procedures

All faculty, staff and students should learn the evacuation routes and stairwell locations for all campus buildings they frequently occupy. During an evacuation for fire or another emergency, occupants are encouraged to take personal belongings (purse, wallet, HU card, cell phone, etc.) and follow the evacuation procedures for their building (close your door, proceed to the nearest exit and use the stairs, not the elevators). Once you have evacuated, seek shelter in the nearest campus building. If Safety & Security, law enforcement, or fire department personnel are on the scene, follow their directions.

Residential Fire Safety Policies

Because of fire safety concerns, the following guidelines are to be followed. Electrical appliances are permitted in student rooms provided their use does not disturb other residents and that its state of repair is not a fire hazard. Safety, insurance, and health code standards require certain restrictions be placed on the use of some electrical appliances in the halls. Appliances with an open coil or burner, air conditioners, hot plates, grills, skillets, halogen lamps, gas appliances, microwave ovens, toasters, toaster ovens, and ceiling fans are not allowed in student rooms. Kitchen cooking must be confined to designated cooking areas. No student owned microwaves, toasters, toaster ovens, or hot plates are allowed in residence hall rooms. All electrical appliances brought to the campus by students are subject to inspection and approval by the university.

The safety of every student is of paramount importance to the University. Residence halls have been equipped with various emergency systems and equipment to help ensure student safety. As such, the tampering with and/or misuse of fire and safety equipment, including fire alarms, fire doors, fire extinguishers, fire hoses, smoke alarms, exit signs, heat sensors, and any other safety equipment, poses a serious threat to life and property and will result in a \$500 fine. The starting of any fire on university property without written authorization is strictly prohibited. Hamline reserves the right to take disciplinary action through the appropriate university channels and/or local law enforcement agencies.

For safety reasons, observe the following:

- Due to the significant risk of fire, the burning of candles, incense or other open flames are **not** permitted in residence hall rooms. With continuous monitoring, and with the permission of the area coordinator, lit candles are permitted in public areas for programs, dinners and other special events.
- No materials may be draped or affixed overhead (i.e. on the ceiling or over light bulbs).
- Flammable substances, such as gasoline and cleaning fluids, are not to be used or stored in University residences.
- No storage of flammable materials, such as wood (including sheets of wood), empty boxes, excessive amounts of paper or cardboard.
- Do not overload the electrical outlets. The university recommends only one appliance per outlet. Also, multiple outlet 'octopus' plugs are not allowed, as they can be a fire hazard.
- If an extension cord is needed, use a heavy duty extension cord, preferably one equipped with a circuit breaker. Use them in a manner that will not create a fire hazard (i.e. running them under carpet, overloading outlets, etc.).
- Splicing of electrical wires or removal of any outlet plates or light switch plates is prohibited.
- All holiday decorations (Christmas greenery) must be fireproofed. A fireproofing service is provided by Facilities. All greenery should be taken to Facilities who will fireproof the greenery and deliver it to the student's room within 24 hours. All greenery should be tagged, indicating that it has been officially fireproofed.
- Electrical appliances should not be left unattended. Once an appliance has been used, be sure to unplug it.
- Refrigerators may not be placed in closets. There must be proper circulation behind the unit to allow the heat that is displaced to be circulated.
- Items stored too close to heating units are extremely dangerous. Keep a three-foot clearing. Waste should be disposed as soon as possible.
- The hallways must be kept free of debris and personal items. Students assume financial responsibility for having these items removed after the first week of classes.
- At the beginning of each break, the residence hall staff enters each room to check for potential fire hazards, electrical problems, as well as safety and energy concerns. With decreased occupancy during breaks, there is greater potential for fires to remain undetected until severe damage has occurred.
- Smoking is not permitted in the residence halls or honor houses. Students who wish to smoke must do so outside at least 25 feet away from the building.

Reporting Fires and Fire Alarms on Campus

Whenever a smoke detector or fire alarm system activates, persons at the affected location should **immediately** call Safety & Security @ (651) 523-2100 and report the incident. If heavy smoke or a fire is present, **immediately** call 9-911 and report the fire. Upon arrival, the Safety & Security officers will confirm the report, assess the situation and determine if additional resources are necessary to resolve the situation. Additional resources may include other University employees/departments or external agencies such as the St. Paul Police, the St. Paul Fire Department or St. Paul Emergency Medical Services. If a member of the Hamline community finds evidence of a fire that has been extinguished and is not sure whether Safety & Security has already responded, the community member should immediately notify Safety & Security to investigate the situation and document the incident.

Emergency Response and Training

All residence halls and academic buildings are equipped with a fire alarm system and are centrally monitored at the Drew Hall Safety & Security Office. Facilities engineers are in direct radio communication with Safety & Security staff and can be dispatched to the location should any fire alarm activate in a campus building. Each Safety & Security vehicle is equipped with a water fire extinguisher and a chemical fire extinguisher. Safety & Security officers are not trained fire fighters but have received training in fire extinguisher use. Hamline University relies on the St. Paul Fire Department, located approximately three minutes from campus, for professional fire suppression services.

Each year, residence life staff and Safety & Security officers complete fire alarm orientation training to enhance their understanding of the fire alarm systems in each campus building. The majority of fire alarms at Hamline University are activated by burned food in residence hall kitchens. Rarely is there any fire associated with the activation of a fire alarm on campus since smoke will activate the alarm system first and initiate a response.

Fire Log

A Daily Fire Log is maintained by Safety & Security and is available for public inspection during normal business hours. This log contains information regarding all fires on campus including the nature of the fire, the date and time the fire occurred and the general location of the fire for the most recent sixty days. Upon request, information regarding fires on campus older than sixty days will be made available within two business days.

Community Fire Safety Education

If you discover a fire:

- Activate the fire alarm system and call 9-911 from any campus phone to report the fire
- Report the fire to Safety & Security by calling (651) 523-2100
- Evacuate the building using the stairs, closing doors and windows behind you
- DO NOT USE THE ELEVATORS
- Provide evacuation assistance to those with special needs if possible
- Move to a safe location following the directions of emergency response personnel
- DO NOT re-enter the building until the fire department authorizes re-entry

If caught in smoke:

- Do not breathe in the smoke
- Breathe shallow through your nose and use a shirt or towel to breathe through if possible
- Drop to your hands and knees and crawl to the nearest safe exit

If trapped in a building:

- Close all doors and windows to the room
- Place cloth material under the door to prevent smoke from entering
- Call for help using a phone or cell phone.
- Attempt to signal people outside of the building through the window

Using a fire extinguisher:

- Use a fire extinguisher ONLY if you have been trained to do so
- If you have any doubt of your ability to fight the fire, exit immediately
- If you decide to use a fire extinguisher, place yourself between the fire and an exit
- To use the fire extinguisher, follow the **PASS** method:

Pull the pin to break the tamper seal

Aim low, pointing the nozzle at the base of the fire

Squeeze the handle to release the extinguisher agent

Sweep from side to side at the base of the fire until the fire is out.

**** *If the fire re-ignites, repeat the steps above.***

Office of Safety & Security Services

128 Drew Hall, MS-C1905

1536 Hewitt Avenue

Saint Paul, MN 55104-1284

24 Hour Dispatch

651-523-2100

www.hamline.edu/security

James E. Schumann, Director

Al Kramer, Assistant Director