Special Oversight Committee

August 2017

August 16, 2017
8:30 a.m. - 10:00 a.m.

East Committee Room, McNamara Alumni Center
1. Joint Report and Recommendations on Title IX and Athletic Discipline Practices

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AGENDA ITEM: Joint Report and Recommendations on Title IX and Athletic Discipline Practices

Presenters:
- Douglas Peterson, General Counsel
- Gail Klatt, Chief Auditor
- John Marti, Attorney, Dorsey & Whitney LLP
- Jillian Kornblatt, Attorney, Dorsey & Whitney LLP
- John Finnegan, Dean, School of Public Health

Purpose & Key Points:
The purpose of this item is to receive and discuss a Joint Report and Recommendations on Title IX and Athletic Discipline Practices. Reviewers were changed with evaluating:

- Practices and policies with respect to suspensions and other discipline within the Department of Intercollegiate Athletics (Twin Cities campus), including how these practices and policies interact or relate to Board of Regents Policy: Student Conduct Code (Conduct Code) process and the criminal justice process.
- The standards of review and processes at each stage of the Conduct Code process as it relates to Title IX matters.
- Practices and policies regarding permissible communication during the Conduct Code process, including specifically when that process involves student-athletes.
- Lessons learned from the threatened boycott by the football team, including review of involvement by Regents, senior University leaders, coaches, and individuals from outside the University.

Background Information:
On April 14, 2017 the Board Chair Johnson and Vice Chair McMillan appointed a Special Oversight Committee consisting of Regents Anderson (chair), Lucas, and Sviggum.

On May 4, 2017, the Committee authorized the retention of Dorsey & Whitney LLP to serve as external legal counsel on behalf of the Board to conduct the review.
UNIVERSITY OF MINNESOTA

JOINT REPORT AND RECOMMENDATIONS ON

TITLE IX AND ATHLETIC DISCIPLINE PRACTICES

August 15, 2017

Dorsey & Whitney LLP
University of Minnesota, Office of Internal Audits
University of Minnesota, Office of the General Counsel
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PREAMBLE

1) Sexual Misconduct on Campus: A University and Societal Challenge

a) A National Perspective

In recent years, sexual assault has emerged as an important and challenging issue on college campuses nationwide as evidenced by, among other things, high-profile incidents at Stanford University, Baylor University, and Columbia University. This increased attention on sexual assault reflects in many ways its pervasiveness in society.

Nearly 1 in 5 women and 1 in 71 men in the United States report having been raped at some time in their lives. (See National Center for Injury Prevention and Control, The National Intimate Partner and Sexual Violence Survey.) On college campuses specifically, 14.8 percent of students report experiencing nonconsensual sexual contact by physical force, threats of physical force, incapacitation, or absence of affirmative consent since they enrolled at their university. (See Report of the AAU Campus Climate Survey on Sexual Assault and Sexual Misconduct.) The incidence of nonconsensual sexual contact reported by female undergraduate students was much higher: 23.1 percent. In other words, sexual assault is currently a very real risk on college campuses.

b) Sexual Misconduct at the University of Minnesota

The issue of preventing and addressing sexual misconduct is as pressing at the University of Minnesota as it is at other colleges and universities. The University recognizes that sexual misconduct is an issue that implicates state and federal law, while at the same time implicating University policy and our expectations and requirements for members of our campus community. Annually, the University reports statistics for crimes committed on campus pursuant to its obligations under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. In its most recent report, the University documented 24 instances of rape or fondling in 2015, 23 instances in 2014, and 17 forcible sex offenses in 2013. (See Exhibit 1.) In addition, in 2015, 13 sexual assaults were reported to campus authorities without enough information to determine, as required by the Clery Act, the specific crime committed or the specific location where the assault occurred. These statistics reflect reports made to campus authorities. Notably, some studies have concluded that more than 90% of sexual assault victims on college campuses do not report. (See Exhibit 2.)

Not only is sexual assault prohibited criminal conduct, but the University has also promulgated policies and procedures addressing sexual misconduct. Title IX of the Education Amendments of 1972 obligates the University to protect students from sexual harassment,

1 The different characterizations of these crimes reflects changes to the reporting requirements of the Clery Act over time.

2 Although not required by the Clery Act, the University reports these assaults “to portray a more accurate picture of the frequency of sexual assault occurring at the University of Minnesota-Twin Cities campus.”
including sexual violence, by taking immediate action to eliminate the conduct, to prevent its recurrence, and to address its effects, and these obligations are reflected in the University’s policies on sexual harassment and sexual misconduct. (See Exhibit 3.) In addition, and just as important, the University has adopted these policies and procedures specifically because fostering or sustaining a campus culture that accommodates sexual misconduct is anathema to the values of the University of Minnesota. The Board of Regents Policy: Student Conduct Code expressly provides that the University “set[s] its own standards of conduct for its academic community.” (See Exhibit 4.) In doing so, the University is guided by the principle that it is important to seek “a community that is free from violence, threats, and intimidation; that is respectful of the rights, opportunities, and welfare of students, faculty, staff, and guests of the University; and that does not threaten the physical or mental health or safety of members of the University community.” To this end, the University ensures each student “due process and procedural fairness protections, including the prompt notification of charges, the opportunity to respond, the right to an advocate of choice, and the right to the resolution of a case within a reasonable time period.”

At the University, fostering a culture of compliance and respect continues to be a critically important challenge. Efforts to improve and promote this culture include training and education for every incoming student on the University’s sexual misconduct and affirmative consent policies. Training opportunities recur throughout a student’s tenure at the University, and many student groups—including Athletics and Greek life—place additional training expectations on their members. In addition, the University currently offers training to staff and faculty on issues relating to sexual misconduct and sexual harassment, and it has plans to make training mandatory.

A culture of compliance and respect is reflected in the University’s definition of affirmative consent. In 2015, the University revised its Administrative Policy: Sexual Assault, Stalking and Relationship Violence to expressly include the requirement that there be affirmative consent between individuals engaging in sexual activity. (See Exhibit 5.) Specifically, University policy defines affirmative consent as “informed, freely and affirmatively communicated willingness to participate in sexual activity that is expressed by clear and unambiguous words or actions.” (See Exhibit 6.) The onus is placed on “each person who wishes to engage in . . . sexual activity to obtain consent.”

Moreover, as a further expression of a commitment to compliance and respect, the University provides procedural fairness to all involved in addressing an allegation of sexual assault. The Student Conduct Code provides any student charged with a violation with the opportunity to receive a fair hearing where any findings of responsibility are based on a preponderance of the evidence. The student disciplinary process, as described in the University’s Administrative Procedure: Student Conduct Code Procedure, Twin Cities, seeks to resolve complaints about violations of the Student Conduct Code informally wherever possible and always in a way that emphasizes student development, meets community interests, and treats participants fairly. (See Exhibit 7.)
The Student Conduct Code ensures that the hearing process includes the following:

(a) notification of the report and a request to meet;

(b) an informal meeting to learn more about the steps of the disciplinary process and to share information related to the incident;

(c) if the student . . . is found responsible, a proposal of an informal resolution that includes the findings and disciplinary sanctions being offered to resolve the incident;

(d) if the informal resolution is not accepted, a request for a formal hearing in which a panel will determine responsibility and potential sanctions; and

(e) if the formal resolution is not accepted, a request for an appeal.

The University recognizes that a fundamentally fair hearing process should include the opportunity for an accused student to present a case (including witnesses), to hear all evidence, to question adverse testimony, and to confront accusers. In addition, both students accused of sexual misconduct and those who report sexual misconduct are afforded the opportunity to be accompanied or represented by an advocate through the process, and both are afforded the opportunity to appeal a decision to the Provost.

In all of these endeavors, the commitment of resources to preventing sexual misconduct on campus and to addressing it fairly and respectfully can be one of the most visible gauges of the University’s commitment to its articulated values, and there may be ways for the University to visibly measure that commitment. Similarly, the tone of any conversation that engages with University policy must also reflect the University’s values and obligations.

2) The Charge of the Special Committee

a) The Board of Regents Charge

Recognizing that the University community recently “endured a difficult period on the aftermath of an incident involving a report of sexual assault and subsequent actions by the University,” the Board of Regents charged a special committee comprised of Regents Anderson, Lucas, and Sviggum on April 14, 2017, to examine “the recent events and processes to identify areas in which we can further enhance our processes for the betterment of our students.” (See Exhibit 8.) The special committee was directed to oversee a review “coordinated and supported by the General Counsel with employment of outside assistance as appropriate.” Specifically, the review covers four specific areas:

1. Practices and policies with respect to suspensions and other discipline within the Department of Intercollegiate Athletics (Twin Cities Campus), including how these practices and policies interact or relate to Board of Regents Policy: Student Conduct Code (Conduct Code) process and the criminal justice process.
2. The standards of review and processes at each stage of the Conduct Code process as it relates to Title IX matters.

3. Practices and policies regarding permissible communication during the Conduct Code process, including specifically when that process involves student-athletes.

4. Lessons learned from the threatened boycott by the football team, including review of involvement by Regents, senior University leaders, coaches, and individuals from outside the University.

b) Interviews Conducted

In response to the charge to the special committee, the Office of the General Counsel engaged John Marti and Jillian Kornblatt of Dorsey & Whitney LLP to review the recent (September 2016) report of sexual assault and resulting process. The Dorsey attorneys interviewed the following individuals in connection with their review:

- Brent Benrud, Senior Associate General Counsel
- Jeremiah Carter, Director of Athletics Compliance
- Tracy Claeys, former Head Football Coach
- Mark Coyle, Athletics Director
- John Cunningham, Deputy Athletics Director
- Sharon Dzik, Director of the Office for Community Standards (formerly the Office of Student Conduct and Academic Integrity)
- Karen Hanson, Provost
- Becky Hippert, former Secretary of the Student Sexual Misconduct Subcommittee of the Campus Committee on Student Behavior
- Emily Hoover, Faculty Representative to Athletics Department
- Michael Hsu, University Regent
- Dean Johnson, University Regent and former Board of Regents Chair
- Eric Kaler, President
- Laura Knudson, Assistant Vice Provost for Student Advocacy and Support
- Evan Lapiska, Director of Public Relations and Media Relations
- Perry Leo, Faculty Representative to Athletics Department
- Kris Lockhart, former Associate Vice President, Office for Equity and Diversity
- Tina Marisam, Director of the Office of Equal Opportunity and Affirmative Action and Title IX Coordinator
- David McMillan, University Regent and current Board of Regents Chair
- Ryan Pacyga, attorney who represented a student
- Douglas Peterson, General Counsel
- Darrin Rosha, University Regent
- Paul Rovnak, Director Athletics Communications
- Carrie Ryan Gallia, Assistant General Counsel
- Brian Slovut, Deputy General Counsel
- Chuck Tombarge, Chief Public Relations Officer
• Chris Werle, former Director Athletics Communications

The following individuals declined Dorsey & Whitney’s requests for interviews:

• Lee Hutton, attorney who represented students
• Kim Hewitt, former Director, EOAA, and Title IX Coordinator
• Amy Isenor, attorney who represented a student
• Amy Phenix, former Chief of Staff to President Kaler
• Mike Sherels, former Assistant Football Coach
• Former and current University students

In addition, in its own review of Title IX practices in place at the University and recommendations and considerations moving forward, the Office of the General Counsel interviewed the following individuals:

• Lauren Adamski, Coordinator of Student Conduct, Housing & Residential Life
• Danita Brown Young, former Vice Provost for Student Affairs and Dean of Students
• Troy Buhta, Lieutenant, University of Minnesota Police Department
• Beth Lingren Clark, Assistant Dean and Director, Orientation and First Year Programs
• Mark Coyle, Athletics Director
• Sharon Dzik, Director of the Office for Community Standards (formerly the Office of Student Conduct and Academic Integrity)
• Katie Eichele, Director, The Aurora Center for Advocacy & Education
• John Finnegan, Dean, School of Public Health
• Lisa Gruszka, Associate Director, Orientation and First Year Programs
• Becky Hippert, former Secretary of the Student Sexual Misconduct Subcommittee of the Campus Committee on Student Behavior
• Laura Knudson, Assistant Vice Provost for Student Advocacy and Support
• Julie Manning, Executive Associate Athletics Director
• Tina Marisam, Director of the Office of Equal Opportunity and Affirmative Action and Title IX Coordinator
• Jan Morse, Ombudsman
• June Nobbe, Assistant Vice Provost for Student Life
• Peyton Owens III, Assistant Athletics Director for Student-Athlete Services
• Darrin Rosha, University Regent

c) Governing Law

In charging the special committee, the Board of Regents recognized that the review undertaken must “ensure that any public discussion respects all applicable privacy laws and that

3 Ms. Hewitt did not participate in a full interview, but did confirm certain facts for Dorsey & Whitney.
the review is conducted so as to maintain the attorney-client privilege and preserve the special committee’s ability to strike the proper balance of the many interests at stake.”

The legal considerations that apply to this review include the following:

- **Constitutional Due Process:** The constitutional guarantee of due process of law, found in the Fifth and Fourteenth Amendments to the U.S. Constitution, prohibits the University from arbitrarily or unfairly depriving individuals of their constitutional rights to life, liberty, and property. Constitutional due process traditionally takes two forms: substantive and procedural. Substantive due process concerns what rights are protected under the Constitution, while procedural due process concerns how those rights are protected.

  Procedural due process involves a spectrum of potential rights, including (but not limited to) notice of charges, an opportunity to be heard, a hearing, the cross-examination of witnesses, the presentation of witnesses and evidence, representation by counsel, a fair and impartial panel, written findings, and a meaningful appeal. The amount of process due in a particular situation requires consideration of (1) the particular substantive right at stake, such as life, liberty, or property, (2) the risk that the individual could be deprived of that right erroneously, and (3) the Government’s interest in the deprivation. (*Mathews v. Eldridge*, 424 U.S. 319, 335 (1976).) For example, robust process is due in a criminal proceeding where a defendant faces very serious consequences, such as a prison sentence. (*Lisenba v. People of State of California*, 314 U.S. 219, 236 (1941).) Fewer protections are required where the deprivation faced is less serious, such as in a civil proceeding, an administrative proceeding, a student discipline proceeding, or an athletic suspension decision. Courts have found that public university students have a protected interest in attending the university and are therefore entitled to due process protections. (*Goss v. Lopez*, 419 U.S. 565 (1975).) The type of process depends on “balancing the interests and needs of the student against the interests and resources of the university.” Students facing even temporary academic suspensions for misconduct must be given adequate notice of the charges against them and an opportunity to present their side of the case in a hearing that is appropriate to the nature of the case. When students face more significant penalties, such as expulsion, students are entitled to a hearing with more formal procedures.

  Courts have almost universally held that a student’s interest in athletic participation is not a liberty or property interest protectable by the Due Process Clause. The University may impose athletic discipline before providing an opportunity to be heard.

- **Communications of Student Data: Family Education Privacy Rights Act:** The Family Education Privacy Rights Act (FERPA), 20 U.S.C. § 1232g, is a federal law that gives parents the right to access their children’s education records, the right to seek amendment of the records, and the right to have control over the disclosure of personally identifiable information from the education records. (*See* National Forum on Education Statistics, Forum Guide to Protecting the Privacy of Student
Information.) When a student turns 18 years old, or enters a postsecondary institution at any age, the rights under FERPA transfer from the parents to the student. Accordingly, and with limited exception, universities may not disclose students’ personal education records. The Department of Education broadly defines the scope of information considered as personal education records as any record that directly relates to a student and that is maintained by an educational institution. (See 34 C.F.R. § 99.3.)

In general, FERPA only allows educational institutions to publicly disclose what is known as “directory information.” University policy specifically defines “directory information” to include information such as a student’s name and enrollment status. Students have the option to suppress even this information so it may not be publicly disclosed. Other than directory information, the University may not disclose other educational information, except in the very limited circumstances that are defined in University policy. A university may disclose the final results of a disciplinary proceeding to a victim of a crime of violence or a non-forcible sex offense. In disclosures to the victim, the institution may disclose the final results of the disciplinary proceeding regardless of whether the institution concluded a violation was committed. Universities may also publicly disclose the final results of disciplinary proceedings if the institution has found that a student has violated the institution’s rules or policies in regards to a crime of violence or a non-forcible sex offense. In doing so, the institution may not disclose the name of any other student, including a victim or witness, without the prior written consent of that student.

The Board of Regents has incorporated student privacy laws into its Student Education Records policy requiring that the University shall maintain the privacy of student education records. The Student Education Records policy applies to all University employees and members of the Board of Regents. (https://regents.umn.edu/sites/regents.umn.edu/files/policies/Student_Education_Records.pdf)

With respect to student-athletes, the University may publicly disclose additional information because student-athletes sign a consent form each year. This consent allows the University to disclose the following: academic information for purpose of publicizing academic honors; NCAA eligibility status; status on the team (active, suspended, dismissed); and “information necessary to correct publicly reported inaccuracies concerning me and my participation in and eligibility for participation in intercollegiate athletics.” The University may publicly disclose that a player has been suspended from the team, but may not disclose information regarding the specific reasons for the suspension.

- Attorney-Client Privilege: Communications between an attorney and a client that pertain to the provision of legal advice are strictly protected from disclosure. These communications include those between the Office of the General Counsel and University employees and members of the University Board of Regents. Attorney-client privilege is one of the oldest recognized privileges for confidential
communications. (Upjohn Co. v. United States, 449 U.S. 383, 389 (1981).) Because the attorney-client privilege serves “to encourage full and frank communication between attorneys and their clients and thereby promote broader public interests in the observance of law and administration of justice,” communications that are privileged are strictly protected from disclosure. It is critical that clients do maintain the confidentiality of attorney-client communications, because failure to do so may result in a waiver of the privilege.

The University, as a public institution, recognizes the importance of holding itself accountable to the people of Minnesota in accomplishing the University’s mission, and in doing so it makes every attempt to operate openly and communicate freely with the public. However, the investigation into last fall’s report of sexual assault necessarily involves personally identifiable student information and attorney-client privileged communications. As a postsecondary educational institution, the University serves as a caretaker of private student data, but each student—not the University—is the owner of that student’s education record. An approach to the special committee’s review that respects and protects the privacy of the students involved best reflects not just the University’s legal obligations but also the values of the institution, with its commitment to a developmental student process that is fair and equitable. To this end, Dorsey & Whitney’s findings and analysis (“D&W Advice”) regarding the events surrounding and stemming from the September 2016 report of sexual assault must largely be kept private. This Joint Report provides all conclusions of the Dorsey attorneys that can be reported publicly, reflects all of their recommendations, and focuses on lessons learned and recommendations moving forward.

d) Focus on Twin Cities campus

A final note: the Board’s charge to the special committee focused on the Twin Cities campus, specifically because the precipitating event happened near the Twin Cities campus. As the above-recited statistics regarding sexual assault make clear, however, sexual assault is not an issue unique to the Twin Cities campus. That said, each of the five campuses of the University of Minnesota serve unique communities, and each campus has in place practices and procedures that have developed in those communities and are designed to best serve those communities. All are, at the same time, bound by the same Student Conduct Code and Board of Regents policies. To that end, we urge the Board of Regents to direct the President to share lessons learned from this process with the Crookston, Duluth, Morris, and Rochester campuses.

3) The Challenge in Years Ahead

The U.S. Department of Education’s Office for Civil Rights serves “to ensure equal access to education and to promote educational excellence through vigorous enforcement of civil rights in our nation’s schools.” (See Exhibit 9). To that end, in 2011, OCR disseminated guidance concerning Title IX requirements related to sexual harassment and sexual violence on campus. This guidance took the form of a “Dear Colleague Letter.” (See Exhibit 3). The letter served to give schools “information to assist them in meeting their obligations” under Title IX.

Among other things, the “Dear Colleague Letter” advises schools that, if the school learns of an incident between students that creates a hostile environment—and even a single
incident of rape is “sufficiently severe” to create a hostile environment—it must “take immediate action to eliminate the harassment, prevent its recurrence, and address its effects.” This obligation extends to conduct that takes place off campus. Once notified of an incident of sexual harassment or violence, a school is obligated to investigate. In addition, Title IX obligates a school to have a grievance procedure in place to address complaints, and the grievance procedure must include the following:

- Notice of the grievance procedures;
- Adequate, reliable, and impartial investigation of complaints, including the opportunity for both parties to present witnesses and other evidence and the use of a preponderance-of-the-evidence standard of proof;
- Designated and reasonably prompt time frames, with the caveat that “a typical investigation takes approximately 60 days calendar days following receipt of the complaint”;
- Notice to both parties in writing of the outcome of the complaint; and
- An assurance that the school will take steps to prevent recurrence of any harassment and to correct its discriminatory effects.

Throughout its guidance, OCR emphasizes that the school must treat the party reporting sexual violence and the party accused of sexual violence equally. For example, “[i]f a school provides for appeal of the findings or remedy, it must do so for both parties.”

There are some signs that OCR leadership in the current administration may take a different approach to Title IX enforcement. (See Exhibit 10.) However, even if OCR’s enforcement priorities change, the University will still need to decide the best way to resolve to prevent and address sexual misconduct; the University’s commitment to addressing sexual misconduct should not be dependent on OCR’s enforcement priorities. Handling sexual assault matters effectively, in a way that offers strong support, fairness, and protection to all parties involved will continue to depend on clear, fair, and thoughtful University policies and procedures.
PREVENTION OF SEXUAL MISCONDUCT THROUGH TRAINING AND EDUCATION

1) The University’s Trainers and Educators

The prevention of sexual misconduct on campus is of paramount importance to the University’s efforts to ensure a safe and respectful community—not to mention compliance with its own policies and procedures and its obligations under Title IX. President Kaler recognized as much when he reported on efforts to improve education and training on campus at the February 2017 Board of Regents meeting. At the same meeting, Athletics Director Mark Coyle discussed enhanced education efforts for all student-athletes and the setting of universal standards of behavior for the whole Athletics Department. Regent Simmons noted that a “whole person approach” is preventative of misconduct, and University training efforts—both those in place now and those being rolled out in the near future—reflect this approach.

The following offices on campus have a role in training and education on issues of sexual misconduct:

- **Equal Opportunity and Affirmative Action:** The Office of Equal Opportunity and Affirmative Action (EOAA) serves to ensure that all University community members comply with civil rights laws and University policies on discrimination, harassment, nepotism, and retaliation. (See Exhibit 11.) As part of this work, EOAA provides educational programming across campus. In addition to a director and assistant director, EOAA currently employs four associates to the director and a support staff.

- **Orientation and First Year Programs:** The Office of Orientation and First Year Programs is part of the Office of Undergraduate Education. Its mission is “[t]o provide quality transitional experiences that maximize students’ potential for personal and academic success.” (See Exhibit 12.) Among other things, Orientation and First Year Programs offers mandatory orientation sessions to entering first-year and transfer students, and additional programming throughout the year. Orientation and First Year Programs has nine full-time staff members and an extensive student staff, both paid and volunteer.

- **The Aurora Center for Advocacy & Education:** The Aurora Center for Advocacy & Education is housed within the Office for Student Affairs. The Aurora Center serves victims of, survivors of, and those concerned about sexual assault, stalking, and relationship violence at the University. (See Exhibit 13.) It offers free and confidential services, and it engages in educational programs to create awareness and prevention strategies. In addition to a director and an assistant director, TAC employs two legal advocacy coordinators, a volunteer coordinator, a prevention program coordinator, and a men’s engagement coordinator.

The following offices also play a role in training and education on these topics:
• **Housing & Residential Life:** The Office of Housing & Residential Life supports the University by offering quality on-campus housing facilities, programs, and services. *(See Exhibit 14.)* It has a seven-person leadership team, and it employs residence directors, assistant residence directors, community advisors, and other support staff in thirteen University residence halls.

• **University of Minnesota Police Department:** UMPD is the University’s police department. *(See Exhibit 15.)* In addition to a Chief of Police, it employs officers in a patrol capacity, officers who engage in investigations and outreach, and officers who engage in administrative services and support services.

• **Athletics Department:** The Athletics Department, particularly through its Student-Athlete Development program, works with student-athletes to enhance their campus experience as students, as athletes, and as leaders on campus. *(See Exhibit 16.)* The program has a full-time staff of four.

• **Fraternity and Sorority Life:** The Office of Fraternity & Sorority Life houses the four councils to which the various fraternities and sororities on campus belong: the Interfraternity Council, the Multicultural Greek Council, the National Pan-Hellenic Council, and the Panhellenic Council. *(See Exhibit 17.)* June Nobbe, the Assistant Vice Provost for Student Life, served as the Office for Student Affairs’s liaison to the Office of Fraternity & Sorority Life before Interim Vice Provost for Student Affairs Maggie Towle took over that role.

2) **Training and Education on Campus as of September 2016**

The University has undertaken extensive work in recent years with respect to implementing sexual assault prevention measures, as evidenced by the following milestones:

• **2011:** Employee mandatory reporting policy implemented

• **2012:** “Step Up” bystander training rolled out; campus sexual assault response protocol finalized

• **2013:** Haven student online training module for students implemented

• **2014:** EOAA designated as office to investigate Title IX complaints

• **2015:** Staff online training module implemented; Men’s Engagement Coordinator hired by The Aurora Center; affirmative consent definition adopted

• **2016:** Student Sexual Misconduct Subcommittee established as hearing body for Title IX complaints

As outlined below, the University takes a comprehensive approach to training and education with regard to sexual misconduct and related issues.
a) Student Body Generally

The University currently engages in widespread and varied efforts to introduce students to its sexual misconduct policies, including its definition of affirmative consent. These efforts begin at Orientation, which takes place during June, before first-year students begin classes in the fall, and is mandatory for all incoming first-year students. The size of the student body at the University poses a special challenge to Orientation and First-Year Programs, which in the summer of 2016 accommodated 5,880 new students in freshman student orientation.

As a part of Orientation, which lasts two days, each first-year student watches the production of a play called *Pieces of the Puzzle*, which addresses campus life issues including, among other things, sexual assault. Slides are projected during the play that feature statistics on sexual assault and resources for victims. Following the play, students convene in small groups to discuss the issues in the play with an orientation leader, and all students are required to talk about the issue of sexual assault. In addition, all new students are required to complete three on-line training modules, including one called “Haven – Understanding Sexual Assault.”

Orienting transfer students to campus poses its own set of challenges. In 2016, the Twin Cities campus welcomed to campus, in addition to almost 6,000 freshmen, more than 3,000 transfer students: 924 in January and another 2,386 in the summer. Given its limited resources, Orientation and First-Year Programs prioritizes the orientation of freshmen students, most of whom have not spent substantial time on any university campus. Nonetheless, Orientation and First-Year Programs offers orientation sessions entitled “Transfer Welcome Days” to all transfer students; these orientation sessions, however, are more limited in scope than Orientation for first-year students. For example, while Orientation and First-Year Programs presented *Pieces of the Puzzle* during Transfer Welcome Days in 2015, it found that it did not have the resources to continue this practice in subsequent years. (See Exhibit 18.)

b) Student-Athletes

Student-athletes receive additional training designed to help them interpret and understand state and local laws, University policies and procedures, and policies and procedures specific to the Athletics Department. Each year, student-athletes receive and sign a Student-Athlete Handbook, which places specific expectations on student-athletes:

- Be respectful of all others and treat people as they would want to be treated.
- Communicate with their teammates, coaches, faculty, and other members of the campus community with honesty and timeliness.
- Follow all Team, Intercollegiate Athletics, University, Big Ten, WCHA and NCAA rules and guidelines.

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4 The Athletics Department coordinates with Orientation and First-Year Programs to ensure that team obligations do not interfere with orientation attendance and participation.
- Attend all classes as scheduled unless absences are approved.

- Complete their academic coursework in a timely fashion and make progress towards a degree each semester.

- Give their best effort academically, athletically and in life.

(See Exhibit 19.) The handbook also presents the consequences available for violations of the Student-Athlete Code of Conduct (including suspension from the team, loss of eligibility and scholarships, and dismissal).

Each student-athlete takes a First-Year Experience course that includes training on resources and affirmative consent from The Aurora Center. Teams also participate in sessions on compliance, hazing, sexual assault, and sexual harassment, as well as Step Up bystander training. (See Exhibit 20.) Athletics regularly brings in outside consultants to talk to students and coaching staffs about sexual misconduct, procedures, and best practices. In general, the approach of the Athletics Department to education and training is to nurture the overall well-being of student-athletes. (See Exhibit 21.)

In addition to training provided to all student-athletes, student-athletes on the football team attended a full-team meeting on June 13, 2016, led by Peyton Owens III, Assistant Athletics Director for Student-Athlete Development. He addressed the team on the Student-Athlete Code of Conduct, and specifically on sexual assault, sexual harassment, and consent. The presentation included specific examples of sexual assault and sexual harassment, information on The Aurora Center, and information on affirmative consent, and together the team watched a video about consent. All members of the football team received the student-athlete handbook for 2016-17 by the end of August 2016.

Also in June 2016, the football team received training from Sandra Singleton McDonald, a consultant who has worked with more than 1,000 NFL athletes on managing relationships, consequences of decisions/judgment choices, and enhancing their life skills. At the start of the 2016 football season, the head coach conducted training on the football team rules and subsequently led a team discussion every two-three weeks on academic integrity and other conduct issues, including guns, drugs, theft, and sexual assault.

e) Other student groups

Eighty-eight percent of new incoming first-year students live in University housing, where they are advised by community advisers (CAs), upperclass students who live with first-year students in housing. In August of each year, CAs receive two weeks of training focused on social justice and equity issues, including a session on Title IX, reporting obligations, and the EOAA investigative process. CAs also receive Step Up training (See Exhibit 22), which addresses the issue of bystander intervention. Housing & Residential Life partners with The Aurora Center to present a discussion series on sexual assault-related topics during April, which is sexual assault awareness month. Formal presentations like this are rare in Housing &
Residential Life, which takes a more informal, CA-led, one-on-one approach to student engagement. (See Exhibit 23.) Members of most fraternities and sororities receive additional training on sexual misconduct issues as mandated by their respective chapters.

The Office of Equal Opportunity and Affirmative Action provides ongoing training across the campus community on sexual misconduct issues, including to orientation leaders, employees, Athletics, community advisers, Greek life, and the Student Sexual Misconduct Subcommittee, which adjudicates complaints of sexual misconduct. EOAA also provides trainings on request, often in conjunction with The Aurora Center, Boynton Health Services, and others. (See Exhibit 24.)

The Aurora Center for Advocacy and Education presents regularly on the topics of affirmative consent, healthy relationships, bystander intervention, masculinity, responding to disclosures, understanding the neurobiology of trauma, and Title IX, and it is placing a special emphasis going forward on the training of employees. It also has a relationship with Tubman, a Minnesota nonprofit organization that works with victims of domestic violence, to provide support for students who are victims of sexual assault. Other outreach efforts include tabling at student and employee orientation fairs and events and programming during Domestic Violence Awareness Month and Sexual Assault Awareness Month. (See Exhibit 25.)

In addition, Boynton Health Services and the Office for Student Affairs undergo periodic Sexual Assault Campus Assessments through a health survey and a climate survey.

The University of Minnesota Police Department is a regular presence on campus that works to, among other things, increase reporting of sexual misconduct and connect students who report sexual misconduct to resources. (See Exhibit 26.)

3) Evolving Training and Education Programs and Practices

a) Student Body Generally

Orientation and First-Year Programs, because it is one of the few units on campus that reaches every incoming student to the University, experiences extensive demands on its resources. At the same time, it recognizes that both Orientation and Welcome Week (the week before classes when students arrive on campus) are limited in time, and it can be a challenge to communicate a high volume of new information to students at a transitional time in their lives. Orientation and First-Year Programs works annually with EOAA and The Aurora Center to refine its presentations concerning issues of sexual misconduct to ensure that its messages are both accurate and effectively delivered. Recognizing that the University enrolls a diverse student body, Orientation and First-Year Programs works to communicate the University’s definition of affirmative consent in a way that makes an impact on students as they begin their time at the University.
b) Student-Athletes

This coming fall, each team will participate in a team meeting like the one the football team attended in June 2016, where student-athletes will receive training on the Student-Athlete Code of Conduct, hazing, sexual assault, and sexual harassment. Each team will also meet with Tina Marisam, Director of the Office of Equal Opportunity and Affirmative Action, to learn about Title IX and EOAA’s investigative process for sexual misconduct complaints, and with Sharon Dzik, Director of the Office for Community Standards (formerly the Office for Student Conduct and Academic Integrity), to learn about the student conduct process. Ms. Marisam and Ms. Dzik will meet separately with all coaching staffs on these same issues.

Athletics Director Mark Coyle and his leadership team are committed to changing the culture in Athletics through interactive training of student-athletes designed to give student-athletes the tools to interpret, not just understand, University policy. To this end, Athletics is in the process of developing shorter, more digestible pocket resources for students on issues they may confront, including sexual misconduct. Recognizing the diversity of experience and backgrounds among student-athletes and coaches, Athletics has brought in several outside resources to bring different voices and perspectives to bear on the issue of sexual misconduct. For example, attorneys from the Gray Plant Mooty law firm met with coaches and Athletics administration to explain Title IX and to offer best practices. Hennepin County Attorney Mike Freeman recently met with the football team and the men’s basketball team to explain the criminal investigation and prosecution process. Athletics also recently brought in an outside consultant to evaluate its procedures, and it has and continues to bring in outside speakers to address issues like bystander intervention, consent, and sexual violence.

c) Other groups

Housing & Residential Life traditionally offers training on Title IX to all community advisors. Beginning this fall, it will jointly with EOAA offer training on Title IX, reporting obligations, and the EOAA investigative process to all CAs. This partnership recognizes the challenges that some CAs can have in navigating the inherent challenge in their role as peers to many of the freshmen among whom they live but also as authority figures and reporters when it comes to learning of sexual misconduct.

In addition to chapter-led sexual assault training, beginning in Fall 2017, EOAA will provide in-person education on sexual misconduct to leaders of Greek life.

The Aurora Center has also seen an upsurge in victim survivors of sexual assault wanting to share their stories with the media, and it is developing guidance for victim survivors who choose to do so.

4) Current Initiatives

In May 2017, President Kaler charged School of Public Health Dean John Finnegan with leading an Initiative to Prevent Sexual Misconduct. The Initiative is charged with developing training for faculty and staff, enhancing student education and engagement, creating a public health awareness campaign, establishing a committee to prevent sexual misconduct, and
developing metrics for evaluation. The Initiative has established four committees along these lines, bringing together representatives from across the University, and plans to make a report to President Kaler in October. (See Exhibit 27.)

In addition, as part of a resolution agreement with the Department of Education’s Office for Civil Rights, the University has developed a comprehensive administrative sexual misconduct policy. (See Exhibit 28.) In June, the Board was presented for review with a draft University Administrative Policy: Sexual Misconduct, the adoption of which will necessitate the revision and alignment of several other policies. The new policy provides information about processes and procedures related to sexual misconduct and includes definitions of terms used in the Student Conduct Code. It also provides a more robust definition of affirmative consent. The policy strives to offer easier access to information, improved transparency and consistency, and fair processes for all students.

The University is in the process of introducing a training module for all University employees on issues relating to sexual harassment and sexual misconduct.

5) Lessons Learned and Joint Recommendations Regarding Training

a) Comprehensive agenda. A comprehensive agenda is necessary, as framed by President’s Initiative to Prevent Sexual Misconduct. It is clear that the issues of preventing and addressing sexual misconduct on campus is not simply a football team or Athletics Department issue.

b) Self-evaluation. In addition to the periodic surveys on health and climate issues relating to sexual assault on campus conducted by Boynton Health Services and the Office for Student Affairs, it may be useful to survey the student body and student-athletes regarding their experiences and perceptions, both with respect to sexual misconduct and with respect to how complaints are addressed.

c) Incoming students. The constant influx of new students to the University community poses a special challenge. It is important to continually examine orientation-related training and its effectiveness. In addition, the University should devote resources to the orientation of transfer students, because it cannot trust that those students received comprehensive orientation at a different institution, let alone orientation that aligns with the University’s values.

d) Resources. Examine the resources, both in terms of money and people, devoted to sexual misconduct prevention and response to ensure that they are both sufficient and well-spent.

e) Timing. Focus on the timing of training. Effective training will come at key moments in the life of a university student, and it will be repeated. In light of the University’s mission of service to the State of Minnesota, consider participation or investment in community programs that introduce the ideas of affirmative consent and sexual health to students before they arrive on campus.
f) **Bystander training.** Review the “Step Up” program to ensure that it is effective in training students about bystander intervention and the responsibilities of students to intervene to help members of the University, and consider implementing training on this topic more broadly.
PRCTICES AND POLICIES RELATED TO STUDENT DISCIPLINE

As described by the Dorsey attorneys, at least four different processes can have impact on an allegation of sexual assault, as can the intersection of these processes. Also significant are the laws and policy regarding permissible communication regarding student discipline.

1) **Hennepin County Criminal Justice Process**

The Minneapolis Police Department (MPD) is a governmental agency external to and independent of the University. MPD investigates reported incidents to determine whether the alleged conduct could be considered a crime and whether there is enough evidence to present the case to the Hennepin County Attorney’s Office for possible prosecution. A Hennepin County Attorney’s Office prosecutor then reviews the police file to determine if there is enough evidence to charge a crime. The Hennepin County Attorney’s Office files criminal charges “when there is enough believable evidence that a conviction at trial is likely. If there is not enough evidence, the prosecutor will either refer the case back to law enforcement for more investigation or will not file charges.” (See Hennepin County Attorney, Criminal Justice Process.) Therefore, a decision not to file criminal charges does not amount to a finding of “innocence”—it is a reflection of the prosecutor’s view of his or her ability to obtain convictions at trial. Criminal charges are tried under a stringent “beyond a reasonable doubt” burden of proof.

Because MPD is independent of the University, it is not required to coordinate its investigations or share evidence with the University. Furthermore, a decision by the Hennepin County Attorney’s Office to decline prosecution does not relieve the University’s obligation to investigate an allegation of sexual misconduct and does not foreclose the University from imposing discipline for the same conduct that was the subject of a MPD investigation.

When MPD is conducting a criminal investigation of conduct that is also within the scope of the University’s investigative and disciplinary processes, MPD may ask that the University delay its investigation to avoid compromising the MPD investigation. The University generally honors that request.

2) **Harassment Restraining Order Process**

Minnesota law permits a person who is a victim of harassment (Petitioner) to seek a restraining order from a state court against an individual or individuals (Respondent(s)) who have engaged in harassment. A harassment restraining order is a matter handled in civil court and is brought by the individual seeking protection.

Under Minn. Stat. § 609.748, harassment is defined as

1. A single incident of
   a. physical or sexual assault, or . . .
   c. intentionally disseminating a private image of the victim, without consent of the victim, that shows the victim in a sexual act or whose intimate parts are exposed, in whole or in part, and the victim is identifiable by the victim or by
another person or from personal information displayed in connection with the image.

(See Minn. Stat. § 617.261.)

The purpose of the harassment restraining order is to protect a person from future harassment. A Petitioner must file a petition with the Court alleging facts establishing harassment. After the forms are filed, a Court might issue a restraining order, dismiss the case, or schedule a hearing, with or without a temporary restraining order.

If the Judge finds that the Petition stated sufficient facts, the Court will issue a restraining order *ex parte*, or without the participation of the person sought to be restrained, for two years or less. The order stays in effect for the two years (or some other time period) unless the Petitioner or Respondent requests a hearing. A Respondent has a right to request a hearing to argue against the restraining order. The sheriff or other law enforcement officer serves the order. If the Court decides that the Petition does not state facts to support a restraining order, the Court will dismiss the petition. If dismissed, the case is over and the Petitioner does not have a right to a hearing.

The Court can also decide that the Petition states facts meeting the definition of harassment, but does not show that the harassment is likely to continue. If the Petitioner asks for a hearing, or if the Judge wants to have a hearing for any other reason, the Judge may schedule a hearing to allow the Petitioner to explain the Petition more completely and to prove the truth of the allegations.

The court may issue a Temporary Restraining Order, granting temporary relief from harassment, without a hearing. If the court does not issue a temporary order, the Petitioner may have the right to request a hearing within 20 days of service of the petition. The Respondent also has the right to request a hearing within 20 days of service of the petition. The Respondent may deny the allegations in the petition and request a trial. The burden is on the Petitioner to prove harassment by a preponderance of the evidence.

At the close of the hearing, the Judge will issue a Harassment Restraining Order if there are reasonable grounds to believe that the respondent has engaged in harassment. Persons who violate the terms of a Harassment Restraining Order are subject to criminal and civil penalties.

University students may petition for or be subject to Harassment Restraining Orders.
The U.S. Department of Education’s Office for Civil Rights (OCR) and the U.S. Department of Justice enforce Title IX of the Education Amendments of 1972. (See U.S. Department of Education, Title IX Resource Guide.) Title IX protects students from sex-based discrimination in educational programs or activities that receive Federal financial assistance. Title IX requires that universities maintain an environment that is free of unlawful sex discrimination in all aspects of the educational experience, including academics and athletics.

Title IX prohibits sexual violence and sex-based harassment that is sufficiently serious to deny or limit a student’s ability to participate in or benefit from the recipient’s education programs and activities (a hostile environment). Sexual harassment is unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment and refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent. Sexual violence includes rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

Title IX prohibits retaliation against individuals for the purpose of interfering with any right or privilege protected by Title IX. Protected activity includes filing a complaint alleging a violation of Title IX; participating in a Title IX investigation, hearing, or proceeding; or advocating for others’ Title IX rights.

Title IX requires that universities maintain grievance procedures as part of a system for the prompt and equitable resolution of complaints. Title IX requires universities to use a “preponderance of the evidence” standard throughout its grievance procedures. (See Exhibit 3.) This standard is less than the standard applied by MPD and the Hennepin County Attorney’s Office. In a university’s Title IX investigation, including at any hearing, the parties must have an equal opportunity to present relevant witnesses and other evidence. The complainant and the alleged perpetrator must be afforded similar and timely access to any information that will be used at the hearing.

When a university knows or reasonably should know of possible sex-based harassment, it is required to immediately investigate the circumstance. If an investigation reveals that the harassment created a hostile environment, the University must take prompt and effective steps reasonably calculated to end the harassment, eliminate the hostile environment, prevent the harassment from recurring, and, as appropriate, remedy its effects.

5 The Student Conduct discipline process for violations of the Student Conduct Code or other University Rules not implicating Title IX is substantially similar to the process described in this report, with the key differences being that the Office for Community Standards, rather than EOAA, investigates and makes findings and the Campus Committee on Student Behavior (CCSB), rather than the CCSB’s Student Sexual Misconduct Subcommittee (SSMS), conducts formal hearings.
a) Student Conduct Code and University Rules

All University students and student groups, including student-athletes, are subject to discipline for violations of the Student Conduct Code. (See Exhibit 4.)

Similar to Title IX, the Student Conduct Code prohibits students from engaging in sexual misconduct, causing harm to any person, or otherwise violating University Rules. University Rules prohibit sexual assault, stalking, and relationship violence. Sexual assault is “[a]ctual, attempted or threatened sexual contact with another person without that person's affirmative consent.” Affirmative consent is “[i]nformed, freely and affirmatively communicated willingness to participate in sexual activity that is expressed by clear and unambiguous words or actions.” (See Exhibit 5.)

University Rules also prohibit sexual harassment and retaliation against individuals based on their participation in a sexual harassment investigation. Sexual harassment is “[u]nwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when . . . such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive work or academic environment in any University activity or program.” (See Exhibit 29.)

b) Equal Opportunity and Affirmative Action (EOAA) Investigations

On May 11, 2012, to enforce the provisions of Title IX and the Student Conduct Code, the Board of Regents adopted a sexual harassment policy under which the University would “adopt procedures on each campus for investigating and resolving complaints of sexual harassment in coordination with the director of equal opportunity and affirmative action” and “address violations of this policy through disciplinary or other corrective action up to and including termination of employment or academic dismissal.” (See Exhibit 30.)

EOAA is part of the University’s Office for Equity and Diversity. EOAA investigates allegations of sexual assault or harassment, stalking, and relationship violence, as well as any other potential violations of the Student Conduct Code or University Rules with a nexus, or connection, to the alleged sexual assault or harassment. As required by Title IX, EOAA makes determinations using a preponderance of the evidence standard.

When conducting an investigation involving a student respondent, EOAA interviews the reporting party, relevant witnesses, and the accused student to gather evidence. (See Exhibit 31.) All University employees, students, and participants in University-related activities are expected to respond promptly to EOAA investigators. Individuals are not advised initially as to whether they may decline to participate in an interview.

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6 While EOAA investigates allegations of employee misconduct, including sexual harassment and discrimination, this report addresses only EOAA’s work investigating allegations of student misconduct.
EOAA notifies the accused student in writing about the complaint and available resources. EOAA allows the reporting party and the accused student to have a support person, an Aurora Center or Student Conflict Resolution Center (SCRC) advocate, or an attorney present for interviews. When possible, the EOAA investigator gathers available evidence, including, but not limited to, text messages, emails, voicemail recordings, medical reports, and video recordings. Interviews are documented in the Investigator’s notes and the report, but are not audio or video recorded.

EOAA may report an individual’s refusal to cooperate in EOAA’s process to supervisors and other responsible administrators and recommend discipline or other action in response to an individual’s refusal to participate. EOAA, however, has no authority to compel participation in its investigation or to compel individuals to provide it with evidence. If a student chooses not to participate in an interview, EOAA proceeds with the case and issues findings based on available information.

At the conclusion of the investigation, EOAA makes a finding as to whether a student has violated the Student Conduct Code or University Rules as they relate to sexual assault, sexual harassment, relationship violence, or stalking. EOAA applies a “more likely than not” preponderance of the evidence standard in evaluating the evidence. Later, the Office for Community Standards provides both the reporting student and the accused student with a written report analyzing the facts and setting forth the EOAA’s findings and the Office for Community Standards’s proposed discipline. (See Exhibit 32.) Importantly, while EOAA makes findings, EOAA does not have the authority to impose discipline.

EOAA thereafter refers its findings to the Office for Community Standards. EOAA will not make responsibility findings of misconduct other than sexual harassment, sexual assault, stalking, and relationship violence, or other Student Conduct Code or policy violations without a nexus, or connection, to these categories of misconduct. Instead, EOAA will forward a summary of the evidence related to other possible violations to the Office for Community Standards. The Office for Community Standards assesses appropriate sanctions if an accused student is found responsible. In all cases, the Office for Community Standards sends the reporting and accused students letters with sanctions, if any, along with EOAA’s report.

c) Office for Community Standards Student Conduct Discipline

The Office for Community Standards reviews the report to identify additional findings of violations of University rules that are not within the scope of EOAA’s authority, and to assess appropriate penalties for all findings rendered by EOAA and by the Office for Community Standards. Director Sharon Dzik conducted Title IX investigations of student misconduct for approximately 10 years before that function was moved to EOAA in 2014. Because of her substantial experience, as well as her past and current work investigating other potential violations of the Student Conduct Code and University Rules, Dzik may confer with EOAA if she notes violations within EOAA’s purview that have not been identified in the report. Dzik communicates her observations to EOAA, but does not direct changes to EOAA. EOAA independently determines whether the observations are supported and warrant a new or additional finding.
The Office for Community Standards applies a preponderance of the evidence standard when making additional findings. Once all Student Conduct violations are identified, the Office for Community Standards assesses a sanction or sanctions using the Sanctioning Guidelines for Title IX Violations (Title IX Sanctioning Guidelines). (See Exhibit 33.) The Title IX Sanctioning Guidelines were developed in 2011 by the Office for Student Conduct and Academic Integrity (now known as the Office for Community Standards), in consultation with the Office of the General Counsel and the Aurora Center, and are based on national guidelines. Office for Community Standards staff members determining student discipline have a master’s degree in higher education counseling or a similar subject, as well as prior experience working with students. The Office for Community Standards may request EOAA investigator’s notes to inform sanctioning decisions.

The University imposes sanctions to hold students accountable for their actions, to ensure the safety and well-being of the members of the university community, and to facilitate student learning and development. The Student Conduct Code provides as follows on sanctions:

Students and student groups found responsible for disciplinary offenses under the Student Conduct Code are subject to sanctions. Factors to consider in determining appropriate sanctions include: the nature of the offense, the severity of the offense, the culpability of the student or student group, the impact on other students or members of the University community, and the opportunity for student development. Separation from the University through suspension or expulsion is a serious sanction that may be appropriate for: repeated violations of the Student Conduct Code, for serious scholastic dishonesty, and for misconduct that constitutes a threat to community safety or well-being (including, but not limited to harm to person and sexual assault), or significantly disrupts the rights of others or the operations of the University.

Consistent with this provision, in determining sanctions within the Guidelines, the Office for Community Standards considers what the student did, whom it affected, and how the student can best learn from the experience. (See Exhibit 34.) Special factors are considered when determining an appropriate sanction for sexual misconduct, including the use of force; incapacity due to drugs or alcohol; consent throughout the interaction; the accused student’s acceptance of responsibility; supporting evidence; and witness corroborations.

Potential sanctions under the Student Conduct Code include academic sanction; warning; probation; required compliance; confiscation; restitution; restriction of housing or other campus privileges; suspension; expulsion; withholding of diploma or degree; and revocation of admission or degree. (See Exhibit 34.) Sanctions are generally not imposed until final resolution of the matter, except for when an offense involves serious harm to another person or the accused student otherwise presents a continuing risk of harm to the community. (See Exhibit 37.)

The Office for Community Standards then informs the reporting student and the accused student of (1) the outcome of EOAA investigation and (2) a proposed resolution. (See Exhibits 35, 36.) Either party may object to the proposed resolution and request a formal hearing before the Student Sexual Misconduct Subcommittee of the Campus Committee on Student
Behavior (SSMS) to contest the findings or the discipline imposed. *(See Exhibit 37.)* If both parties agree to the proposed resolution, the process is concluded.

d) **SSMS Hearing**

If the reporting student or the accused student disagrees with EOAA’s findings or the Office for Community Standards’s proposed resolution, the student may invoke the University’s formal resolution process.

The Campus Committee of Student Behavior (CCSB) of the University Senate is the hearing body for potential violations of the Student Conduct Code. In September 2016, due to the volume of hearings conducted by the CCSB and the scrutiny of the University’s Title IX processes, the CCSB created the Student Sexual Misconduct Subcommittee (SSMS) to conduct hearings on violations of the Student Conduct Code involving sexual misconduct. Students, faculty, and staff may apply to be SSMS members. Members are selected and appointed by the University’s Title IX Working Group.

For each hearing, the SSMS Secretary selects a non-voting Chair, three panelists, and one alternate panelist from the SSMS members. SSMS members are required to attend 10 hours of training before serving on a panel. The Office for Community Standards and EEOA personnel provide some of the training. Topics include Title IX, EOAA role and process, the Office for Community Standards’s role and process, credibility determinations, implicit bias, and sexual violence. The SSMS Secretary sends a survey to SSMS members requesting availability for approximately 15 hearing dates throughout each semester. SSMS members are assigned to those hearing dates with a goal of racial and gender diversity on each panel and to ensure that certain members of the panel pool are not hearing a disproportionate amount of cases.

Hearings are assigned to those pre-scheduled dates based on the hearing dates selected by the parties. In any hearing before the SSMS, the University is the formal complainant. The reporting student may have a support person or attorney accompany him or her in the hearing process. The accused student may be represented by a lawyer or an advocate, including an advocate provided through the Student Conflict Resolution Center (typically University law students). If the accused student is represented by an attorney, an attorney from the University’s Office of the General Counsel will appear on behalf of the University.

The panel Chair holds a prehearing conference during which SSMS panel members, advocates, attorneys, and potential witnesses are identified, the complaint is reviewed, procedures for the hearing are identified, and a conflict check between the parties and panelists is conducted. Before the hearing, the panel reviews the EOAA report and the Office for Community Standards informal resolution letter. The party who requested the hearing may also submit a rebuttal to EOAA report and the Office for Community Standards letter for the SSMS panel’s review.

The student who requested the hearing may accept the Office for Community Standards’s proposed informal resolution up to twenty-four hours prior to a hearing and the matter will be considered resolved if the other involved student also accepts the proposed resolution. Hearings before the SSMS are closed to the public and guests are permitted only if agreed to by both
parties and the panel chair. The SSMS Secretary provides the reporting student with a number of options for hearing participation, such as room partitions or video participation.

At the hearing, the University and accused student each offer witnesses, information, documents, films, or other materials to the panel, and they both may object to the information presented by the other party. The SSMS panel Chair has discretion to determine what information is presented in the hearing. Audio recordings are made of the hearings. The University and the accused students may provide opening statements, submit written materials, and present and cross-examine witnesses. There are typically pre-established time limits for the University and the accused student to present their cases.

At the end of the hearing, the SSMS panel deliberates in a closed session to determine the responsibility of the accused student. To find a violation, a majority of the panelists must find it more likely than not that the student committed the violation. If the accused student is found responsible, the panel also determines appropriate sanctions.

The SSMS Secretary attends the hearing, takes notes, and handles all logistics. She attends, but does not participate in panel deliberations. After the panel reaches a conclusion, the SSMS Secretary writes the panel decision explaining the panel’s reasoning based on the information provided to her by the panel. Each panel member reviews and approves the decision.

SSMS panel decisions are communicated in writing no later than one week after the hearing.

e) Appeal Process from an SSMS Decision

Either party may appeal the panel decision. Grounds for an appeal include the following: a significant procedural error sufficient to affect the outcome; an argument that the University Rule or Student Conduct Code provision found to have been violated was misapplied, misinterpreted, or contrary to law; the existence of new evidence that was not previously available to the appealing party and that is sufficient to affect the outcome; a sanction that is grossly disproportionate to the offense; or a disciplinary decision that is not based on substantial information (relevant information that a reasonable person might accept as adequate to support a conclusion).

The parties to an appeal are (1) the appellant, who may be a student found to have violated the Student Conduct Code or the reporting party in a sexual assault, sexual harassment, stalking, or relationship violence case, and (2) the respondent, who is either the chair or a representative member of the original hearing panel. The appellant may be represented by an advocate or an attorney. If the appellant is represented by an advocate, the respondent will be represented by the Office for Community Standards; if the appellant is represented by an attorney, the respondent will be represented by an attorney from the Office of the General Counsel. Unless the appellate officer decides otherwise, the appeal is in writing.

The University Provost serves as the campus-wide appellate officer. The appellate officer respects the credibility determinations of SSMS panel and does not substitute her
The appellate officer reviews the written appeal submitted by the appellant and may review any or all portions of the record as appropriate to decide the appeal. The appellate officer may seek further information to assist in deciding the appeal, including the following:

- additional written information from the appellant, such as citations to key portions of the record;
- a written response from the respondent;
- written responses to questions, from either the appellant or the respondent; and
- oral presentations from the appellant and the respondent (or their advocate/attorney), which will be recorded.

In cases of sexual assault, sexual harassment, stalking, or relationship violence, if the student found to have violated the Student Conduct Code is asked to submit written information or to appear for an oral presentation, the reporting party will be offered the same opportunity and vice versa.

The appellate officer makes the final University decision. The appellate officer may accept, modify, or reject the disciplinary decision of the hearing body, or return the matter for further proceedings. The appellate officer will provide a written decision to the appellant and the chair of the hearing body. In cases of sexual assault, sexual harassment, stalking, or relationship violence, the appellate officer will provide simultaneous written notice to the accused student, the reporting party, and the SSMS chair.

Disciplinary sanctions affecting a student’s academic status at the University generally are stayed pending appeal, unless the underlying offense involved serious harm to another person or the student otherwise presents a continuing risk of harm or disruption to the community.

f) Appeal to Minnesota Court of Appeals

Students may appeal the University’s Student Conduct decisions to the Minnesota Court of Appeals by filing a petition for a writ of certiorari within 60 days after receiving notice of the University’s decision. Because of the University’s special constitutional status, the Court of Appeals gives deference to the University’s decisions in ruling on an appeal.

4) Athletic Department Discipline

The National College Athletics Association (NCAA) affirms that student-athletes are citizens first, then students, and finally athletes. As a result, student-athletes’ conduct may
proceed under different systems with different standards of proof, with each system advancing different interests. As a citizen, a student-athletes’ conduct is subject to discipline through the criminal justice system; as a student, through the University’s Student Conduct procedures; and as an athlete, by athletic discipline administered by the Athletics Department.

a) Practices and Policies

All student-athletes are subject to discipline for violations of the Student-Athlete Code of Conduct. (See Exhibit 38.) The Student-Athlete Code of Conduct prohibits student-athletes from violating team, Athletics Department, or University rules. In addition, student-athletes are required to abide by NCAA and other sports-specific codes of conduct and all local, state, and federal laws.

In imposing Athletic Discipline, the University’s policies and practice call for consideration of many additional factors, including (1) the nature of the alleged conduct (e.g., from attitude issues toward coach or others, cheating on tests, bullying and harassment, to assault); (2) the clarity over the alleged events and degree of confidence in the state of the relevant evidence; (3) the clarity over the identity of the responsible parties; (4) whether a formal inquiry is pending and its type (e.g., EOAA, review by criminal authorities); (5) the status of that related inquiry; (6) timing considerations, such as the length of time anticipated for an investigation-related suspension; and (7) prior criminal offenses or Student Conduct Code violations of a similar nature.

Athletics Department and team disciplinary sanctions can include verbal or written reprimand; suspension from the team; reduction, cancellation or non-renewal of athletics scholarship aid; and dismissal from the team. Student-athletes may not be expelled or suspended from the University, for violations of the Student-Athlete Code of Conduct. Most athletic discipline is imposed by coaches for minor violation of team rules. For more serious violations, the Athletics Director or the Head Coach, in consultation with the Athletics Director, determines the appropriate sanction. The Athletics Director has final approval regarding a student-athlete’s dismissal from a team. Except as described below, the Athletics Department does not provide notice, a hearing, or a record of decision to a student-athlete when imposing discipline.

 Alleged violations of local, state, or federal law that involve physical or sexual violence, use of weapons, or driving under the influence will result in immediate athletic suspension, pending further investigation. Athletic suspension generally means that student-athletes may not practice, compete, or travel with any University of Minnesota Intercollegiate Athletics team. However, suspended student-athletes may, with the approval of the coach and designated sport administrator, attend team meetings and retain privileges to access training tables, the athletic training room, academic support services, and individual use of weight training. Exceptions to any of these terms may be made by the Athletics Director.

With the exception of specific sanctions related to financial aid and transferring, Athletics Department discipline is final and not appealable. A student-athlete may appeal the following sanctions issued by the Athletics Department: reduction or cancellation of financial aid, non-renewal of financial aid, denial of permission to contact for transfer, and denial of one-time transfer exception. A student-athlete must appeal within two weeks of being notified. An appeal
of these sanctions is heard by a three-person panel comprised of the respective NCAA Faculty Representative, a member of the Faculty Oversight Committee or Advisory Committee on Intercollegiate Athletics, and a representative from the Office of the President.

b) Football Team Rules

In 2016, Football Team Rules contained five core rules:

1. Act Right
2. Be on Time
3. Go to Class
4. Play Hard
5. Be a Good Teammate

(See Exhibit 39.) The team rules also noted common “Pitfalls Around College Athletics.” These included “sexual harassment/video of sex acts; date rape/gang rape; underage drinking; and not telling the truth.”

c) Athletics Director and Coach Practices

Athletics Director Mark Coyle brought a number of existing practices to the University. Coyle immediately notifies the University President, the President’s Chief of Staff, the Title IX Coordinator, and the Office of the General Counsel, in addition to the applicable sports administrator and head coach, when he learns of student-athlete conduct resulting in a criminal investigation. Coyle brought this practice to the University when he arrived in May 2016. He did so because student-athlete misconduct frequently attracts media attention.

Coyle typically makes student-athlete discipline decisions in conjunction with the sports administrator and head coach. The head coach may recommend to Coyle the discipline to be imposed, but Coyle retains authority for significant, high-visibility decisions. For significant decisions, Coyle reviews and confirms the decisions with University President Eric Kaler, the Office of the General Counsel, and the Title IX Coordinator.

Former Head Football Coach Tracy Claeys understood that as head coach, he had discretion in administering athletic discipline to football team members, but if student-athlete conduct violated a law, he involved the Athletics Director. Claeys would suspend student-athletes from playing in games for misconduct involving skipping academic classes and being late to team meetings. Claeys offered other examples of football team discipline, including not starting a student-athlete who missed tutoring sessions, suspending student-athletes for a week for staying out late, and dismissing student-athletes from the team for fighting in a bar and at an airport.
d) Pre-Season 2016: Football Team Training

The football team received the 2016-2017 Student-Athlete Handbook containing the Student-Athlete Code of Conduct at the beginning of the year. Furthermore, each year student-athletes receive four hours of training on conduct issues, including sexual assault and sexual harassment. Peyton Owens III, Assistant Athletic Director in charge of Student-Athlete Services, conducted this training for the football team before September 2, 2016. Also prior to the 2016 season, the football team received training from Sandra Singleton McDonald, a consultant who has worked with more than 1,000 NFL athletes on managing relationships, consequences of decisions/judgment choices, and enhancing their life skills. At the start of the 2016 football season, Claeys reported that he conducted training on the football team rules and subsequently led a team discussion every two-three weeks on academic integrity and other conduct issues, including guns, drugs, theft, and sexual assault.

e) National College Athletics Association (NCAA) Rules

A student-athlete’s private information is protected by FERPA. The NCAA requires that all student-athletes sign broad releases permitting the University to share student-athletes’ athletic status with the media. Student-athletes must sign the FERPA release in order to be eligible to complete in NCAA athletics. At the beginning of each season, all University student-athletes sign releases allowing the University to release information regarding them to the NCAA and to release their athletic status to the media.

The NCAA does not have a policy governing the use of alcohol by any prospective student-athletes visiting the school (recruits). Instead, it requires universities to have institutional policies addressing the use of alcohol and to follow those policies. The University’s policy prohibits underage alcohol use. The NCAA has a number of rules related to the use of sex as a recruiting tool, but the NCAA has no rule generally prohibiting recruits from sexual activity while on recruiting visits.

NCAA rules prohibit student-athletes from receiving any benefits from a registered sports agent or from entering into any agreement to be represented by an agent while still a student-athlete. NCAA rules also prohibit student-athletes from receiving benefits not available to other students.

5) Intersection of Athletic Discipline, Student Conduct Discipline, and the Criminal Justice System

The University’s investigation and discipline processes are independent of criminal justice investigations, charging decisions, or convictions. The Student Conduct Code states: By enforcing the Student Conduct Code, the University neither substitutes for nor interferes with other civil or criminal legal processes. When a student is charged in both jurisdictions, the University will decide on the basis of its interests, the interests of affected students, and the interests of the community whether to proceed with its disciplinary process or to defer action. Determination made or sanctions imposed under the Student Conduct Code will not be subject to change
because criminal charges arising out of the same facts were dismissed, reduced, or
resolved in favor of the criminal law defendant.

EOAA encourages students to report sexual assault or harassment to the police, but
proceeds independently of criminal or civil investigations. EOAA does not report allegations to
the police without knowledge that a police investigation of the matter is already underway.

Furthermore, disciplinary proceedings under the Student Conduct Code and the Student-
Athlete Code of Conduct are also separate. The Student Conduct Code explains that some
University administrative units, including the Athletics Department, have their own disciplinary
processes, which may overlap with the Student Conduct Code, and may issue and resolve
complaints of their rule violations through their own process. The Athletics Department does not
investigate allegations of student-athlete conduct triggering the University’s Student Conduct
process, and it has no involvement in the Student Conduct process. While Athletic Discipline is
independent from Student Conduct Discipline, the Athletics Department may concurrently
discipline student-athletes based on determinations made in the Student Conduct process. For
example, the Office for Community Standards will notify the Athletics Department of Student
Conduct Discipline. The Athletics Department considers information received from the Office
for Community Standards in its athletic discipline decisions.

Lastly, the Student-Athlete Code of Conduct notes that Athletics Department and team
disciplinary sanctions may be imposed separately from and in advance of any other University or
criminal actions stemming from the same conduct.

Following is a chart comparing the different disciplinary processes that applied to the
student-athletes in the fall 2016.

<table>
<thead>
<tr>
<th>SUBJECT MATTER JURISDICTION</th>
<th>BURDEN OF PROOF</th>
<th>CHARGING PROCESS</th>
<th>ADJUDICATING PROCESS</th>
<th>MAXIMUM POSSIBLE SANCTIONS</th>
<th>APPEAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>CRIMINAL JUSTICE: Criminal Offenses</td>
<td>Beyond a reasonable doubt</td>
<td>County Attorney</td>
<td>Criminal Trial</td>
<td>Judge or Jury</td>
<td>Criminal Penalties</td>
</tr>
<tr>
<td>HARASSMENT RESTRAINING ORDER: Harassment / Allegation of assaults or abuse</td>
<td>Preponderance of the evidence</td>
<td>Petitioner</td>
<td>Petition and evidentiary hearing in state court</td>
<td>Judge</td>
<td>Restraining Order</td>
</tr>
<tr>
<td>STUDENT CONDUCT DISCIPLINE (EOAA): Sexual Assault and Harassment</td>
<td>Preponderance of the evidence</td>
<td>Office for Community Standards/ EEOA</td>
<td>SSMS Hearing</td>
<td>SSMS Panel</td>
<td>Expulsion</td>
</tr>
<tr>
<td>ATHLETIC DISCIPLINE: Athletic Department and Team Rules</td>
<td>Discretion of Coach or Athletic Director</td>
<td>Coach / Athletic Director</td>
<td>Varies</td>
<td>Coach/Athletic Director</td>
<td>Expel from team/loss of scholarship</td>
</tr>
</tbody>
</table>
6) **Obligations of FERPA and Communications Practices**

As discussed above, FERPA strictly limits the University’s ability to disclose information about a student’s education record without a student’s advance written consent. As part of a student’s education record, FERPA also protects records of student discipline. FERPA allows the University to disclose the final results of a disciplinary proceeding involving a crime of violence or a non-forcible sex offense to the alleged victim of the crime, regardless of whether the accused student is found responsible; if an accused student is found responsible, the University can disclose that fact to anyone. See 34 C.F.R. §§ 99.31(a)(13) and (14). Absent the accused student’s written consent, the University cannot disclose any other information about a student’s disciplinary record. (See Exhibit 40.)

Student-athletes at the University sign a form that permits the disclosure of certain specific information, such as information about academic honors, NCAA eligibility status, and team status. The waiver signed by student-athletes, however, does not permit disclosures about a student-athlete’s disciplinary record. Out of respect for the privacy rights of all of its students, the University does not disclose information about student disciplinary proceedings or records without the written consent of the involved student(s).
SUMMARY OF FINDINGS AND RECOMMENDATIONS

Board of Regents leadership charged the Special Committee to oversee the review of four issues:

1. Practices and policies with respect to suspensions and other discipline within the Department of Intercollegiate Athletics (Twin Cities Campus), including how these practices and policies interact or relate to Board of Regents Policy: Student Conduct Code (Conduct Code) process and the criminal justice process.

2. The standards of review and processes at each stage of the Conduct Code process as it relates to Title IX matters.

3. Practices and policies regarding permissible communication during the Conduct Code process, including specifically when that process involves student-athletes.

4. Lessons learned from the threatened boycott by the football team, including review of involvement by Regents, senior University leaders, coaches, and individuals from outside the University.

With respect to each of these issues, this summary section will address the following:

- The general findings of external reviewers Dorsey & Whitney regarding whether the University complied with applicable law and University policies, and Dorsey & Whitney’s recommendations regarding future practices. State and federal privacy laws, as well as the need to protect attorney-client privileged communications, place great restrictions on what may be disclosed with respect to the D&W Advice. Although the University seeks to operate in a transparent manner, the privacy rights of our students must be respected and observed.

- Where applicable, a discussion of the policies and practices of our peer institutions. We believe there is value in examining how other institutions handle athletic discipline and student conduct code discipline.

- Recommendations and suggestions with respect to each area. These recommendations or suggestions derive from both the observations and recommendations of Dorsey & Whitney and also the experience and thoughts of the individuals interviewed throughout the University who work in areas involving student affairs, student advocacy (whether it be on behalf of accused students or students who have reported sexual misconduct), the Student Conduct Code process, Athletics, and more. These recommendations or suggestions are not intended to suggest that the University’s current system is flawed, but they rather represent thoughts on ideas on how the system might be improved.
1) **Practices and policies with respect to suspensions and other discipline within the Athletics Department**

a) **D&W Summary Findings & Recommendations**

i. **Findings**

The University, including the Athletics Department, complied with applicable law and policy with respect to the athletic discipline of the student-athletes in Fall 2016. Privacy laws restrict what may be disclosed regarding the reason for suspension decisions (including a decision to suspend or a decision to lift a suspension). Under the University’s current Student-Athlete Code of Conduct process, suspension decisions may be based on a number of factors, including but not limited to the following: a pending criminal investigation, a decision to charge or not charge by a county attorney’s office, a pending EOAA investigation, EOAA findings, SSMS findings, and the Provost’s ultimate decision. Dorsey & Whitney concluded that the suspension decisions of Fall 2016—the initial decisions to suspend, then to lift suspensions, and then later to impose new suspensions—were consistent with University policy and the law.

ii. **Recommendations**

- The University’s Student-Athlete Code of Conduct provides substantial authority to coaches and the Athletics Director to impose discipline in furtherance of team discipline. This authority is substantially constrained by the sanctions available to coaches and the Athletics Director. While the Athletics Director and coaches can remove student-athletes from teams and terminate scholarships, they may not take any action with respect to a student-athlete’s academic status at the University. Evaluate whether the guidance or authority provided to coaches and staff is appropriate for serious offenses.

- Consider revising and simplifying the Student-Athlete Code of Conduct to standardize violations and possible sanctions. Consider coordinating Team Rules to avoid conflicts between teams, and clarify the notice provided to student-athletes on rules and consequences.

- Republish the Student-Athlete Code of Conduct and provide periodic training on the Student Conduct Code and Student Conduct Code disciplinary procedures.

b) **Benchmark practices**

A comparison of the University’s athletic discipline practices to that of other Big 10 Universities may be helpful in considering future actions. A chart comparing the athletic
discipline policies of the Big 10 Universities whose student athlete code of conduct or athletic
discipline policies are available online (University of Minnesota, University of Illinois, Indiana
University, University of Iowa, University of Maryland, Michigan State University, University
of Nebraska, Northwestern University, Ohio State University, Pennsylvania State University,
Rutgers University, and University of Wisconsin) is enclosed as Exhibit 41. We did not locate
the University of Michigan’s and Purdue University’s policies online. Some athletic conduct
codes refer to student conduct codes when discussing possible discipline or process
(Pennsylvania State University, Rutgers University, Northwestern University).

**Decision-maker:** Practices across the Big 10 vary regarding which University official is
empowered to make decisions regarding the imposition of athletic discipline. The University of
Minnesota, Indiana University, and the University of Maryland give this authority to the
Athletics Director and the coach. Most other schools empower either the Athletics Director
(University of Illinois, University of Iowa, and Ohio State University) or an athletics advisory
panel of some kind (University of Nebraska and University of Wisconsin) with decisions on
discipline for student-athletes. Other schools’ student-athlete codes of conduct did not specify
the responsible authority (Northwestern University, Rutgers University), while Pennsylvania
State University’s policy identifies the Coach. Michigan State University stands alone in giving
this power to the University President.

**Approach to discipline:** In general, Big 10 schools demonstrate a sliding scale approach
to athletics discipline. Criminal convictions may trigger mandatory discipline, while
investigations allow a greater use of discretion. Many Big 10 student-athlete discipline policies
focus on consequences for students who are involved in criminal conduct; only Indiana
University, the University of Maryland, and the University of Nebraska address discipline when
a student-athlete is involved in a campus investigation of sexual misconduct. The University of
Nebraska allows for a temporary suspension if the Athletics Director and the coach decide the
student-athlete’s presence would disrupt University operations or pose a threat. Indiana
University makes a suspension decision discretionary in light of a review of the allegations by
the coach and athletics director. The University of Maryland provides for a mandatory
suspension until the proceedings are complete.

Similarly, most schools do not address the imposition of discipline when a student-athlete
is the subject of a criminal investigation. At the University of Minnesota, athletic suspension is
mandatory when a student-athlete is under criminal investigation for crimes involving sexual
violence, physical violence, the illegal use of weapons, or driving under the influence of alcohol
or drugs. Athletic suspension is discretionary for all other types of criminal investigation. At
Indiana University and the University of Maryland, the policy requires prompt review for all
types of criminal investigations and sanctions are discretionary.

With respect to a student-athlete who has been arrested for or charged with criminal
sexual misconduct, the University of Minnesota’s approach tracks that of the majority of its
peers (Indiana University, University of Maryland, Michigan State University, University of
Nebraska, Ohio State University, and the University of Wisconsin) in calling for some form of a
mandatory suspension. The University of Illinois and the University of Iowa take a more laissez-
faire approach and allow for discretionary athletic suspensions at this point.
In sum, the University presently falls on the more regimented, formalized end of the spectrum when it comes to student-athlete discipline decisions where criminal conduct is concerned, calling for mandatory suspensions in most cases when a student is investigated, arrested, or charged. It falls in line with most of its peers in not having a policy regarding whether being the subject of a campus sexual assault investigation warrants the imposition of discipline. With respect to a student-athlete who has been arrested for or charged with criminal sexual misconduct, the University of Minnesota’s approach tracks that of the majority of its peers (Indiana University, Michigan State University, University of Nebraska, Ohio State University, and the University of Wisconsin) in calling for some form of a mandatory suspension.

c) Recommendations/Suggestions

It is important that both the Athletics Department’s administration (directors, coaches, etc.) and student-athletes have a clear understanding of the Athletics Department’s discipline process. This understanding can be better achieved through education efforts and potentially through revisions of the process to provide more clarity and guidance. Below are suggestions on potential revisions and also a recommendation to revise rules of conduct for student-athletes interacting with recruits.

i. Develop a more defined athletic suspension process

The University’s Student-Athlete Code of Code provides substantial authority and discretion to coaches and the Athletics Director to impose athletic discipline. This may be the best practice in many circumstances. For example, coaches should have the discretion to impose discipline for violation of team rules. With respect to situations where the alleged misconduct is particularly egregious—such as sexual misconduct—it may be appropriate to consider limiting that discretion or, at the least, providing more guidance as to how that discretion should be exercised.

a. One option would be to remove or limit discretion from decisions on athletic discipline relating to sexual assault allegations. For example, rules designed to restrict discretion could read as follows:

(1) Student-athletes under police investigation for sexual assault or criminally charged with sexual assault are athletically suspended.

(2) Student-athletes under investigation by EOAA—unless otherwise suspended due to an ongoing criminal process—[are/are not] athletically suspended.

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The proposals in this section apply specifically and only to decisions to suspend a student-athlete from team activities. These proposals do not apply to a decision to suspend a student-athlete’s studentship.
(3) Student-athletes found to have committed sexual misconduct by EOAA are suspended pending completion of the student discipline process, including any appeals to the Provost.

b. Another option would be to maintain some level of discretion. It has been suggested that the Student-Athlete Code of Conduct could be revised to better define and standardize both specific violations and procedures. This would include both better defining what conduct or alleged conduct would result in potential suspensions, and detailing a specific procedure for considering whether a suspension is appropriate. For example, the following factors could be employed to consider whether suspension is appropriate:

(1) the nature of the alleged conduct (e.g., from attitude issues toward coach or others, cheating on tests, bullying and harassment, to assault);

(2) the clarity over the alleged events and degree of confidence in the state of the relevant evidence;

(3) the clarity over the identity of the responsible parties;

(4) whether a formal inquiry is pending and its type (e.g., EOAA, review by criminal authorities);

(5) the status of that related inquiry;

(6) timing considerations, such as the length of time anticipated for an investigation-related suspension; and

(7) prior criminal offenses or Student Conduct Code violation determinations of a similar nature.

c. Consider including an individual outside the Athletics Department in decisions involving potential suspensions for alleged sexual misconduct.

d. The Athletics Department should implement clear guidelines on the implications of harassment restraining orders with respect to its suspension policy. For example, consider whether a student-athlete should be suspended from play until a hearing challenging a harassment restraining order (HRO) obtained ex parte can be held, and consider whether a student-athlete should be suspended from play if an HRO issues after such a hearing.

ii. Tighten rules of conduct for student-athletes vis-à-vis recruits

Currently, when a recruit is brought to campus, a student-athlete (at least on the football team) acts as a host for that student and signs an agreement describing what the student-athlete’s
obligations are as host. These obligations include limits on a recruit’s ability to participate in workouts, attend games, communicate with boosters, and participate in adult entertainment. It has been suggested that the Athletic Department consider the following:

a. Implement more robust guidelines that reflect additional control, guidance, supervision, and training.

b. Establish clear consequences for violations of a student-athlete’s obligations as a host.

c. Foster a culture where responsibility for recruits is taken by all student-athletes on a team, not just the hosting student-athlete, as well as by coaching staff and Athletics Department leadership.

2) **Standards of review and processes at each stage of the Student Conduct Code process as it relates to Title IX matters.**

a) **D&W Summary Findings and Recommendations**

i. **Findings**

The University complied with applicable law and policy with respect to the Student Conduct Code process. The University provides substantial due process protections in its EOAA investigations, including protections that far exceed the due process protections of other Big 10 Universities.

ii. **Recommendations**

- The University provides substantial due process protections in its EOAA investigations, including protections that far exceed the due process protections of other Big 10 Universities. Some witnesses suggested incorporating additional protections, including recording interviews, higher burdens of proof (clear and convincing evidence vs. preponderance of the evidence), greater independence of panel members from the Office for Community Standards or EOAA, and notification to reporting and responding students of preliminary EOAA findings to allow those students an opportunity to provide additional information before an EOAA decision is finalized. While Title IX proceedings are not required to contain all the due process protections inherent in criminal or civil proceedings, some procedures could be incorporated in Title IX proceedings at little additional burden or cost.

- Consider instituting a periodic peer review or audit of the EOAA program by persons with substantial experience and knowledge of the changing landscape of Title IX and university student disciplinary processes in Big 10 universities. Historically, EOAA has been subject to ad hoc, case-specific review (and criticism) derived from concern over one particular case after conducting investigations receiving substantial
University or public attention. These reactive audits, and ad hoc criticism of specific conduct of EOAA actions have a chilling effect on the independence of EOAA and can erode its effectiveness. By implementing periodic reviews, the University will ensure that EOAA investigations meet professional standards, while enabling EOAA to perform its investigations independently and free of pressure.8

- Consider characterizing EOAA’s conclusions as to whether students have violated the Student Conduct Code or other University rules as “Charges” instead of “Findings.” (EOAA would continue to make factual findings.) Several witnesses commented that EOAA acted as both investigator and adjudicator, and that in doing so EOAA denied the student-athletes of due process. While this inference is not supported by the facts developed in this review, it is understandable that witnesses would misconstrue EOAA’s “Findings” as an adjudication of the facts. A clear description more consistent with EOAA’s function in the Student Conduct disciplinary process would be to characterize EOAA “Findings” as “Charges” alleging violations of specific University rules. “Charges” would then be considered by the Office for Community Standards, and, if a student requests, adjudicated before a SSMS panel.

- Consider amnesty for reporting students to encourage reporting of violations of University rules. Victims should not be discouraged in reporting assaults or other violent crimes. The amnesty may be tailored to particular offenses or circumstances, in part so as to not serve as protection for alleged perpetrators.

- Include a clear intent standard defining the “aiding and abetting” provision of the Student Conduct Code.

- Collaborate with other Big 10 universities to determine and implement best practices in reducing sexual misconduct among student-athletes.

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8 While Dorsey & Whitney did not find any evidence that external review or criticism influenced EOAA investigation or findings in this matter, multiple interviewees conveyed that the external reviews and criticisms create a sense of underlying pressure as EOAA moves forward in its work with new investigations.
b) **Benchmark Practices**

The practices of other Big 10 institutions are discussed in Exhibit 42 to this report. There are differences at each stage in the processes, but a review of the University’s peer institutions’ policies and procedures shows that the University’s processes are among the most robust with respect to providing extensive protections to both students accused of misconduct and those reporting misconduct.

- **Role of counsel:** Unlike its peers, in every case, the University of Minnesota allows counsel to participate in all stages of the student discipline process, including at the hearing stage, where an attorney may present on behalf of an accused student, question witnesses, and make opening and closing statements. While every institution surveyed allows accused students to be represented by a non-attorney advisor, most do not allow the advisor—even when a student is permitted to choose an attorney as an advisor—to participate in or speak at a hearing (e.g., Indiana University, Michigan State, Ohio State, Penn State, Purdue University, University of Illinois, University of Michigan). In some special circumstances, some institutions provide a greater role to an attorney. For example, Michigan State allows an accused student to use an attorney as an advisor in a sexual assault case, but that attorney cannot speak at the hearing; Purdue makes a similar exception for non-speaking attorney representation if the student is subject to concurrent legal proceedings. University of Iowa allows attorneys to serve as advisors, but those attorneys are limited to lodging procedural objections. The University of Wisconsin is silent on whether an attorney can serve as an advisor, and an advisor is only permitted to speak at the hearing if the accused student faces suspension or expulsion or is involved in concurrent criminal proceedings.

- **Appellate Officer:** Again, the University is in the minority in turning to the Provost as the appellate officer and final University decision makers. At the University of Iowa, the Provost only weighs in on appeals where a sanction of suspension or expulsion is at stake; in other cases, the Vice President for Student Life is the appellate officer. The Vice President for Student Affairs or Student Life, or the Dean of Students, is the most common appellate officer, except where schools have assembled an appeals board or have designated the Director of Student Conduct as the appellate officer.

- **Cross-examination:** The University allows cross-examination of witnesses by both the reporting party and the accused student. Based on the policies available for review, direct cross-examination is rare. For example, Purdue and Northwestern do not allow for cross-examination. Indiana and Nebraska allow for cross-examination, but questions must be submitted for prior review.

- **Panel composition:** The University is in the majority of its peers in offering a panel comprised of faculty, staff, and students. Some schools limit student participation altogether (Indiana, Purdue) and some limit it just in cases of sexual misconduct.
(Ohio State). Illinois does not offer a hearing process, instead submitting matters to a committee that reviews an investigator’s report and makes a recommendation.

- **Role of investigator**: The University’s EOAA staff investigates reports of sexual misconduct, determines whether a student has violated the Student Conduct Code, and prepares a written report detailing their findings, and then refers the matter to the Office for Community Standards for consideration of sanction. Typical Big 10 practice is that either the Title IX staff or a conduct officer performs these functions, with, in some cases, a sanction also being recommended by the investigator. Some schools have other variations. Two examples are as follows: (1) Wisconsin’s procedure calls for the Associate Dean of Students, not the Title IX office, to determine if a violation occurred based on the Title IX office’s findings; (2) at Michigan State, the investigator determines responsibility and a panel determines sanction.

c) **Recommendations/Suggestions**

The University’s processes abide by all applicable law, and, as noted above, provide a robust process. Dorsey & Whitney and the University personnel interviewed had suggestions, however, on how the processes might be improved.

i. **Change the way in which EOAA reports are issued**

One area to consider is the manner in which EOAA reports are issued. Student privacy is of the utmost importance. The concern is that third parties (including attorneys for involved students) may at times share what should be private information with the media. Several suggestions have been made on how the University might take steps to lessen this possibility:

a. Discontinue the electronic disclosure of EOAA reports.

b. Implement a system where reports are not distributed but are available for viewing only in person or by a controlled portal.

c. Distribute a paper or PDF version of the report to an involved student (or that student’s counsel) and any other documents containing private student information only after an appropriate confidentially agreement is signed that provides that the report will not be disclosed to others (absent mutual agreement) and will be used only in connection with the disciplinary process.

ii. **Consider changes to the processes of EOAA and the Office for Community Standards**

a. Although EOAA provides significant (and more than legally required) protections for students accused of sexual misconduct, some witnesses suggested incorporating additional protections, including recording interviews and notification to reporting and responding students of
preliminary EOAA findings to allow those students an opportunity to respond or provide additional information before an EOAA report is finalized. With respect to the latter suggestion, consideration should be given to whether the benefit would outweigh the additional time that would be added to the investigation process.

b. Consider whether EOAA should issue its report with findings of fact but without conclusions of policy violations. For example, EOAA could suggest charges for the consideration of the Office for Community Standards. The Office for Community Standards could then outline “proposed remedies” in the event the involved students choose to accept responsibility for the charges and waive their right to a hearing. A procedure like this could reduce confusion over the difference between EOAA conclusions and the SSMS decision, and the perception that students “appeal” EOAA’s findings by going to a hearing.

c. Per EOAA’s suggestion, in lieu of ad hoc reviews, consider instituting a periodic peer review or audit of the EOAA program by persons with substantial experience and knowledge of the changing landscape of Title IX and university student disciplinary processes in Big 10 universities. Historically, EOAA has been subject to ad hoc, case-specific review (and criticism) derived from concern over one particular case after conducting investigations receiving substantial University or public attention. These reactive audits, and ad hoc criticism of specific conduct of EOAA actions, have a chilling effect on the independence of EOAA and can erode its effectiveness. By implementing periodic reviews, the University will ensure that EOAA investigations meet professional standards, while enabling EOAA to perform its investigations independently and free of pressure.

d. As to the process generally, some witnesses suggested higher burdens of proof (clear and convincing evidence vs. preponderance of the evidence). As of now, this suggestion is not consistent with OCR guidance on Title IX. Moreover, the use of a preponderance of the evidence standard of proof (applicable in almost all civil lawsuits) recognizes the differences between campus disciplinary procedures and criminal proceedings, and it demonstrates compliance with the “the principle of fairness at the heart of Title IX.” (See Exhibit 43.)

iii. Evaluate the SSMS Panel Hearing Process

a. A majority practice among the University’s peer institutions is to hold some form of a hearing in matters involving allegations of sexual misconduct. (See Exhibit 42.) The most common practice features a panel of faculty, staff, and students that hears testimony, reviews evidence, and makes a determination. However, this is not the only possible approach.
b. Explore enhanced ways to address matters early, such as through the implementation of campus restraining “orders” that set boundaries on campus and elsewhere.

c. When a matter goes to hearing, consider whether a full hearing with a formal panel is warranted in every case.

(1) Many of the units interviewed as part of this review noted how stressful and even traumatizing the hearing process can be for both reporting parties and accused students, which can be a deterrent to reporting. A less adversarial process could be more respectful of students, with the understanding that participants would get to exercise fewer rights (perhaps foregoing, for example, cross-examination and representation by counsel).

(2) For example, the University of Minnesota permits both the reporting party and the accused student to have an advocate appear with them throughout the disciplinary process. The attorney for the accused student is allowed to actively participate throughout the process. No other Big 10 institution takes this approach in all conduct code matters. The most common model is to allow students to have advisors of their choice, but the advisors cannot speak or ask questions on the students’ behalf. In certain cases, consideration should be given to whether a model like this is more in line with the Student Conduct Code’s developmental, educational goals. In particularly serious cases, at least one person recommended a more robust role for counsel including having the University pay for counsel throughout the process.

(3) Consider whether the advocates made available to accused students by the Student Conflict Resolution Center (SCRC) are appropriately trained and supported. Consider also whether SCRC advocates should be made available to reporting parties when they request a hearing (i.e., after EOAA or the Office for Community Standards reaches a finding that the accused student was not responsible for sexual misconduct).

(4) Explore whether a restorative justice approach could be employed in certain cases.

d. Evaluate the role of University presenter

(1) Some perceive the presence of a University presenter as favoring the reporting party. Consider whether the process should forego a University presenter, recognizing additional process changes would be required.
(2) Particularly in cases without a finding of responsibility, where a reporting party requests a hearing, consider whether it is appropriate for a University presenter to present on behalf of the reporting party or, instead, an advocate for the reporting party should present evidence of the alleged Student Conduct Code violation.

(3) In those cases where a reporting party is separately represented by counsel, consider whether that attorney should have a speaking role or greater participation at a hearing, akin to the participation of the accused student’s representative.

iv. **Evaluate the decision makers in the panel and the appeal process**

a. Most units opined that an all-student panel is not an ideal deciding body for SSMS matters. Consider what composition of students, faculty, and staff would best serve decision making for matters like this, with a recognition of what each constituency brings to the process. (Note that the SSMS has taken steps to increase faculty and staff representation in the 2017–18 academic year.)

b. Understanding that sexual misconduct is a University-wide issue, take steps to ensure that diversity, broadly understood, is reflected by panels.

c. Serving on a panel can be its own source of stress for panel members. Ensure that panel members are properly screened, well trained, and supported with resources throughout the hearing process.

d. At many of the University’s peer institutions, the Dean of Students or Vice-Provost is the appellate officer, while currently at the University the Provost currently reviews appeals. Consider who is the appropriate appellate officer.

v. **Ensure consistency with sanctioning**

a. Consider whether to adopt and disseminate specific sanctioning guidelines for use by SSMS panels, akin to the guidelines currently used by the Office for Community Standards.

b. Consider defining different gradations of sexual misconduct violations together with guidelines for sanctions at each gradation.

c. Where there is a finding of sexual misconduct and a sanction that includes a suspension, consider mandating training as a requirement to return to the University.
3) **Practices and policies regarding permissible communications during the Student Conduct Code process, including specifically when that process involves student athletes.**

a) **D&W Summary Findings & Recommendations**

*The University complied with state and federal privacy laws with respect to communications. The University would have been better served by more coordination between Regents (collectively and individually), senior leadership, and the Athletics Department with respect to communications. In addition, the Board of Regents should consider implementing a policy defining clear channels for Regent requests and other forms of communications with University staff, including the Athletics Department. Such a policy would improve the working relationship and better serve the University.*

b) **Recommendations/Suggestions**

Some suggested that more focus should be placed on the need for the Board of Regents and the Administration to work together and speak with one voice. Those interviewed believed that inconsistent messages and placing blame undermine the effectiveness of public communication.

4) **Lessons learned from the threatened boycott by the football team, including review of involvement by Regents, senior University leadership, coaches, and individuals from outside the University.**

a) **D&W Summary Findings & Recommendations**

*Dorsey & Whitney concluded that multiple factors contributed to boycott:*

- Underlying alleged misconduct;
- A lack of understanding by student-athletes and Athletics Department personnel of the Student Conduct Code disciplinary process;
- Allowing access to and influence over the football team and coaching staff by third parties;
- Weak leadership by the football team coaching staff; and
- Impaired communications and a breakdown in trust between the University leadership and the football team due in part to the University leadership’s inability to share private student information.*

*Dorsey & Whitney also concluded that the boycott may have been managed better had the Board of Regents collectively, individual Regents, and University administration, the Athletics Department, and*
football team coaches responded in a more coordinated and unified manner.

b) Recommendations/Suggestions

The lessons learned from the boycott revolve around three topics: (i) training and education; (ii) team leadership; and (iii) coordination of communication and strategy.

i. Training and Education

With respect to training and education, student-athletes and Athletics Department personnel, including coaches, must have an understanding of the Student Conduct Code process and the Athletics Department Student-Athlete Code of Conduct process, as well as how those processes interact with each other and with the criminal justice process. Efforts are already underway to help ensure that there is this understanding.

ii. Team Leadership

As noted above, Dorsey & Whitney concluded that factors in the boycott included weak leadership of the football team coaching staff and third-party influence on both the football team and the coaching staff. These factors helped foster a hostile atmosphere where meaningful dialogue was difficult. There is not necessarily a specific method of preventing this situation from occurring, but the Athletics Department should be mindful of the need to maintain control in potential crises and to keep open direct lines of communication with student-athletes.

iii. Coordination of Communication and Strategy

The Regents and the Administration should work together in times of crises and coordinate with respect to communication and strategy.
Message from the President Eric W. Kaler

The University of Minnesota Twin Cities is a large and active place. Safety and security are important for the thousands of us who live, work and study here. Our campus is a safe place for our students to pursue and reach their educational goals and a secure place for our faculty and staff to conduct their valuable work.

Our University of Minnesota Police Department does an extraordinary job getting to know our community and patrolling our buildings and grounds. Our officers ensure the safety of all of us who call our beautiful Minneapolis and St. Paul campuses home, and they have strong relationships with surrounding neighborhoods, with other peace officers and public safety agencies throughout the Twin Cities.

As explained in this year’s report, recent changes in the Clery Act — including the Violence Against Women Act amendments and the Campus SaVE Act — have improved how we educate, prevent, respond to, and report crimes of sexual violence, dating violence, domestic violence, and stalking. As a result, reported crimes in these categories have increased over last year. We believe this is largely due to increased reporting — not necessarily increased incidents — as it coincides with the required changes in our processes that have helped victim/survivors feel better supported to come forward and report. This increase in reporting reflects a national trend.

We all have a role to play in keeping our campus safe. Each of us can help promote campus safety by keeping our eyes and ears open, and immediately reporting all crimes and public safety problems or concerns by calling 911.

Thank you for keeping our University safe.

Eric W. Kaler
President
Annual Security and Fire Safety Report


This report is part of the University of Minnesota Twin Cities' compliance with the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act" (informally known as the "Clery Act"). This report includes information for the Minneapolis and St. Paul campuses.

This brochure is published annually by the University and made available to all current and prospective students, staff, and faculty. Statistics are compiled by the Clery Compliance Coordinator in conjunction with the University of Minnesota Police Department (UMPD), Minneapolis Police Department, St. Paul Police Department, other applicable law enforcement agencies with jurisdiction over University of Minnesota property and a wide range of University personnel called Campus Security Authorities, which include staff in the Office for Student Conduct and Academic Integrity, Housing and Residential Life, and the Office for Equal Opportunity and Affirmative Action.

Crime Statistics reported in this document reflect specific crimes which were reported to University of Minnesota Campus Security Authorities which occurred in specific geographic locations established by federal law. Statistics reflect reports of crime and not criminal charges or criminal convictions.

The definitions of the crimes and geographic categories used in this report are defined below:

Definitions of Terms Used in this Report

Campus Security Authorities

The Clery Act both defines campus security authorities and states that they must report good faith allegations of crimes to the Clery Compliance Coordinator, UMPD or local police for inclusion in the Annual Statistical Disclosure. The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many individuals, especially students, may be hesitant about reporting crimes to the police, and may be more inclined to report such incidents to other campus-affiliated individuals. The Clery Act defines four categories of Campus Security Authorities as stated below (for more specific information about Campus Security Authorities at the University of Minnesota see page 11):

• A campus police department or a campus security department of an institution. If your institution has a campus police or security department, all individuals who work for that department are campus security authorities. A security department can be as small as one person.

• Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property). Include individuals such as those who provide security at a campus parking kiosk, monitor access into a campus facility, act as event security, such as for sporting events or large, registered parties, or escort students around campus after dark (including other students).

• Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

• An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.
Geography


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

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

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

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

Clery Geography

All of the above locations combined constitute the University of Minnesota’s Clery Geography.

Personally identifying information

Personally identifying information is defined in Section 40002(a) of the Violence Against Women Act of 1994 as individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault or stalking, regardless of whether the information is encoded, encrypted, hashed or otherwise protected, including

- a first and last name;
- a home or other physical address
- contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);
- a social security number, driver's license number, passport number or student identification number; and
- any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

Unfounded Crimes: Are reported crimes which are thoroughly investigated by sworn or commissioned law enforcement personnel; and found through investigation to be false or baseless, meaning that the crime did not occur and was never attempted.

Criminal Offenses

The following definitions of criminal offenses detail the elements of each crime, crimes in the annual statistical disclosure found in this report are categorized according to the below definitions. The majority of the definitions are from the FBI’s Uniform Crime Reporting Handbook. Sex offense definitions are from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program.

**Aggravated Assault**: The unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)
Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, personal property of another, etc.

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

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

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

Manslaughter by Negligence: The killing of another person through gross negligence.

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

Sexual Assault: Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. The below crimes are specific examples of sexual assault.

- Rape: is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim
- Fondling: is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Incest: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape: sexual intercourse with a person who is under the statutory age of consent.

Hate Crimes

Hate Crime: a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Under the Clery Act the following bias categories are used: Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin, Disability.

Any criminal offense which also meets the definition of a hate crime will be included in the statistical disclose in both the criminal offense category and in the hate crime category (i.e., an on-campus aggravated assault motivated by religious bias will be counted in the on-campus aggravated assault category and in the on-campus aggravated assault motivated by religious bias category).

Additional Hate Crime categories: In addition to the criminal offenses listed under the "Criminal Offenses" section, the following crimes are included if it is determined that the crime was motivated by bias.

- Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Note: constructive possession is defined by Black's Law Dictionary, sixth ed. as "where one does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.")
- Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
• **Destruction/Damage/Vandalism of Property** (Except "Arson"): To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**VAWA Offenses**

**Dating Violence**: violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition—

• Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

• Dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence**: a felony or misdemeanor crime of violence committed—

• By a current or former spouse or intimate partner of the victim;

• By a person with whom the victim shares a child in common;

• By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

• By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;

• By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Stalking**: engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

• Fear for the person’s safety or the safety of others; or

• Suffer substantial emotional distress.

For the purposes of this definition—

• Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.

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

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

**Arrests and Referrals for Discipline for Weapons, Drug, and Liquor Law Violations**

**Weapons Law Violations**: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

**Drug Law Violations**: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and equipment or devices utilized in their preparation and or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance.
Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

**Liquor Law Violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

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**Daily Crime Log**

UMPD maintains a Daily Crime Log available for public viewing on our website at: [http://police.umn.edu/home/daily-crimelog](http://police.umn.edu/home/daily-crimelog). The daily crime log includes crimes which have been reported to the UMPD by Campus Security Authorities, the Minneapolis Police, St. Paul Police, Metro Transit Police and other applicable law enforcement agencies that occur within the University of Minnesota Twin Cities Campus Clery geography.

Entries in the Daily Crime Log do not include personally identifying information of the victim, witnesses or reporting party. The Daily Crime Log includes: case number, nature of the offense, the reported time and date the offense occurred, the date the incident was reported to UMPD, a general description of the location in which the incident occurred, as well as the disposition of the case, if known.

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**Reporting an Emergency or Crime on Campus**

The University of Minnesota encourages accurate and prompt reporting of all crimes to the University of Minnesota Police Department and appropriate local law enforcement agencies, when the victim of a crime elects to, or is unable to make such a report. Being aware of crimes equips the police department with information which helps identify and track patterns of crime and enables the distribution of pertinent information to the community which may help prevent similar occurrences of crimes. As such, it is important that UMPD has accurate and prompt notification of all crimes occurring which impact the University of Minnesota community.

### To Report an Emergency

**Dial 911**

Dialing 911 will connect you with a dispatcher. Be prepared to give the dispatcher the following information:

- Type of emergency
- Your name
- Your location and location of the emergency (if different)
- Your phone number
- If applicable (e.g., after a crime), a description of individuals (gender, clothes description, height, weight, hair color)
- If applicable (e.g., after a car accident), a description of vehicles (color, make, model, license plate number)

Please remain on the line until the dispatcher tells you it is okay to hang up.

The dispatcher will send the appropriate help to respond to the emergency situation.

### To Report a Crime to the University of Minnesota Police Department

**Dial 911**

From any phone on campus, including cell phones.

There are more than 200 campus phones available for emergency, medical, and service-related calls, these telephones are located across campus and are housed in yellow boxes. There are also 21 Emergency Blue-Light beacons located throughout campus that will immediately connect the caller to a police dispatcher when activated.
Depending on the nature of the crime, the dispatcher may send an officer to your location to take a report or may request that you file the report in person at the police department. The University of Minnesota Police Department is located at:

Transportation and Safety Building
511 Washington Avenue SE
Minneapolis, MN 55455

For non-emergencies UMPD can be reached by calling 612-624-COPS (2677).

In Person

You may walk-in to The University of Minnesota Police Department to file a report. The University of Minnesota Police Department is located at:

Transportation and Safety Building
511 Washington Avenue SE
Minneapolis, MN 55455

Online Police Reports (Minneapolis Campus Only)

To submit an online police report, go to www.minneapolismn.gov/police/report/eReport

If you are a victim of certain crimes or have lost property on the East or West Bank of the Minneapolis campus, you have the option of completing an online police report. Once completed, the report will be made available to UMPD personnel and it will be handled like any other police report.

Police reports can be submitted online for the following crimes:

- Theft
- Theft from motor vehicle
- Lost property
- Damage to property
- Damage to motor vehicle

Only incidents that occur on the East or West Bank of the Minneapolis campus can be reported online. Incidents that occur on the St. Paul campus cannot be reported online. Call 612-624-COPS (2677) to file a police report.

Note that the website given to file reports online is for the Minneapolis Police Department. UMPD utilizes the Minneapolis Police Department's police report records management system. If the crime you wish to report occurred in a University building, make sure you select the landmark or building option on the page titled "Select Location of Incident." This will ensure that your report is routed to UMPD.

The website can also be used to report an incident (of the five types mentioned earlier) that occurs off campus but in Minneapolis. In such a case, the report will be reviewed by the Minneapolis Police Department. If follow-up is needed, someone from that department may contact you.
Voluntary, Confidential Reporting

If you are the victim of a crime and do not want to pursue action through the University and/or the criminal justice system, you may still want to consider making a confidential report to a campus security authority. Campus Security Authorities will guide you through the steps of making a confidential report, you will have the option to include your contact information, or elect to make the report without providing this information. Campus Security Authorities can also explain the different options available if you decide to pursue action through the University and/or the criminal justice system.

The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others.

With such information, the University of Minnesota can keep an accurate record of the number of incidents occurring on campus; determine crime patterns, and alert the campus community to potential danger.

The University of Minnesota Police Department does not accept anonymous reports of crime.

To Report a Crime to a Campus Security Authority:

The University of Minnesota encourages all reports of crime to be made to the University of Minnesota Police Department, however crimes may also be reported to individuals on campus who have been identified as Campus Security Authorities.

Campus Security Authorities include but are not limited to: Residence Hall Directors, Community Advisors, Advisors to student organizations, athletics coaching staff and others who have significant responsibility for student and campus activities.
Campus Security Authorities have been trained to act as a resource for anyone who wishes to report the occurrence of a crime, but who do not want to make a report to the police or are unsure if they want to make a report to the police. While there are many Campus Security Authorities on campus, the University of Minnesota prefers reports be made to the following CSAs:

| Office of Equal Opportunity and Affirmative Action (Title IX Coordinator) | 612-624-9547 | 274 McNamara Alumni Center 200 Oak St SE |
| Office for Student Conduct and Academic Integrity (OSCAI) | 612-624-6073 | 211 Appleby Hall 128 Pleasant St SE |
| Clery Compliance Coordinator | 612-625-4597 | 360 McNamara Alumni Center 200 Oak St SE |

For students living in on campus housing, Resident Directors and Community Advisors have been trained as Campus Security Authorities.

| 17th Ave | 326 17th Ave SE | 612-624-1700 |
| Bailey Hall | 1458 Cleveland Ave | 612-624-0700 |
| Centennial Hall | 614 Delaware St SE | 612-625-4452 |
| Comstock Hall | 210 Delaware St SE | 612-624-1995 |
| Frontier Hall | 701 Fulton St SE | 612-624-9999 |
| Middlebrook Hall | 412 22nd Ave S | 612-625-0536 |
| Pioneer Hall | 615 Fulton St SE | 612-626-3333 |
| Sanford Hall | 1122 University Ave SE | 612-624-2526 |
| Territorial Hall | 417 Walnut St SE | 612-625-0971 |
| Wilkins Hall | 1212 University Ave SE | 612-624-0044 |
| University Village | 2601 University Ave SE | 612-625-3909 |
| Yudof Hall | 220 Delaware St SE | 612-625-8786 |

Pastoral Counselors and Professional Mental Health Counselors Exempt

Campus pastoral counselors and professional mental health counselors, when acting in their professional capacity, are not considered to be campus security authorities and are not required to report crimes for inclusion into the annual disclosure of crime statistics.

The Clery Act defines a Pastoral Counselor as an employee of an institution, who is associated with a religious order or denomination, recognized by that denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

A Professional Counselor is defined as an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification.

As a matter of policy these counselors are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. Professional counselors can be found at the following on campus locations:
<table>
<thead>
<tr>
<th>Student Counseling Services</th>
<th>612-624-3323</th>
<th>340 Appleby Hall</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>128 Pleasant St SE</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(Minneapolis Campus)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>199 Coffey Hall</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1420 Eckles Ave</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(St. Paul Campus)</td>
</tr>
<tr>
<td>Boynton Health</td>
<td>612-624-1444</td>
<td>410 Church St SE</td>
</tr>
</tbody>
</table>

**University of Minnesota response to reports of crime**

*What happens once a crime is reported to the Police or a Campus Security Authority?*

Campus Security Authorities are obligated under the law to inform the Clery Compliance Coordinator or the University of Minnesota Police Department of the type of crime and its location for statistical purposes.

Making a report to a Campus Security Authority generally does not initiate a police report or an investigation through the University, unless the reporting party specifically requests assistance with making a police report or initiating an investigation from the University.

All reports of sexual violence, dating violence, domestic violence and stalking will be forwarded to the Title IX coordinator for investigation. When an alleged victim requests confidentiality or that there be no University investigation, the University will weigh this request in the context of its responsibility to provide a safe and non-discriminatory environment.

Employees who have been designated as "responsible employees" under Title IX are required to forward the name of all individuals involved with an allegation of dating violence, domestic violence, sexual assault and stalking to the Title IX coordinator for investigation.

In the case of anonymous complaints, the University is limited in its ability to conduct a full investigation and to fully respond to the effects of a crime.

Crimes reported to the University of Minnesota Police Department or other Campus Security Authorities will be considered for the need to issue a Timely Warning Notification. (For more information on Timely Warning Notifications see the following section).

Reported crimes will be documented on the University of Minnesota Police Department's Daily Crime Log (For more information on the Daily Crime Log see page 9).

Finally, all applicable crimes reported to the University of Minnesota Police Department or other Campus Security Authorities will be included in the annual statistical disclosure (For annual statistics see page 15).

These public disclosures will not include any personally identifying information of any reporting parties, witnesses or victims.
Timely Warning Notification

The University of Minnesota issues "timely warnings" to the campus community for crimes that occur within the University of Minnesota’s “Clery Geography” (defined on page 6) which are believed to pose a serious or on-going threat to the University community.

Timely warnings are designed to give the University community information which will aid in the prevention of similar crimes.

Crimes which may trigger an alert include criminal homicide, sexual assault, robbery, aggravated assault, burglary, arson, or any other crime that the University believes poses a serious or ongoing threat to the University community.

Incidents will be evaluated on a case-by-case basis by the Chief or designee to determine if a timely warning is warranted.

When the Chief of Police or designee determines a timely warning is warranted, the University Services Director of Communications will compose the warning. The Chief of Police or designee will approve the draft and it will be forwarded to the Office of the Vice President of University Services for distribution.

Alerts will be electronically distributed to all Twin Cities Campus students, staff and faculty via the University of Minnesota email system.

The University of Minnesota Police Department works closely with the Minneapolis Police Department, St. Paul Police Department and Metro Transit Police.

Through use of a shared reporting system the University of Minnesota Police Department is routinely made aware of crimes which have been reported to the Minneapolis Police Department which may warrant the issuance of a timely warning notice.

Individuals who are not part of the University but would like to receive these emails may subscribe to updates at https://docs.google.com/forms/d/1YBdrAgm9uDEXVZi2EN8WenbKwp6xqX7WxeBnIUTc97k/viewform.

The alerts may include the following details (if available):

- Date and time of the incident
- Location
- Type of crime
- Description of the incident
- Physical description of suspect, including a photograph (when available)
- The decision whether to include race and gender of the suspect will be decided by the Chief of Police or designee and the Vice President for University Services on a case by case basis.
- Apparent connection to previous incidents, if applicable
- Whether the victim sustained an injury
- Pertinent crime prevention tips

Personally Identifying Information will not be disclosed in a timely warning. Except in instances where the information is relevant to the crime— for example, in crimes which are motivated by Bias the victim's inclusion in a protected class may be released if this information is not determined to be explicitly personally identifiable.
## Crime Statistics

### Criminal Offenses

#### Minneapolis

<table>
<thead>
<tr>
<th>2015 Minneapolis</th>
<th>On campus</th>
<th>On campus residential only</th>
<th>Non-campus</th>
<th>Public</th>
<th>Total</th>
<th>Unfounded</th>
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<tbody>
<tr>
<td>Murder/nonnegligent manslaughter</td>
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</table>

*In 2015, there was one rape case reported to have occurred in an on campus residence hall but the report did not indicate if the case occurred on the Minneapolis or St. Paul Campus. This case was not included in the Clery Act Statistics since it could not be determined if the case occurred on the Minneapolis or St. Paul Campus.

<table>
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<tr>
<th>2014 Minneapolis</th>
<th>On campus</th>
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<th>Non-campus</th>
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University of Minnesota 15
### 2013 Minneapolis

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### St. Paul

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</table>

**In 2015, there was one rape case reported to have occurred in an on campus residence hall but the report did not indicate if the case occurred on the Minneapolis or St. Paul Campus. This case was not included in the Clery Act Statistics since it could not be determined if the case occurred on the Minneapolis or St. Paul Campus.**
<table>
<thead>
<tr>
<th></th>
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<th>On campus residential only</th>
<th>Non-campus</th>
<th>Public</th>
<th>Total</th>
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<table>
<thead>
<tr>
<th></th>
<th>On campus</th>
<th>On campus residential only</th>
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</tr>
</tbody>
</table>
Hate Crimes

2015

One on-campus case of intimidation characterized by bias against National Origin and One on-campus case of Destruction/Damage/Vandalism of Property characterized by bias against Ethnicity on the Minneapolis Campus.

No hate crimes to report for the calendar year 2015 on the St. Paul Campus.

2014

One on-campus case of Destruction/Damage/Vandalism of Property characterized by bias against religion. (Minneapolis Campus)

No hate crimes to report for the calendar year 2014 on the St. Paul Campus.

2013

One on-campus case of Intimidation characterized by bias against sexual orientation. (Minneapolis Campus) One on-campus case of Intimidation characterized by bias against gender identity. (Minneapolis Campus). One on-campus residential case of Destruction/Damage/Vandalism of Property characterized by bias against sexual orientation (Minneapolis Campus).

No hate crimes to report for the calendar year 2013 on the St. Paul Campus.

VAWA Offenses

Minneapolis

<table>
<thead>
<tr>
<th>2015 Minneapolis</th>
<th>On campus</th>
<th>On campus residential only</th>
<th>Non-campus</th>
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</table>

*In 2015, there were 4 cases of stalking which were reported to have occurred "On Campus" but did not indicate if it occurred on the Minneapolis or St. Paul campus. These were not included in the Clery Act Statistics since it could not be determined if the cases occurred on the Minneapolis or St. Paul Campus.

<table>
<thead>
<tr>
<th>2014 Minneapolis</th>
<th>On campus</th>
<th>On campus residential only</th>
<th>Non-campus</th>
<th>Public</th>
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<th>Unfounded</th>
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*In 2014, there were 10 cases of stalking which were reported to have occurred "On Campus" but did not indicate if it occurred on the Minneapolis or St. Paul campus. These were not included in the Clery Act Statistics since it could not be determined if the cases occurred on the Minneapolis or St. Paul Campus.
### 2013 Minneapolis

<table>
<thead>
<tr>
<th></th>
<th>On campus</th>
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### St. Paul

<table>
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<tr>
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*In 2015, there were 4 cases of stalking which where reported to have occurred "On Campus" but did not indicate if it occurred on the Minneapolis or St. Paul campus. These were not included in the Clery Act Statistics since it could not be determined if the cases occurred on the Minneapolis or St. Paul Campus.

<table>
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<th>Non-campus</th>
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*In 2014, there were 10 cases of stalking which were reported to have occurred "On Campus" but did not indicate if it occurred on the Minneapolis or St. Paul campus. These were not included in the Clery Act Statistics since it could not be determined if the cases occurred on the Minneapolis or St. Paul Campus.

<table>
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## Arrests and Referrals for Disciplinary Action

### Minneapolis

#### 2015 Minneapolis

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#### 2014 Minneapolis

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### St. Paul

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### 2014 St. Paul

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## 2013 St. Paul

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## Non-reportable Sexual Assault data

The University of Minnesota respects the comfort-level of victim/survivors when disclosing the details of sex-related crimes. In some instances, the University of Minnesota may receive reports of the occurrence of a sexual assault with an insufficient level of detail required to make a specific categorization of the crime or to determine if the crime occurred on the Minneapolis or St. Paul campus. The below tables represent reports of "sexual assault" made to Campus Security Authorities where there was not enough information to determine the specific crime committed, the bottom table represents reports of sexual assault where there was not enough information to determine on which campus the assault occurred. Because these crimes could not be classified as Rape, Fondling, Incest, or Statutory Rape they are not reportable crimes under the Clery Act. These statistics are included here to portray a more accurate picture of the frequency of sexual assault occurring at the University of Minnesota-Twin Cities campus.

### 2015 Unclassifiable Sexual Assaults Minneapolis

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### 2015 Unclassifiable Sexual Assaults St. Paul

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### 2015 Unclassifiable Sexual Assaults Unknown Campus

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Security of and access to campus facilities

Building Access Program

The Building Access Program establishes three distinct levels of access to buildings. Building hours are different depending on the use of the building.

Public Hours

During Public Hours, buildings will remain open to everyone in the University community and to the general public. Public Hours will generally coincide with the standard business day of 7 a.m. to 5 p.m. For classroom buildings, Public Hours will generally be 7 a.m. to 7 p.m. to accommodate evening classes. Libraries, museums, galleries, and the like will have public hours that match their business hours.

University Hours

University Hours are the hours just before and just after Public Hours in the morning and the evenings. As an example, University Hours in a classroom building would typically be 6 a.m. to 7 a.m., and 7 p.m. to 10 p.m. During University Hours, a U Card will be required to enter the building.

Restricted Hours

During Restricted Hours, buildings are closed to the general public and to the general University community. Only people who have been previously granted permission to enter the building are allowed to do so. Typically, the people granted access during Restricted Hours are the people who would logically have permission to enter a building when it is locked, for example, faculty who teach or staff who work in a specific building. Again using a classroom building as an example, the Restricted Hours would be between 10 p.m. and 6 a.m.

For information on specific building hours, go to http://campusmaps.umn.edu/tc/ and select the building you are interested in.

Keys and Access Cards

The University controls and monitors access to its space by using traditional key systems, electronic card reader systems, and alarms. Outside doors of all University buildings are equipped with electronic card access control systems. Key systems are used predominantly for practical and financial reasons. Individual responsibility and accountability is the primary method used to ensure that authorized people request, receive, and return control keys or cards as their duties dictate.

Anyone duplicating, possessing, or using access control keys or cards for University premises without authorization will be subject to disciplinary actions from the University or will be subject to criminal charges where appropriate. More information about building access can be found in the "Getting Access to University Buildings" policy.

Not all areas of the campus are open to the public. To address security issues in these areas, the University may require students, faculty, or staff to wear their U card or department specific ID badge to provide visual identification of persons entering restricted University spaces to increase accountability of visitors to the University and provide a method to call attention to suspicious persons.

Residence Halls

The University of Minnesota has 9 traditional halls and 3 apartment-style living facilities. There are 11 halls on the Minneapolis campus and one hall on the St. Paul campus. All residence halls have card access 24/7. Centennial, Comstock, Pioneer, 17th Ave Hall, and Sanford's lobby doors are open from 7 a.m. to 7 p.m. to allow students to access to dining facilities. Living areas in all halls remain locked 24 hours a day. Guests and visitors may access residence hall living areas only when escorted by a resident of that hall.
The information desks in the lobbies of all residence halls and apartments are staffed 24 hours a day by office assistants. There are security cameras in the lobbies and residential access points, as well as in remote areas of the building.

Every hall has a community adviser on duty each night. Security monitors are on site and do hourly rounds of the building between 11 p.m. and 7 a.m. Security monitors, and on-duty community advisers work together to ensure that safety and security needs are met during the evening and night hours. A residence director is available 24/7 for emergencies.

**Security Considerations used in the maintenance of campus facilities**

Facilities Management is responsible for the maintenance of campus facilities and grounds. Facilities Management has departmental standard procedures and practices that are aligned with the Board of Regents Policy “Health and Safety” to address security considerations used in the maintenance of campus facilities. For example, Facilities Management employees regularly check and fix problems with lighting, doors, locking mechanisms and other access control hardware.

The Landcare unit ensures safe and accessible exterior environments through regular ground maintenance, snow removal, and cleanliness. Landcare has also incorporated Crime Prevention Through Environmental Design principles in the design and maintenance of campus landscaping.

**About the University of Minnesota Police Department**

**Authority, Jurisdiction, and working relationship with other law enforcement agencies**

**University of Minnesota Police Department**

**Authority**
University police are licensed as “peace officers” by the State of Minnesota. Minnesota State Statute 629.40 gives peace officers statewide arrest powers while acting in the course and scope of employment.
Jurisdiction

The University of Minnesota Police Department (UMPD) has served the Twin Cities campus since 1947 and is responsible for all property owned by the University in the Twin Cities area. UMPD officers provide services in directed proactive patrol, crime prevention and investigation, law enforcement, and emergency response. UMPD patrols the University community by squad car, motorcycle, bike, and foot.

UMPD has a Community Investigator Division to investigate crimes and provide directed crime prevention and other support to the University. The Community Investigator Division assigns a qualified officer to a geographical area of campus. Officers thereby become familiar with staff, faculty, and students in their assigned area, and they can monitor and respond more rapidly to crime and safety problems.

Another specialized unit is the Coordinated Response Team, which monitors, analyzes, and responds to ongoing crime patterns as well as conducts outreach with the University community.

Relationship with other law enforcement agencies

UMPD investigates all crimes that occur on University property within the East Bank, West Bank, and St. Paul campus areas. UMPD has a formal Memorandum of Understanding with the Minneapolis Police Department and the Metro Transit Police Department relating to police responses on University property within the City of Minneapolis and on METRO Green Line property. UMPD also has a mutual aid agreement with all law enforcement agencies within Hennepin County. UMPD works closely with federal, state, and local police agencies (notably the Minneapolis and St. Paul police departments).

UMPD strives to provide a safe environment for all students, staff, faculty, and visitors on campus. When UMPD receives information about an off-campus crime that requires secondary investigation, it forwards the information to the proper municipality.

Monitoring of noncampus locations

Due to a shared records management system with the Minneapolis Police Department, UMPD regularly monitors for incidents of criminal activity involving students in non-campus locations of official student organizations in Minneapolis.

When incidents of criminal activity involving students are discovered, UMPD notifies appropriate officials within the institution, including the Office of Student Conduct and Academic Integrity. The Student Code of Conduct outlines the jurisdiction the University has to apply disciplinary action in these cases.

Security Monitor Program

UMPD employs students as uniformed security monitors. Student security monitors provide escorts, and provide building security. Security monitors act as the "eyes and ears" of UMPD.

Security Monitor staff have no arrest powers, but are trained to determine when police or other first responders should be called.

Security monitors are employees of UMPD and are subject to a criminal background check before hiring and undergo 30–40 hours of training.
University Policy on Drugs and Alcohol

The University is committed to providing a healthy learning and working environment for all students and employees and strives to meet this commitment through prevention and awareness programs. Alcohol abuse and illegal drug use endangers the health and safety of all students and employees.

As stated in the University's Drug-Free Policy (http://policy.umn.edu/operations/drugfree), students, faculty, and staff are prohibited from engaging in:

- the illegal possession, use, or distribution of alcohol, drugs, and drug paraphernalia on all University premises, in University-supplied vehicles, and as part of University activities and business; and
- the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on all University premises, in University-supplied vehicles, and as part of University activities and business.

University students, employees, and others who conduct research and teaching activities with controlled substances must comply with Administrative Policy: Using Controlled Substances for Research in order to ensure that they follow all applicable regulations and safely handle and prevent diversion of controlled substances.

University community members are expected to refer suspected illegal situations to University police or local law enforcement agencies for criminal investigation leading to possible prosecution.

Risks and Sanctions

To make informed choices about drug and alcohol use, students and employees should educate themselves about the serious health consequences of the use, misuse, and abuse of alcohol and other drugs as described in the Drug and Alcohol Health Risks Chart (http://policy.umn.edu/operations/drugtree-appa).

Students and employees also should be aware that they may be subject to criminal prosecution under federal, state, and local laws that specify fines or imprisonment or loss of federal financial student aid for conviction of alcohol and drug-related offenses as described in the Drug and Alcohol Legal Sanctions Chart (http://policy.umn.edu/operations/drugfree-appb). These legal sanctions are in addition to disciplinary sanctions by the University.

Students—Disciplinary Sanctions

Students who violate the prohibitions of the Drug Free policy are subject to progressive disciplinary procedures as described in the Student Conduct Code: warning; probation; required compliance; confiscation of goods; restitution; restriction of privileges; University housing suspension or expulsion; suspension or expulsion; withholding of diploma or degree; and revocation of admission or degree.

Employees—Disciplinary Sanctions

Employees who violate the prohibitions of the Drug Free policy are subject to discipline ranging from an oral warning, written warning, or unpaid suspension up to termination consistent with policies, rules, and contracts governing the terms and conditions of their employment. Supervisors also may require an employee to provide documentation of satisfactory participation in an alcohol or drug abuse assistance or rehabilitation program.

Employees who are convicted of any criminal drug statute violation in the workplace must report it to a supervisor within five days of the conviction. Supervisors, department heads, and principal investigators who are aware of any drug crime convictions of individuals (students or employees) who work on sponsored projects for violations that occurred in the workplace must report them to the Office of the Associate Vice President for Sponsored Projects Administration (SPA) within three calendar days of their notice of the conviction.
Drug and Alcohol Abuse Education Programs

The University demonstrates its commitment to maintaining appropriate campus environment by offering a variety of drug and alcohol abuse prevention and education services for students and employees, including confidential diagnosis and assessment, short-term counseling, referral, and support groups.

Supervisors who are concerned that employees may have alcohol or drug-related problems should consult with the Employee Assistance Programs. Disciplinary sanctions will not be taken against students for seeking assistance from student health services or against employees for seeking assistance from the Employee Assistance Programs.

University of Minnesota Resources

http://www.mentalhealth.umn.edu/alcohol/index.html

This website has information on the risks of using and alcohol and drugs and offers a free, confidential, on-line assessment for students to evaluate their alcohol use

Chemical Health Assessment

http://www.bhs.umn.edu/east-bank-clinic/alcohol-chemical-health-services.htm

The above link describes resources available at Boynton Health regarding alcohol and chemical health services. Chemical Health Assessment appointments must be made in person at Boynton’s Mental Health Clinic.

For more information, call Boynton’s Mental Health Clinic at 612-624-1444

Health Promotion Consultation

http://www.bhs.umn.edu/east-bank-clinic/alcohol-chemical-health-services.htm

Health promotion consultations are meant to explore a student’s current chemical health decisions and how they may correlate with negative or positive consequences experienced. Students are often referred to participate in a Health Promotion Consultation following a violation of the University’s alcohol and drug policy. Students are welcome to schedule a Health Promotion Consultation if they have any concerns regarding their chemical health and/or want to further explore their chemical health. A student can also schedule a consultation if they have concerns regarding their friend’s chemical health.

For more information, call Boynton Health at 612-625-3222.

Peer Health Promotion

Students Off Booze Enjoying Recovery (SOBER) is an organization of students recovering from drug and alcohol addiction and their friends who are allies in the recovery movement. Recovery from alcohol and drug problems is a process of change through which an individual achieves abstinence and improved health, wellness, and quality of life.

SOBER supports students in recovery in any manner possible, but especially through the planning of social activities so that recovering people and their friends may find fellowship and solidarity on campus.

Interested in learning more about SOBER call 612-624-1940 or email sober@umn.edu for more information
Crime Prevention and Safety Programming

This Section Contains: Information regarding University programs designed to inform students and employees about campus security related procedures and practices which encourages the University community to be responsible for their own security and the security of others in order to help prevent crimes.

University of Minnesota Police Department

UMPD's Investigations and Outreach Division is responsible for coordinating safety presentations and training for the University community. The presentations can be tailored to the needs of the group or department requesting the presentation.

Each year, UMPD conducts presentations at every new student orientation. Information regarding crime statistics and personal safety are addressed. UMPD also presents to the parents of incoming students to raise awareness of how the University addresses safety. Housing and Residential Life (HRL) invites speakers from UMPD to present and answer questions from all HRL staff during summer training.

UMPD conducted 239 presentations and outreach events during the 2014-15 academic year for students, staff, and faculty. Presentations covered topics such as responding to active shooters, basic University crime information and trends, and personal safety.

UMPD has reoccurring presentations throughout the year, but any interested department or group can call 612-624-COPS (2677) and request a presentation. You can also make an online request at http://police.umn.edu/services/com

SAFE U

SAFE U, a student online awareness campaign which presents information and resources aimed at increasing community consciousness about personal safety.

Housing and Residential Life

Fall Safety Week: Each September, Housing and Residential Life (HRL) has a Safety Week for all residence halls. During this week, hall residents participate in training and activities.

During the first month of class, house meetings are held and residents receive information on HRL policies, tailgating, locking doors, and campus resources such as 624-WALK and the Gopher Chauffer.

Residential Curriculum Content: Items related to personal safety and alcohol education are woven throughout the residential curriculum content. Delivered through talking points with community advisors, bathroom readers, and billboards, students are able to access this information at various points during the year.

Hall Staff: HRI employees (office assistants who work the 24-hour information desks, community advisors, security monitors, business operation supervisors (professional staff), and assistant/residence directors (professional staff)) are trained annually on campus resources, how to refer to students to these resources, and emergency procedures.

Increased Attention for High Level Events: Whenever HRL can reasonably anticipate an increase in campus activity and campus visitors (Homecoming, Spring Jam, championships, Halloween, etc.), they increase the number of staff on call and security monitors for the safety of residents.
Emergency Notification, Response and Testing

Emergency Notification

In the event of a confirmed significant emergency or dangerous situation that poses an immediate threat to the health and safety of members of the University of Minnesota Twin Cities community, the University has in place several methods for communicating information quickly. The situation will dictate which of the following notification methods are used. These include, but are not limited to, TXT-U, Campus-Wide Emergency Notification System (CWEAS), Tone Alert Radios, the University of Minnesota internet homepage, on-the-ground public safety personnel, and information in the media.

Upon confirmation of an emergency, the University of Minnesota will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system. Prior to issuing an alert, the Department of Public Safety will confirm an emergency via dispatched officers, video monitoring, and notifications from the National Weather Service or other emergency professionals on the scene. Information obtained from these responders will be used in order to determine the content of the notification. The Department of Public Safety will follow their Emergency Procedures Manual in order to activate the applicable notification systems and to determine if a campus wide or target notification is needed. A notification may be delayed if issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

TXT-U notifications can be authorized by the following individuals: UMPD supervisory staff, University Relations, Department of Emergency Management Staff, University Services Vice President, or University Services Communications. CWEAS and Tone Alert Radios can be activated by the PSECC based on the guidelines in the DPS Emergency Procedures Manual. Notifications on the UMN website and to the news media will be handled by the News Service which is a part of University Relations.

Dissemination of emergency information to the larger community (i.e., parents and residents from surrounding neighborhoods) will take place as time allows. Depending on the nature of the incident, the University could utilize such avenues as the University internet homepage or the media. The first concern of the University will be to disseminate information to those people directly affected by the emergency. Dissemination to the larger community is the responsibility of University Relations.


TXT-U Emergency Notification

TXT-U is the University’s emergency notification text messaging system. Students, faculty, and staff are automatically registered to receive text messages about critical campus safety information. Only University of Minnesota students, faculty, and staff are registered for TXT-U. However, you can add more than one mobile device to your account, registering your parents, family, friends, or others.

TXT-U will be used infrequently and specifically for real emergency situations. For more information and to login to view and update your contacts that will receive TXT-U messages, go to http://safe-u.umn.edu/txt-u.html.

Campus-Wide Emergency Alert System (CWEAS)

CWEAS is the University of Minnesota’s outdoor emergency notification system. The University has 13 stand-alone speaker locations located throughout the Minneapolis and St. Paul campuses. CWEAS is not a tornado siren; it is an outdoor warning system that can convey both an alert tone and voice messages. If you hear the outdoor warning system, it means go inside and seek more information.
Tone Alert Radio

The University uses Tone Alert Radios strategically placed throughout campus to add another layer of alert coverage. The University of Minnesota PSECC will activate the radios when there is urgent information that needs to be transmitted (e.g., severe weather, building evacuation). Tone Alert Radios also provide emergency notification that can be received in areas that are out of cellular service.

Fire Panel Annunciation

DEM has worked to install in some buildings an annunciation capability that can be set off by the PSECC in case of an emergency. The annunciation system allows the fire alert system to communicate the source of the emergency, which will allow for a quicker and more efficient response. The panels in use at the University also help control emergency communications systems where they are installed. As existing systems reach the end of their lifecycle, additional capacity in this area is being added.

Emergency Response and Testing

The Department of Public Safety (DPS) in cooperation with DEM participates in several exercises throughout the year to prepare for emergencies for the Minneapolis and St. Paul campuses. At least once a year, DPS and DEM will conduct an exercise to test the emergency response and evacuation procedures of the Twin Cities campus (Minneapolis and St. Paul). The University community will be notified of this exercise, and the notification will summarize the emergency response and evacuation procedures and indicate where procedures can be found. All testing of the emergency response system is documented and the records retained at DEM. Documentation includes a description of the test, the date, the time, and whether the test was announced or unannounced.

UMPD has procedures in place for the response to incidents such as active shooters and bomb threats. These procedures are tested and reviewed frequently.

The University uses the National Incident Management System (NIMS) as its standard for responding to incidents (http://policy.umn.edu/Operations/operationsplan). UMPD police officers and supervisors, DEM and University administrators who have responsibility during an incident, have been trained in NIMS. Depending on the incident, other University departments and/or other local or federal agencies could be involved in responding, and are trained in NIMS as well.

When an incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually from UMPD. The Minneapolis Police Department, Metro Transit Police Department, St. Paul Police Department, Minneapolis Fire Department, St. Paul Fire Department, Hennepin County Sheriff, Ramsey County Sheriff, and HCMC EMS assist UMPD as needed and inform the University of Minnesota regarding any situations that are reported to them they may warrant an emergency response.

Emergency Plans

DEM coordinates the development of emergency plans. There are four levels of emergency plans at the University of Minnesota:

Building Emergency Plans (BEP)

Each building on campus should have a Building Emergency Plan. The plan outlines evacuation procedures and other emergency instructions. In order to complete the plan, each building should identify one representative from each department located in the building to participate in a working group that will complete the plan template.
Continuity of Operations Plan (COOP)

COOP outlines the steps critical operating units must take to keep their department running in the event of an emergency. Departments that are deemed "critical operating units" must complete COOP, per the University's Continuity of Operations Planning Policy.

Emergency Operations Plan (EOP)

The Emergency Operations Plan is the overall plan that guides University administrators in the event of an emergency. The University is required by the state Homeland Security and Emergency Management agency to have an Emergency Operations Plan (EOP). EOPs are done systemwide.

All-Hazards Mitigation Plan

DEM was awarded a $250,000 Pre-Disaster Mitigation Grant to develop a plan for each of the five campuses to include threat, hazard, identification, and risk assessment.

DEM tasks each area of the University to develop and maintain emergency procedures and guidelines for their buildings and employees. The Department of Housing and Residential Life (HRL) is responsible for developing and maintaining emergency evacuation procedures for all University residence halls. HRL is required by state law to conduct a specific number of evacuation drills per year.

Release disciplinary outcome to victims of crimes of violence or non-forcible sex offenses

The University of Minnesota will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the results of any disciplinary proceeding conducted by the University of Minnesota against a student who is the alleged perpetrator of the offense. If the alleged victim is deceased as a result of such an offense, the next of kin of the victim is permitted to make the request.

Sexual Assault, Stalking, and Relationship Violence

The University of Minnesota prohibits discrimination on the basis of gender in its educational programs, including sexual harassment and sexual assault. Dating violence, domestic violence and stalking are also forms of gender-based discrimination and are similarly prohibited whether or not they are sexually based. As a result, the University of Minnesota issues this statement of policy to inform the community of its comprehensive plan to address sexual misconduct, the available educational programs, and the relevant procedures that address sexual assault, domestic violence, dating violence and stalking. This statement applies whether or not the incident occurred on or off campus and when it is reported to a University official.

No one acting on behalf of the University may retaliate against an individual for having made a report in good faith under this policy or having participated in an investigation of sexual assault, stalking, dating violence or domestic violence. Retaliation against any individual for reporting under this policy is prohibited and may result in disciplinary action. Reports of retaliation will be reviewed and investigated in the same manner in which other allegations of misconduct are handled.

For a complete copy of the University of Minnesota's policy governing sexual assault, stalking, and relationship violence, visit [www.policy.umn.edu/Policies/Operations/Safety/SEXUALASSAULT.html](http://www.policy.umn.edu/Policies/Operations/Safety/SEXUALASSAULT.html).
Definitions

There are numerous terms used by the University of Minnesota in preparing policy statements and procedures related to dating violence, domestic violence, sexual assault and stalking.

VAWA Crime Definitions

For the purpose of classifying incidents for inclusion in the Annual Statistical Disclosure, the following definitions are used, and come from the Violence Against Women Act (VAWA)

Dating Violence

The term "dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and;

The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition—

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Dating violence does not include acts covered under the definition of domestic violence.

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Domestic Violence

The term "domestic violence" means

Felony or misdemeanor crimes of violence committed—

By a current or former spouse or intimate partner of the victim;

By a person with whom the victim shares a child in common;

By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or

(v) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Sexual Assault

"Sexual assault" means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

Incest is defined as nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape is defined as nonforcible sexual intercourse with a person who is under the statutory age of consent.

Stalking

engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

• fear for the person's safety or the safety of others; or
• Suffer substantial emotional distress.

For the purposes of this definition—

• "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.
• "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
• "Reasonable persons" means a reasonable person under similar circumstances and with similar identities to the victim.

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Minnesota State law definitions of VAWA Crimes and Terms

The following definitions are for the purpose of educating readers regarding jurisdictional crime definitions. Legal citations are given to enable the reader to access information on where the applicable definitions can be referenced under Minnesota law. Some terms are not explicitly defined under Minnesota law in these instances information is given to help readers situate VAWA terms in Minnesota State law.

Consent

MN 609.341 Subd. 4.

"Consent" means words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the complainant or that the complainant failed to resist a particular sexual act.

• A person who is mentally incapacitated or physically helpless as defined by this section cannot consent to a sexual act.
• Corroboration of the victim's testimony is not required to show lack of consent.

Affirmative Consent as defined by University of Minnesota Policy:

A determination about the existence of consent is a critical element in the investigation of a sexual assault. University policy requires affirmative consent between individuals engaging in sexual activity. Affirmative consent is defined as "informed, freely and affirmatively communicated willingness to participate in sexual activity that is expressed by clear and unambiguous words or actions." Clear and unambiguous words or actions are those that are freely and actively given by informed individuals that a reasonable person in the circumstances would believe communicate a willingness to participate in a mutually agreed upon sexual activity. The following factors will be considered when determining consent:

• It is the responsibility of each person who wishes to engage in the sexual activity to obtain consent.
• A lack of protest, the absence of resistance and silence do not indicate consent.
• The existence of a present or past dating or romantic relationship does not imply consent to future sexual activity.
• Consent must be present throughout the sexual activity and may be initially given, but withdrawn at any time.
• When consent is withdrawn all sexual activity must stop. Likewise, where there is confusion about the state of consent, sexual activity must stop until both parties consent again.
• Consent to one form of sexual activity does not imply consent to other forms of sexual activity.

Consent is not obtained where:

• There is physical force, threats, intimidation or coercion.
• There is incapacitation due to the influence of drugs or alcohol.
• There is the inability to communicate because of a physical or mental condition
• An individual is asleep, unconscious or involuntarily physically restrained.
• An individual is unable to understand the nature or extent of the sexual situation because of mental or physical incapacitation or impairment.
• One party is not of legal age to give consent pursuant to Minnesota state law.

**Dating Violence**

Minnesota law does not define dating violence.

**Domestic Violence**

MN 518B.01 Subd. 2

(a) “Domestic abuse” means the following, if committed against a family or household member by a family or household member:

• physical harm, bodily injury, or assault;
• the infliction of fear of imminent physical harm, bodily injury, or assault; or
• terroristic threats, within the meaning of section 609.713, subdivision 1; criminal sexual conduct, within the meaning of section 609.342, 609.343, 609.344, 609.345, or 609.3451; or interference with an emergency call within the meaning of section 609.78, subdivision 2.

(b) “Family or household members” means:

• spouses and former spouses;
• parents and children;
• persons related by blood;
• persons who are presently residing together or who have resided together in the past;
• persons who have a child in common regardless of whether they have been married or have lived together at any time;
• a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and
• persons involved in a significant romantic or sexual relationship.
Additional Information

Minnesota State Statute 609.2242 DOMESTIC ASSAULT: https://www.revisor.mn.gov/statutes/?id=609.2242

Minnesota State Statute 518B.01 DOMESTIC ABUSE ACT: https://www.revisor.mn.gov/statutes/?id=518B.01&stat.518B.01.2

Sexual Assault

The term sexual assault is not defined by Minnesota Law. The comparable crimes of rape, fondling, statutory rape, and incest are generally coded as criminal sexual conduct in the state of Minnesota.

"Minnesota law classifies the crime of criminal sexual conduct into five categories: first- through fifth-degree criminal sexual conduct, with first-degree carrying the most severe penalties and fifth-degree the least. Minn. Stat. §§ 609.342 to 609.3451."

"Generally speaking, the first-degree and third-degree crimes apply to sexual conduct involving sexual penetration of the victim; the second-, fourth-, and fifth-degree crimes apply to sexual conduct involving sexual contact with the victim without sexual penetration."

"Criminal sexual conduct in the first and second degree typically apply to conduct involving personal injury to the victim; the use or threatened use of force, violence, or a dangerous weapon; or victims who are extremely young."

"Criminal sexual conduct in the third, fourth, and fifth degree typically address less aggravated conduct and apply to other situations in which the victim either did not consent to the sexual conduct, was relatively young, or was incapable of voluntarily consenting to the sexual conduct due to a particular vulnerability or due to the special relationship between the offender and the victim."

The above information is from the following source: http://\’\v\v.house.leg.state.mn.us/hrd/pubs/ss/ssovrcsc.pdf

Stalking

MN 609.749 Subd. 1

"stalking" means to engage in conduct which the actor knows or has reason to know would cause the victim under the circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated, and causes this reaction on the part of the victim regardless of the relationship between the actor and victim.

Education and Prevention Programs

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and

Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

The University has developed and selected several programs for incoming students and employees as well as ongoing educational campaigns. The University continues to improve and research new programs to comply with the changes required by the Violence against Women Act Amendments to the Clery Act.

This section details University programs that occurred in 2015-16.
Incoming freshman: Incoming freshmen to the University of Minnesota must complete Haven, an online prevention and awareness program. This program educates students about bystander intervention, sexual assault, stalking, and relationship violence. Key topics include understanding healthy and unhealthy relationships, identifying sexual assault, stalking, and relationship violence, and risk reduction.

The Office for Equal Opportunity and Affirmative Action (EOAA) delivers three workshops that include training and information on Sexual Misconduct: Sexual Harassment: Awareness, Prevention and Response, Responding to Sexual Misconduct and Sexual Assault and the EOAA Supervisor's Toolkit. Each of these workshops is offered multiple times per year, including availability via UMConnect at least once per year. Additionally, each of these three workshops are available on line through ULearn.

There is also an on-line training program called Speak Up: Understanding and Preventing Sexual Violence that was purchased by the institution last year and is available to all University staff, faculty and students through ULearn.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees, and ongoing awareness and prevention campaigns for students and employees that:

- Identify domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Use definitions provided both by the Department of Education as well as state law to define what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- Define what behavior and actions constitute consent to sexual activity in the State of Minnesota and/or use the definition of consent found Affirmative Consent Policy (http://policy.umn.edu/operations/sexualassault-apps);

**Training provided by the Aurora Center**

The Aurora Center offers ongoing presentations for the Welcome Week Intra-Sessions Day that focus on informing students about the University policies on sexual violence and resources available. During orientation, the Aurora Center is available during the tabling events to answer questions and provide new students with information.

**Presentation Numbers and Content from Jan-Dec 2015**

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<th># of People Presented to</th>
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<td>1391</td>
</tr>
<tr>
<td>Total (including those made to students and staff)</td>
<td>183</td>
<td>8976</td>
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**Training Programs:**

- **Got Consent**—focuses on consent, coercion, and what happens when alcohol is thrown into the mix
- **Consent and the Media**—focuses on media messaging about consent; discussion-based format
- **Healthy Relationships**—focuses on defining healthy relationships, establishing boundaries you and your partner(s) are comfortable with, and covers signs of an unhealthy relationship
- **Violence & Public Health**—discusses the impact that violence has on the community from a public health perspective
- **Overview**—TAC services, U-Policies, Involvement Opportunities (5-15 minutes)
- **Faculty/Staff Training**—covers policies, protocol, and mandated reporting
- **New Member Seminar (Fraternity) (Sorority)**—custom, discussion-based presentation that focuses on gender norms, sexual violence, and bystander intervention. Delivered to all new members in spring and fall.
5 minute class or group presentation—TAC Class or Group Script (brief intro to The Aurora Center)

Rape culture—An interactive presentation that focuses on the existence of rape culture on campus, in the community, and in the media at large

Alcohol, Safety, & Sexual Violence—A discussion-based presentation that focuses on the impact of alcohol use at social events, safety-planning for events, and knowledge of the connections between alcohol and sexual violence

Bystander Intervention Training:
Step Up—bystander intervention training program that covers a variety of topic areas, including (but not limited to):
- Academics
- Alcohol and Alcohol Poisoning
- Anger
- Depression
- Discrimination
- Disordered Eating
- Gambling
- Hazing
- Relationship Abuse
- Sexual Assault
- Personal Safety
- And more!

Step Up Part II—a program to refresh or advance skills gained in Step Up
Step Up Facilitator Training—a program to train students and staff members

Custom Presentation:—information on special topics, advanced knowledge, etc.
Selected Examples:
- Advocates and Law Enforcement: Working Better Together
- It's Not Just Celebrities: Responding to Stalking and Harassment on College Campuses
- You're Not Overreacting: Preventing Stalking and Harassment on College Campuses
- Sexual Harassment Training for Graduate Students
- Provider Response Training for Pharmacy and Medical Students
- Sexual Violence in LGBTQIA+ Communities

Men's Engagement Curriculum

MeN: Food For Thought—MFFFT is a men & masculinities discussion series with the following overarching goal: To create a welcoming and inclusive space for students to engage in dialogue with other students, staff, and faculty about issues and topics related to men and masculinities in hopes of expanding our individual and collective knowledge about these issues and topics.

Men's Activism Workshop—The goal of this workshop is to engage more men as allies and empower them to be activists on campus and within their communities to help prevent sexual assault, relationship violence, and stalking.
TAG is able to add and adjust presentation topics to needs of a group or department to include:

- Stalking/harassment
- Policies, statistics and mandated reporting responsibilities
- Legal options and advocacy
- Training for residential hall staff and other campus peer leaders

In addition to training and presentations by the Aurora Center, Student Affairs online programming, and EOAA training, there is a University-wide safety campaign that features posters and digital displays, highlighting bystander intervention, consent, and campus resources.

If you have been the victim of dating violence, domestic violence, sexual assault or stalking

If you would like assistance and support from a victim's advocate you can contact the Aurora Center by calling the 24 hour help line at 612-626-9111 or by visiting at Suite 117 Appleby Hall 128 Pleasant St. SE. Advocates can offer support, resources on and off campus, safety planning, assist in filing a police report and answer questions you may have regarding next steps.

If the assault happened on the St. Paul or Minneapolis campus contact the University of Minnesota Police Department by calling 911. Even if you do not want to file a report, Police Officers will arrive on scene, ensure your safety and provide you with additional resources and can transport you to the hospital to seek medical attention. Officers can complete a police report if you would like.

If you have been the victim of a sexual assault you should consider seeking medical attention as soon as possible. In cases of sexual assault having a Sexual Assault Nurse Examination and the Sexual Assault Forensic Examination (SANE/SAFE) ensures that a specially trained nurse who is sensitive to the victim/survivor's needs will treat the victim/survivor. It also ensures the proper collection of forensic evidence and protects the chain of custody of that evidence should a case be brought to trial. The SANE/SAFE examinations are paid for by the county per Minnesota Statute 609.35.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing, or clean the bed/linen/area where they were assaulted if the offense occurred within the past 168 hours (7 days), so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/is occurring, or may be helpful in obtaining a protection order.

Victim survivors are encouraged to seek treatment at a medical facility of their choice. However, the University of Minnesota has an established relationship with the University of Minnesota Medical Center and Fairview Riverside Emergency Department to coordinate care of victim/survivors with advocates from the University of Minnesota Aurora Center.

When a victim/survivor of sexual assault presents to University of Minnesota Medical Center or Fairview Riverside Emergency Department (ED):

The triage nurse assesses if victim/survivor fits SANE/SAFE criteria and determines if culturally specific services are necessary.

The triage nurse calls a SANE nurse and an Aurora Center advocate.

The triage nurse places the victim/survivor in a private room.

- ED staff completes initial assessment for medical history and injuries.
- If the victim/survivor so desires, ED staff or the SANE/SAFE nurse calls law enforcement.
- Advocate arrives and provides victim/survivor with information and support. Advocate also assists any concerned persons who may be with the victim/survivor in the ER.
- SANE/SAFE nurse arrives and explains the exam to victim/survivor. Appropriate consent is obtained.
• SANE/SAFE nurse takes forensic history and conducts interview with victim/survivor. Advocate may be present during interview with victim/survivor's consent.
• SANE/SAFE nurse provides medication indicated as needed by interview and exam, such as prophylactic treatment for STIs.
• SANE/SAFE nurse completes physical exam. Evidence collected is determined by interview. Photographic evidence is taken as needed.
• SANE/SAFE nurse seals Bureau of Criminal Apprehension (BCA) kit. Chain of custody is followed per hospital protocol.
• Clothing is collected as evidence per hospital protocol. Chain of custody is followed per hospital protocol.
• Patient is discharged or admitted to support treatment plan. The Aurora Center advocate makes a plan for a follow-up meeting with victim/survivor's consent.

A copy of the sexual assault report and the lab report are made available to law enforcement. However, victim/survivors are not obligated to file a police report or pursue action through the criminal justice system. That is the choice of the victim/survivor. Evidence will be safely maintained and will be available if the victim/survivor chooses to pursue action at a later date, up to 18 months after the exam in Hennepin County.

In circumstances of sexual assault, if victim/survivors do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other copies of documents. These documents can be helpful in proving the alleged crime and are helpful in obtaining court orders for protection.

Procedures for Reporting a Complaint of Sexual Assault, Dating Violence, Domestic Violence, or Stalking

Police

Victim/survivors of domestic violence, dating violence, sexual assault, or stalking are encouraged to file a report with the University of Minnesota Police Department.

In an emergency UMPD can be reached 911, in non-emergency situations UMPD can be reached by calling 612-624-COPS (2677), or in person at 511 Washington Ave SE, Minneapolis, MN.

UMPD will assist any victim/survivor with notifying local police where appropriate upon the request of the victim/survivor.

After contacting UMPD an officer will meet with you to learn more about what occurred. The officer will inform you about what your next steps could be. If you choose to report the incident to us, the officer will ask you about what happened in order to make a report.

If evidence needs to be collected, such as bedding or clothing, the officer may make arrangements for that to occur. In addition, the officer will help you evaluate whether you need to go to a hospital to meet with a specially trained Sexual Assault Resources Service nurse. This will assist us in obtaining forensic evidence as well as assure you are provided with proper care and treatment. Officers will not be present during the exam, but you are welcome to bring someone of your choosing.
Once the report is completed and any evidence is gathered your case will be assigned to a specially trained UMPD sexual assault investigator and they will contact you. The investigator will obtain any necessary additional information as well as provide you with information on the potential next steps in the investigation, which could include further investigation by our department and the eventual submission of the case to a prosecutor's office for review.

Although the University strongly encourages all members of its community to report violations of this policy to law enforcement it is the victim/survivor's choice whether or not to make such a report to law enforcement, and victims have the right to decline involvement with the police.

If a victim/survivor chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. Timely reporting and a medical examination within 168 hours (7 days) is critical in preserving evidence of sexual assault and enhances the effectiveness of an investigation. While timely reporting aids the University of Minnesota in responding to crimes of sexual assault, dating violence, domestic violence, and stalking an individual can report an incident at any time.

Public Copies of police reports of domestic assault, stalking and sexual assault reports are routinely forwarded to the Equal Opportunity and Affirmative Action (EOAA) office, the office which houses the University of Minnesota Title IX Coordinator. Public reports do not include victim information. The victim decides whether or not to file a complaint with EOAA.

**Report to the University of Minnesota, pursuing internal disciplinary action**

Victim/survivors of domestic violence, dating violence, sexual assault, or stalking who are interested in pursuing action through the University should report the incident promptly to the Title IX coordinator, located within the Equal Opportunity and Affirmative Action Office, Room 274 McNamara Center, 612-625-6791.

When making a report to this office will initiate an investigation by the University of Minnesota as well as the institutional disciplinary process. Staff members within EOAA can offer assistance in filing a police report.

Upon contacting EOAA, reporting parties will be given written notice of the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services on campus and in the community, regardless of where the incident occurred.

**Voluntary, Confidential Reporting**

If you are the victim of a crime and do not want to pursue action within the University or the criminal justice system, you may still want to consider making a confidential report. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University of Minnesota can keep an accurate record of the number of incidents occurring on campus; determine crime patterns, and alert the campus community to potential danger.

Reports filed in this manner are counted and disclosed in the annual statistical disclosure, considered for the need to issue a Timely Warning, and are included on the University of Minnesota Police Department's Daily crime log. These public disclosures will not include any personally identifying information of any reporting parties, witnesses or victims.

Reporting a crime anonymously severely restricts the University of Minnesota from responding to the reported crime and will limit the University of Minnesota's ability to investigate the reported incident.

**UReport (confidential reporting)**

Reporting incidents of sexual assault, dating violence, relationship violence, and stalking can be difficult. You can make an anonymous report through UReport, a resource that was established by the University of Minnesota for reporting such matters in a way that is protective of your concerns and identity.
When utilizing UReport, you are not required to provide your name or other information that might identify you. However, if you choose to remain anonymous, the University may be limited in its investigation and response. The reporting website also will not track the identity of the computer you use.

If you do provide your name, or if your identity becomes known during an investigation, the University might become obligated to use your identity in the process of investigating any alleged misconduct. But the University forbids retaliation against people who make good faith reports of violations of law or University policy. Therefore, if you experience retaliation or other negative consequences as the result of providing information through UReport or having your identity revealed in the process you should report it. Information you provide will be used to help determine whether there has been a violation of law or policy.

Information may be shared with persons within the University if they have a need to know. Other persons, organizations, or agencies may obtain access to this information if they have statutory or judicial authority to do so.

For more information or to make a report, go to: www.ureport.umn.edu

(Note: Do not use the UReport site to report immediate threat to life or property. Reports submitted through this service may not receive an immediate response. If you require emergency assistance, please call 911.)

Adjudication of Violations

The University disciplinary process is consistent with the institution's policy and will include a prompt, fair, and impartial investigation and resolution process transparent to the accuser and the accused. This process will include timely notice of meetings at which the reporting party, accused party or both may be present and also provides each party with timely and equal access to any information that will be used during informal and formal disciplinary meetings and hearings.

The University's investigative and disciplinary process is conducted by officials who do not have a conflict of interest or bias for or against the reporting or accused parties and who receive annual training on: (1) sexual misconduct issues; and (2) techniques for protecting victim safety and promoting accountability in the investigative and hearing process.

For cases involving allegations of sexual assault, dating violence, domestic violence and stalking, the University of Minnesota's disciplinary process will:

• provide equitable access to an appeal by both the accused student and the reporting party;
• allow equitable access to a support person of their choice for both the accused student and the reporting party at any related meeting or proceeding;
• allow equitable access to an advocate for both the accused student and the reporting party at any related meeting or proceeding; and
• provide simultaneous written notice to both the accused student and the reporting party:
  of the results of any disciplinary proceeding;
• provide simultaneous written notice of the procedure for the accused student and the reporting party to appeal the results of the disciplinary proceeding;
• provide simultaneous written notice to both parties of any change to the results prior to the time the results become final; and
• provide simultaneous written notice to both parties advising when the results become final.

The investigative/disciplinary process used is determined based upon the status of the accused individual, there is separate process for accused students and accused employees.
Students

Whether or not criminal charges are filed, the University or a person may file a complaint alleging that a student violated the Board of Regent Policy: Student Conduct Code.

The University of Minnesota has fair processes for resolving complaints against students and student organizations under Board of Regents Policy: Student Conduct Code. This process emphasizes student development through understanding and accepting responsibility for personal behavior, while protecting community interests and due process.

Hearings regarding allegations of sexual assault, dating violence, domestic violence and stalking will be heard by the Subcommittee on Student Sexual Misconduct of the Campus Committee on Student Behavior (CCSB).

The University of Minnesota will:

• provide fair notice to students of alleged violations of Board of Regents Policy: Student Conduct Code;
• encourage informal resolution of alleged violations without the need for a hearing
• permit students the opportunity for a fair hearing before the Subcommittee on Student Sexual Misconduct of the Campus Committee on Student Behavior (CCSB) upon request
• provide the opportunity for one campus-wide appeal of a finding of violation of the Code;
• Utilize a preponderance of the evidence (i.e., more likely than not) standard of proof

This summary describes the University's general investigative and disciplinary process for cases involving sexual assault, dating violence, domestic violence, and stalking.

• The University's Office of Equal Opportunity and Affirmative Action (EOAA) thoroughly investigates reports of sexual assault, dating violence, domestic violence and stalking as a neutral party.
• An EOAA staff person who is trained annually on issues relating to investigating cases of sexual assault, dating violence, domestic violence and stalking will thoroughly investigate each report.
• The investigator will first interview the reporting party to gather as much information as possible about the incident.
• The investigator will then interview relevant witnesses including those identified by the reporting party.
• The EOAA office will notify the accused student in writing about the complaint, available resources and how to schedule an interview to discuss the alleged violations.
• EOAA will explain thoroughly the process to both parties during their respective meetings
• The EOAA investigator will interview the accused student and relevant witnesses identified by the accused student.
• It may be necessary to meet with the reporting party and/or accused student a second time to ask any additional questions which arose during the investigation process.
• EOAA will collect additional information such as copies of text messages, email correspondence, VM recordings, medical reports, video recordings from surveillance cameras when available, and any other relevant evidence.
• EOAA will determine whether it is more likely than not that any of the University's policies related sexual assault, dating violence, domestic violence and stalking have been violated. This is also known as a preponderance of the evidence standard.
• EOAA will forward a report containing its investigative findings to the University's Office for Student Conduct and Academic Integrity (OSCAI).
• EOAA aims to complete sexual misconduct investigations within 60 days.
• After receiving the report from EOAA, OSCAI will inform both parties in writing of the following: (1) the outcome of the EOAA investigation; and (2) a proposed resolution. If both parties agree to the outcome and proposed resolution, the University’s investigative process ends.
• Either party may disagree with EOAA's investigative outcome and/or OSCAI's proposed resolution and opt to initiate the University's formal resolution process. In this formal process, the parties are afforded a hearing before a panel drawn from the Subcommittee on Student Sexual Misconduct of the Campus Committee on Student Behavior. The parties have five days to request a formal hearing. (If either party requests a meeting with OSCAI to discuss the informal resolution, the time to request a formal hearing will be extended to 5 days from the date of the meeting.
• The CCSB will convene a hearing within 30 days of notification.
• Either party may appeal the hearing panel's decision. Both the reporting and accused parties may bring an advisor, advocate or support person to their meetings with EOAA and OSCAI.

Advocates from the University's Student Conflict Resolution Center are available to assist accused parties through the EOAA, OSCAI, hearing and appeal processes. Advocates from The Aurora Center are available to assist reporting parties through these processes.

Please note that the University prohibits retaliation. Retaliatory conduct includes any form of intimidation, reprisal or harassment against individuals for reporting or otherwise participating in a University investigation of sexual assault, sexual harassment, stalking, relationship violence or retaliation.

Sanctions for students

In all cases, investigations that result in a finding of more likely than not that a violation of the Student Code of Conduct occurred will lead to the initiation of disciplinary procedures against the accused individual.

The factors considered in sanctioning students for any violation, include:

• Nature of offense
• Severity of offense
• Culpability of the student
• Impact on other students or members of the U community
• Opportunity for student development

Possible sanctions:

• Academic sanction
• Warning
• Probation
• Required compliance
• Confiscation
• Restitution
• Restriction of privileges
• University housing suspension
• University housing expulsion
• Suspension
• Expulsion
• Withholding of diploma or degree
• Revocation of admission or degree
Employee

The Office for Equal Opportunity and Affirmative Action (EOAA) will promptly investigate any incidents of sexual assault, dating violence, domestic violence and stalking where the accused party is an employee. EOAA will make recommendations for responsive actions based on their investigation. A preponderance of the evidence standard will be used in determining violations of policy.

EOAA's investigative processes will proceed independently of any action taken in the criminal or civil courts, as determined on a case-by-case basis. Criminal court proceedings are not a substitute for University procedures. The reporting party and the accused employee will be allowed to have a non-participating/non-witness support person present for interviews. The reporting party will not be required to mediate directly with the accused employee.

There is no formal hearing process available to employees, but employees may submit a written response to the outcome of any investigation for consideration and can request a review of the investigation process by the Associate Vice President for Equity and Diversity. Sanctions range from discipline to termination.

EOAA will inform both parties of the outcome.

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the University's policy against Sexual Harassment (http://policy.umn.edu/hr/sexualharassment) in order to remedy any hostile environment.

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the University's ability to respond to the complaint may be limited. The University will consider such requests for confidentiality in the context of its responsibility to provide a safe and non-discriminatory working and learning environment.

Requesting accommodations

The University of Minnesota is obligated to comply with a student's reasonable request for living and/or academic accommodations following an alleged sex offense. EOAA will supply victim/survivors with written notification regarding the options for and available assistance in requesting housing, academic, transportation, and working accommodations or other protective measures. These accommodations will be provided if the victim/survivor requests them and they are reasonably available, regardless of if the victim/survivor chooses to report the crime to law enforcement.

Requests for accommodations can be made through the Aurora Center:

<table>
<thead>
<tr>
<th>Aurora Center</th>
<th>117 Appleby Hall</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>128 Pleasant St SE</td>
</tr>
<tr>
<td>Phone: 612-626-2929</td>
<td></td>
</tr>
<tr>
<td>24 Hour Helpline: 612-626-9111</td>
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</tbody>
</table>

Advocates can work with victim/survivors to assess their needs regarding housing, academic, transportation and working accommodations. This needs assessment is unique to each individual. Advocates are committed to working with victim/survivors and the appropriate resources in order to come up with a plan that best serves the need of each victim/survivor. Below are a few examples of typical accommodations that may help meet a victim/survivor’s needs.

Aurora Center Advocates provide a variety of free and confidential services to victim/survivors: a 24 hour helpline (612-626-9111), one-to-one crisis counseling, support groups, and ongoing support navigating the University or Criminal Justice System. To learn more, visit www.aurora.umn.edu. Aurora Center advocates also assist in facilitating accommodations for victim/survivors, including but not limited to:

Housing:

University Housing: Victim Advocates work with Housing & Residential Life to ensure the safety and comfort of the victim/survivor. Advocates help express the needs of the victim/survivor to Housing & Residential Life & Housing and Residential Life will attempt to find accommodations that meet the needs of the victim/survivor. Accommodations may include moving the accused student to a different residence hall or room, moving the victim/survivor to a different
residence hall or room. Housing and Residential Life can consider moving roommates together if the victim/survivor would prefer to remain housed with their roommate. Housing & Residential Life will take into consideration shared dining facilities between residence halls when moving victim/survivors to minimize the likelihood of contact with the accused.

Off Campus Housing: Victim advocates can work with victim/survivors in assessing their needs and providing for their safety and comfort. Under Minnesota law, victim advocates are able to work with landlords to negotiate breaking a lease without penalty in specific circumstances where the victim/survivor has concerns about their safety related to instances of dating violence, domestic violence, sexual assault and stalking. More information about this Minnesota law can be found here. Victim advocates may assist victim/survivors in finding temporary housing in the community or on campus.

Academics:
Victim Advocates will work with victim/survivors to assess academic needs. Advocates will help facilitate discussion with the instructor in making reasonable requests for academic accommodations. Advocates and instructors will work together to create a reasonable plan to help ensure the victim/survivor’s safety and academic success. Accommodations may include: asking for extensions on assignments, rescheduling tests, requesting alternate assignments, requesting placement in an alternate section of the course (if available) requesting a withdraw or tuition reimbursement.

Work:
Victim advocates will work with victim/survivors to assess their needs related to work. Victim advocates can work with employers to help discuss working accommodations such as time off and adjusting work schedules.

Transportation:
Victim advocates will work with victim/survivors to assess their transportation needs. Victim advocates can help arrange transportation to and from the hospital for medical evaluations after an incident of dating violence, domestic violence, stalking or sexual assault and can help arrange for transportation to government offices for court dates or for filing paperwork for protective orders.

Whenever possible the University of Minnesota will work to minimize the burden on the victim/survivor in providing accommodations and other protective measures.

Any accommodations or protective orders afforded to you will be maintained as confidential to the extent that maintaining such confidentiality will not impair the ability of the University to provide the accommodations or protective measures. In some cases, some personally identifying information must be released to a third party with a need to know the information in order to arrange for accommodations. Aurora Center advocates will obtain the victim/survivors consent in releasing this information and will inform the victim/survivor what information will be shared, with whom the information will be shared, and why the information must be shared.

Assistance for Victims: Rights & Options
Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, when a victim/survivor reports to the University, the University will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options.

In Minnesota, a victim/survivor of domestic violence, dating violence, sexual assault, or stalking has the following rights:

Minnesota Crime Victim Rights
Right to be Notified

By law, victims of crime are to be notified of:

• Their rights.
• Prosecution process and the right to participate in it.
• Contents of any plea agreement.
• Changes in court proceeding schedule when a victim has been subpoenaed or requested to testify.
• Final disposition of the case.
• Appeals filed by the defendant, the right to attend the oral argument or hearing, and the right to be notified of the final disposition.
• Proposed sentence modifications for the offender, including the date, time, and location of the review and the right to provide input.
• Release or escape of the offender from prison or a custodial institution or transfer to a lower security facility.
• Offender's petition for expungement.
• Right to request restitution.
• Right to apply for reparations.
• Information on the nearest crime victim assistance program or resource.
• Petition to civilly commit an offender, outcome of that petition, and notice of the offender's possible discharge/release from civil commitment.

Right to Protection from Harm

Victims of crime have the right to:

• A secure waiting area during court proceedings.
• Request that home and employment address, telephone number, and birth date be withheld in open court.
• Request that law enforcement agency withhold their identity from the public.
• Protection against employer retaliation for victims and witnesses called to testify and for victims of violent crimes and their family members who take reasonable time off to attend court proceedings.
• Tampering with a witness is a crime and should be reported.

Right to Participate in Prosecution

Victims of crime have the right to:

• Request a speedy trial.
• Provide input in a pretrial diversion decision.
• Object orally or in writing to a plea agreement at the plea presentation hearing.
• Object orally or in writing to a proposed disposition or sentence.
• Inform the court of the impact of crime orally or in writing at the sentencing hearing.
• Inform the court at the sentencing hearing of social and economic impact of crime on persons and businesses in the community.
• Be present at the sentencing and plea presentation hearings.
• Submit a statement regarding the decision to discharge/release the offender from civil commitment.
Right to Apply for Financial Assistance

Victims of violent crime may:

• Apply for financial assistance (reparations) from the state if they have suffered economic loss as a result of the crime.
• Request the court to order the defendant to pay restitution if the defendant is found guilty or pleads guilty.
• Request that a probation violation hearing be scheduled 60 days prior to the expiration of probation if restitution has not been paid.

Domestic Violence, Sexual Assault, and Harassment Victims

These victims of crime have a right to:

• Be informed of prosecutor's decision to decline prosecution or dismiss the case along with information about seeking a protective or harassment order at no fee.
• Protection against employer retaliation for victims to take reasonable time off to attend order for protection or harassment restraining order proceedings.
• Terminate a lease without penalty (domestic abuse victims).
• Make a confidential request for HIV testing of a convicted offender (sexual assault victims).
• Not pay the cost of a sexual assault examination (sexual assault victims).
• Not undergo a polygraph examination in order for an investigation or prosecution to proceed (sexual assault victims).

Orders for Protection and enforcement

The University of Minnesota complies with Minnesota law in recognizing Orders for Protection and Harassment Orders. Any person who obtains an order should provide a copy of the University of Minnesota Police Department. If a person needs assistance in obtaining an Order for Protection or Harassment Order, they can contact the Aurora Center. University Departments who know of an Order of Protection or Harassment Order and need assistance with accommodating the order can contact the Aurora Center for resources. Any person who witnesses a violation of an Order for Protection or Harassment Orders should immediately call 911 for police response.

Public reporting and disclosures and personally identifying information

Crimes reported to Campus Security Authorities at the University of Minnesota (Including, EOAA, OSCAI, UMPD) are recorded on a publicly available crime log and if applicable are included in the campus annual statistical disclosure. If it is determined that the alleged incident presents a serious and/or continued threat to the campus community, a Timely Warning Notice may be released according to policy. However, information included in these public disclosures will not include any personally identifiable information of the survivor, reporting party, or witnesses, unless it presents relevance to the case (particularly for bias motivated crimes).

Victims may request that directory information on file to be removed from public sources. Information on suppressing directory information can be found at:

Students: [http://onestop.umn.edu/grades_and_transcripts/student_records_privacy.html#suppress](http://onestop.umn.edu/grades_and_transcripts/student_records_privacy.html#suppress)
Employees: [www.hrss.umn.edu/](http://www.hrss.umn.edu/)
<table>
<thead>
<tr>
<th>On-Campus Resources for Students, Staff, and Faculty</th>
<th>Resources offered</th>
<th>Location</th>
<th>Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Aurora Center</td>
<td>Support and advocacy for sexual assault, relationship violence, stalking</td>
<td>117 Appleby Hall</td>
<td>Web: <a href="http://www.umn.edu/aurora">www.umn.edu/aurora</a> 24-hour line: 612-626-9111 Business: 612-626-2929</td>
</tr>
<tr>
<td>Boynton Women's Clinic</td>
<td>Gynecology; birth control, pregnancy, and treatment for sexually transmitted infections and diseases</td>
<td>Boynton Health Service, 2nd floor</td>
<td>Web: <a href="http://www.bhs.umn.edu">www.bhs.umn.edu</a> Business: 612-625-4607</td>
</tr>
<tr>
<td>University of Minnesota Police Department</td>
<td>Campus law enforcement</td>
<td>100 Transportation and Safety Building</td>
<td>Web: <a href="http://police.umn.edu">police.umn.edu</a> Emergencies: 911 Non Emergency: 612-624-COPS (2677)</td>
</tr>
<tr>
<td>Disability Resource Center</td>
<td>Support/advocacy</td>
<td>180 McNamara Alumni Center</td>
<td>Web: <a href="http://ds.umn.edu">ds.umn.edu</a> Business: 612-626-1333 (TTY)</td>
</tr>
<tr>
<td>GLBTA Programs Office</td>
<td>Equity/support</td>
<td>46 Appleby Hall</td>
<td>Web: <a href="http://diversity.umn.edu/gsc">diversity.umn.edu/gsc</a> Business: 612-625-0537</td>
</tr>
<tr>
<td>Multicultural Center for Academic Excellence</td>
<td>Support and inclusivity/multicultural resources</td>
<td>46 Appleby Hall</td>
<td>Web: <a href="http://diversity.umn.edu/multicultural">diversity.umn.edu/multicultural</a> Business: 612-624-6386</td>
</tr>
<tr>
<td>Office for Student Conduct and Academic Integrity</td>
<td>Investigation and adjudication of Student Conduct Code violations</td>
<td>211 Appleby Hall</td>
<td>Web: <a href="http://osc.umn.edu">osc.umn.edu</a> Business: 612-624-6073</td>
</tr>
<tr>
<td>Program in Human Sexuality, Clinic for Sexual Health</td>
<td>Sexual health</td>
<td>1300 South Second St., Suite 180, Minneapolis</td>
<td>Web: <a href="http://sexualhealth.umn.edu">sexualhealth.umn.edu</a> Business: 612-625-1500</td>
</tr>
<tr>
<td>University Security Monitor Escort Service</td>
<td>Safe escorting</td>
<td>82 Coffman Memorial Union</td>
<td>Web: <a href="http://police.umn.edu/home/escort">police.umn.edu/home/escort</a> Business: 612-624-WALK (9255)</td>
</tr>
<tr>
<td>The Women's Center</td>
<td>Women's equality and advancement</td>
<td>64 Appleby Hall</td>
<td>Web: <a href="http://diversity.umn.edu/women">diversity.umn.edu/women</a> Business: 612-625-9837</td>
</tr>
</tbody>
</table>
### Resources: Staff- and Faculty-specific

<table>
<thead>
<tr>
<th>Resources Offered</th>
<th>Location</th>
<th>Contact</th>
</tr>
</thead>
</table>
| Employee Assistance Program | Professional consultation/mental health | 200 Donhowe Building | Web: [www.umn.edu/ohr/wellness/eap](http://www.umn.edu/ohr/wellness/eap)  
Business: 612-625-2820 |
| Equal Opportunity and Affirmative Action | Title IX Coordinator  
Harassment/discrimination  
Investigation of Sexual Assault, Dating Violence, Domestic Violence, & Stalking complaints | 274 McNamara Alumni Center | Web: [diversity.umn.edu/eoaa/](http://diversity.umn.edu/eoaa/)  
Business: 612-624-9547 |

### Resources: Off-Campus/Local

<table>
<thead>
<tr>
<th>Resources Offered</th>
<th>Location</th>
<th>Contact</th>
</tr>
</thead>
</table>
| Tubman | Relationship violence, legal, safe housing, counseling, youth and family services | 3111 First Ave S  
Minneapolis  
1725 Monastery Way  
Maplewood  
4432 Chicago Ave S  
Minneapolis | Web: [www.tubman.org](http://www.tubman.org)  
Crisis: 612-825-0000  
Business: 612-825-3333 |
| Sexual Violence Center | Advocacy, Counseling, Support | 3757 Fremont Ave N  
Minneapolis | Web: [www.sexualviolencecenter.org](http://www.sexualviolencecenter.org)  
Crisis: 612-871-5111  
Business: 612-871-5100 |
<table>
<thead>
<tr>
<th>Organization</th>
<th>Programs</th>
<th>Address</th>
<th>Web/Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phyllis Wheatley Community Center</td>
<td>Family and youth programs</td>
<td>1301 10th Ave N Minneapolis</td>
<td><a href="http://www.pwccenter.org">www.pwccenter.org</a> 612-374-4342</td>
</tr>
<tr>
<td>Sexual Assault Services of Ramsey County</td>
<td>24 Hour Crisis Service, Support, Advocacy, Safety Planning</td>
<td></td>
<td><a href="https://www.ramseycounty.us/">https://www.ramseycounty.us/</a> Business (Crisis Line after 4pm): 651-266-1000</td>
</tr>
<tr>
<td>Outfront Minnesota</td>
<td>Education, Policy, and Community Organizing regarding issues facing LGBTQ Individuals</td>
<td>310 E, 38th St Ste. 209 Minneapolis</td>
<td><a href="http://www.outfront.org">www.outfront.org</a> Business: 612-822-0127</td>
</tr>
</tbody>
</table>

Note: Resources are listed only for your information. The University of Minnesota does not endorse any off-campus programs.

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

- [www.rainn.org](http://www.rainn.org) – Rape, Abuse and Incest National Network
- [www.ovw.usdoj.gov/sexassault.htm](http://www.ovw.usdoj.gov/sexassault.htm) - Department of Justice
- [www2.ed.gov/about/offices/list/ocr Department of Education, Office of Civil Rights](http://www2.ed.gov/about/offices/list/ocr)

### Safe and Positive Options for Bystander Intervention and Risk Reduction

"Bystander intervention" means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Provide information on risk reduction. "Risk reduction" means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victim/survivors in order to promote safety and to help individuals and communities address conditions that facilitate violence.

### How to be an Active Bystander

The Aurora Center focuses on primary prevention methods, which emphasize preventing assaults in the first place.

Risk reduction often results in survivors being questioned about what they were wearing, saying or doing when sexual violence occurred. No one asks or deserves to be victimized by sexual violence, and this line of questioning puts the responsibility on the victim of a crime rather than the perpetrator.
How Do I prevent Violence?

Be a good bystander. If you recognize that there is an emergency or non-emergency situation happening, use the “3 Ds” to determine how to act. Learn more at www.stepup.umn.edu.

If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

The STEP UP Program is a prosocial behavior/bystander intervention program that features:

- The 5-Decision Making Steps
- Factors that affect a person who wants to Step Up
- Strategies to effectively Step Up
- Scenarios to Step Up

The goals of the Step Up program are to:

- give you the ability to recognize events where they should step up
- give you the skills to effectively intervene
- Active bystanders recognize emergency situations (sexual assault, alcohol abuse, safety) and non-emergency situations (noticing a friend is depressed, gambling, academic problems) and have the skills to intervene directly or indirectly.

Risk Reduction

These are tips that can provide you with low risk options for safeguarding your life against a predator. Don’t look at them as iron-clad rules. If a particular tip conflicts with things you need or want to do, try to find other options to protect yourself in that situation.

The victim is never to blame for a crime committed against them. Predators and perpetrators must be held accountable for their own choices and actions.
ON THE STREET

Predators identify targets.

Cross the street if you see anything on your side that makes you nervous.
Walk on well-illuminated streets; avoid doorways, shrubbery, dark areas near buildings and other places where an attacker might hide.
To get off the street, use public transportation — sit near the driver.

Predators use isolation as a weapon.

If possible use the buddy-system: walk with a friend/s.
If you have taken a ride in a cab or from a friend, ask the driver to wait until you are safely inside your house before leaving.
Avoid deserted laundromats or apartment building laundry rooms.

Predators identify vulnerabilities in targets.

Be alert in crowded buses, streets, malls, etc.; pick-pockets work best in these environments.
It is safer to carry money or wallets in an inside or front pocket.
Be cautious about revealing cash or credit cards.
Purses and book bags are safest carried close to the body with flaps, zippers, or clasps closed turned toward the body. Keep your hand on your purse or bag. Don't set it on the floor or counter in restaurants, restrooms, or theaters, or leave it in your grocery cart while shopping.

IN YOUR CAR

Predators know when and where people may be vulnerable or isolated.

Keep car doors locked and windows rolled up most of the way.
Avoid traveling at night if you are having car trouble or are low on gas.
Park your car in well-lighted places and lock all doors.
Check the back seat and floors before you get into your car to be sure no one is hiding inside.
Keep car keys in hand when approaching your vehicle so that you may enter it with ease.
If security or an escort is available, have them walk you to your car.
If possible, carry a cellular phone, and keep it charged.

Predators take advantage of people's good will and trust.

If you must leave car keys with garage or parking lot attendants, leave a ring with only your car keys, not house keys, which can be easily duplicated.
Don't pick up hitchhikers.

Predators are brazen.

If someone tries to break into your car while you are in it, honk the horn in repeated short blasts.
If you are being followed, don't go home. Drive to the nearest police station, fire station, hospital emergency room, or an open gas station or convenience store — any safe place with people visibly present.
IN YOUR HOME

Predators know when and where people may be vulnerable.

It is safer using a first initial and last name on mailboxes and in phone directories.

Be cautious around elevators. Don’t get on if you are feeling uncomfortable or unsafe. Get off if a fellow passenger seems odd or threatening.

Predators may take advantage of people’s trust and may display warmth and concern.

Change old locks when you move to a new residence. Make sure your doors have dead bolts, security chains, and peepholes. Use them.

Always check identification when repair people, salespeople, police, or meter readers come to your home. Don’t hesitate to call and check their identification and refuse admittance if you do not feel comfortable letting them into your home.

Instruct children and babysitters not to give out information about who is home.

Predators are brazen and resourceful planners.

If you suspect your home has been broken into, don’t go inside. Go to a neighbor and call the police.

Lock your doors and windows, draw shades/blinds at night, and leave a light on implying that someone is home.

Lock the doors to your home or apartment when you are in the yard; take a portable telephone outside with you.

Don’t hide spare keys outdoors. They are too easy to find.

Don’t hesitate to call 911 if you suspect someone is outside your home or apartment.

REMEMBER! It’s the perpetrator, not the victim, who is to blame for the crime(s) they choose to commit!

Predatory/Sexual Offenders

Certain felony level sex and other predatory offenders are required by law to keep law enforcement agencies apprised of their current residence, employment, and school address, as well as any changes to that information. Some of these offenders have demonstrated by their past behavior that they are part of a group who pose the greatest risk to the public when released.

This does not mean that they will commit a new crime, just that they are part of a group of persons who might.

State and federal law requires UMPD to advise the University community of the release or residence of such predatory offenders in our community. Such predatory/sexual offenders that are attending classes or are employed at the University of Minnesota Twin Cities can be found on the department's website at http://police.umn.edu/offenders. These individuals are not wanted by law enforcement at this time and have served the sentence imposed upon them by the court. The use of this information to threaten, harass, or intimidate such individuals may be a crime and will not be tolerated.

The website does not contain information regarding predatory sex offenders who live or work near, but not on, University of Minnesota property. A list of such offenders may be found on the Minnesota Department of Corrections website https://coms.doc.state.mn.us/Level3/
Housing & Residential Life Missing Person Policy

The Housing & Residential Life Missing Person Policy establishes procedures for the University of Minnesota Twin Cities' response to reports of missing students. This policy applies to students who reside in University owned housing facilities.

Under the policy, a student may be considered a "missing person" if the person's absence is suspiciously different from his/her usual pattern of behavior and/or unusual circumstances may have caused the absence. Such circumstances may include, but are not limited to:

• A report or suspicion that the missing person may be the victim of foul play
• The missing person has expressed suicidal thoughts
• The missing person is drug dependent
• The missing person is in a life-threatening situation
• The missing person has been with persons who may endanger the student's welfare, and/or
• The witnessed abduction of an individual

Procedures for Student Designation of Emergency Contact Information

• Students age 18 and above and emancipated minors—Students will be given the opportunity online through the Housing & Residential Life (HRL) Resident Information Collection process to designate an individual or individuals to be contacted by the University no more than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. The designation will remain in effect until changed or revoked by the student or at the time the student is no longer a resident of University housing (or under the age of 18).

• Students under the age of 18—Students under the age of 18 who are not emancipated are required to provide contact information for a custodial parent or guardian online through the HRL Resident Information Collection process. The University is required to notify a custodial parent or guardian no more than 24 hours after a student is determined to be missing in accordance with the procedures set forth below. The custodial parent or guardian contact information will remain in effect until the student reaches the age of 18 or is no longer a resident of University housing.

This contact information will be registered confidentially, and will be accessible only to authorized campus officials. This information will not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

In the case of a missing student, individuals should notify the University of Minnesota Police Department or Housing and Residential Life staff members.

<table>
<thead>
<tr>
<th>University of Minnesota Police Department</th>
<th>911 612-624-COPS (2677)</th>
<th>511 Washington Ave SE Minneapolis, MN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing and Residential Life Central Office</td>
<td>612-624-2994</td>
<td>Comstock Hall- East 210 Delaware St. SE Minneapolis, MN</td>
</tr>
</tbody>
</table>

Official notification procedures for missing persons:

• Any individual on campus who has information that a University housing student may be a missing person must notify the University of Minnesota Police Department as soon as possible.

• If a report of a possible missing person is made to a Housing & Residential Life staff member, the staff member will:
  — Conduct a life safety/wellness check on the resident,
  — Attempt to make contact via cellular phone, email, or other means,
— Contact other students who may be aware of the missing person’s whereabouts (e.g., roommate, friends, classmates).

If the missing person cannot be found within 24 hours, HRL staff will contact UMPD to report a possible missing person. The director of HRL or designee will also notify the following University offices: Vice President for University Services; Associate Vice President for Auxiliary Services; and Vice Provost for Student Affairs.

• UMPD will gather all essential information about the University housing student from the reporting person(s) and from the student’s acquaintances (description, clothes last worn, where student might be, who student might be with, vehicle description, information about the physical/mental well-being of the student, an up-to-date photograph, class schedule, card access logs, dining records, video surveillance, etc.). Appropriate campus staff, such as HRL staff, may be notified to aid in the search for the student.

• No later than 24 hours after determining that a University housing student is missing, the Director of HRL or designee will notify the emergency contact (for students 18 and over) or the parent/guardian (for students under the age of 18) that the student is believed to be missing.

Campus communications about missing students:

In cases involving missing persons, law enforcement personnel are best situated to provide information to the media that is designed to elicit public assistance in the search for a missing person. Therefore, all communications regarding missing students will be handled by the appropriate law enforcement authorities, who may consult with University Relations. All inquiries to the University regarding missing students, or information provided to any individual at the University about a missing student, shall be referred to University Relations.

Prior to providing the University of Minnesota community with any information about a missing student, University Relations shall consult with UMPD to ensure that communications do not hinder the investigation.

Fire Safety Report

Reporting Fires:

Fires should be reported immediately to the Minneapolis or St. Paul Fire Department by contacting 911.

Fires which have been extinguished should be reported to the Residence Director of the facility which the fire occurred.

<table>
<thead>
<tr>
<th>Fire Location</th>
<th>Address</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>17th Ave</td>
<td>326 17th Ave SE</td>
<td>612-624-1700</td>
</tr>
<tr>
<td>Bailey Hall</td>
<td>1458 Cleveland Ave</td>
<td>612-624-0700</td>
</tr>
<tr>
<td>Centennial Hall</td>
<td>614 Delaware St SE</td>
<td>612-625-4452</td>
</tr>
<tr>
<td>Comstock Hall</td>
<td>210 Delaware St SE</td>
<td>612-624-1995</td>
</tr>
<tr>
<td>Frontier Hall</td>
<td>701 Fulton St SE</td>
<td>612-624-9999</td>
</tr>
<tr>
<td>Middlebrook Hall</td>
<td>412 22nd Ave S</td>
<td>612-625-0536</td>
</tr>
<tr>
<td>Pioneer Hall</td>
<td>615 Fulton St SE</td>
<td>612-626-3333</td>
</tr>
<tr>
<td>Sanford Hall</td>
<td>1122 University Ave SE</td>
<td>612-624-2526</td>
</tr>
<tr>
<td>Territorial Hall</td>
<td>417 Walnut St SE</td>
<td>612-625-0971</td>
</tr>
<tr>
<td>Wilkins Hall</td>
<td>1212 University Ave SE</td>
<td>612-624-0044</td>
</tr>
<tr>
<td>University Village</td>
<td>2601 University Ave SE</td>
<td>612-625-3909</td>
</tr>
<tr>
<td>Yudof Hall</td>
<td>220 Delaware St SE</td>
<td>612-625-8786</td>
</tr>
</tbody>
</table>
Fires which have been extinguished in properties which are not managed through Housing and Residential Life should be reported to the Housing and Residential Life central office for inclusion in the Fire log and Fire Safety Report.

The University of Minnesota Twin Cities campus has 12 facilities for student housing. Of these, 9 are traditional style residence halls, 3 are apartment style living. HRL manages the leases of 5 townhomes located on the West Bank Campus. In addition, there are 2 student coops that house students with families. These are student coops and not managed by HRL. The chart below summarizes each facility's fire safety system and the number of fire drills held during the 2015 calendar year.

<table>
<thead>
<tr>
<th>UM Twin Cities Student Housing</th>
<th>Fire Alarm Monitoring</th>
<th>Full Sprinkler System</th>
<th>Smoke Detection</th>
<th>Fire Extinguisher Devices</th>
<th>Evacuation Plans/ Placards</th>
<th>Number of Drills</th>
</tr>
</thead>
<tbody>
<tr>
<td>Como Student Housing-MPLS</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>0</td>
</tr>
<tr>
<td>Commonwealth Terrace</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cooperative-SP</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>West Bank Townhomes-MPLS</td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>17th Ave Hall-MPLS</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>1</td>
</tr>
<tr>
<td>Bailey-SP</td>
<td></td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Centennial-MPLS</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>3</td>
</tr>
<tr>
<td>Comstock-MPLS</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>3</td>
</tr>
<tr>
<td>Frontier-MPLS</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>1</td>
</tr>
<tr>
<td>Middlebrook-MPLS</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>1</td>
</tr>
<tr>
<td>Pioneer-MPLS</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>0</td>
</tr>
<tr>
<td>Sanford-MPLS</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>1</td>
</tr>
<tr>
<td>Territorial-MPLS</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>0</td>
</tr>
<tr>
<td>University Village-MPLS</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>1</td>
</tr>
<tr>
<td>Wilkins-MPLS</td>
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<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>0</td>
</tr>
<tr>
<td>Yudof-MPLS</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>1</td>
</tr>
</tbody>
</table>

Fire Alarm Monitoring indicates if the fire alarms are monitored at a central location. At UofM BSAC or the PSECC. Full Sprinkler System is defined as having sprinklers in both the common areas and individual rooms.

Evacuation Plan indicates if a location has evacuation plans for fire evacuation. Number of drills is the number of evacuation (fire) drills each academic year.
Housing regulations regarding portable electrical appliances, smoking, and open flames for all residence halls

Electrical/Appliances

• The residence hall rooms are not wired to support the use of large electrical appliances (air conditioners or large fridges). All appliances brought to campus must be in good working order. Please be sure not to overload the electrical outlets with adapters or extension cords (all extension cords must be UL approved).

• Residents may use electrical appliances in Residence Halls if the appliance does not have an open heating element, use grease or cooking oil, or have an open flame. Appliances with automatic turn-off timers are highly encouraged. Items that are not allowed include, but are not limited to: electric grills, hot plates and toaster ovens. Apartment buildings (University Village, Yudof and Wilkins) may use the items listed above in the designated kitchen area only.

• Students may bring one (1) refrigerator per residence hall room. The refrigerators must be 4.3 cubic feet or smaller. Students may also bring one (1) microwave oven per room. The microwave must use no more than 700 watts. Extension cords must be UL approved. No other major appliances, including air conditioners or dishwasher units, are permitted in any hall.

Cooking:

Residence hall rooms are not equipped for students to safely and sanitarily cook. For the safety of all students, cooking is NOT permitted in residence hall rooms. Cooking is permitted only in University-designated kitchen areas (e.g., apartment kitchens in Yudof Hall, Wilkins Hall, University Village, or residence hall kitchenettes).

Smoking:

To create a healthier, cleaner, and more inclusive environment for everyone, smoking any substance or creating smoke is not permitted in resident rooms and/or public areas within residence halls and apartments. This includes electronic cigarettes, vaporizers and tobacco. Smoking and tobacco use is not allowed on the University of Minnesota campus. For more information review the Share the Air policy here.

Fire Hazard:

• For the safety of all students living in the halls, it is prohibited to have open flames or other materials that constitute fire hazards on University housing property including candles, candle warmers, incense, or other materials (such as live fresh cut evergreen trees, and wreaths). Any candles or incense found may be confiscated or destroyed. Residence life staff will not store these items for you. Motorized vehicles (e.g., mopeds, motorcycles, etc.) may not be brought through or stored within the residence halls/apartments.

• Hookahs or any smoking paraphernalia that has the potential for an open flame are not allowed in the residence halls.

• Due to hazardous materials in various lighting devices, and the potential for fire, and chemical safety hazards, the following items are not allowed: halogen lamps, torchiere lamps, neon lighting, black lights, strobe lights, and lava lamps. Lighting fixtures and devices must be UL listed, in good working condition per original manufacturing, and of no greater than 75 watts.

• Due to potential for fire, concealed extension cords and multiple outlet adapters are also prohibited. Residents may possess multiple strip outlets that are fused with at least 14 gauge wire, are UL approved, and are grounded.

• In the event of a building alarm, the Minneapolis and St Paul fire departments cannot begin their job until everyone is out of the building. Failing to leave the building puts others at risk. In compliance with Minnesota State Fire Code and state law, everyone is required to leave the building in the event of a building alarm.
Information regarding Como Student Housing (CSCC) and Commonwealth Terrace Cooperative (CTC) can be found in each location’s handbook:

CSCC: http://cscc.umn.edu/current-resident/handbook
CTC: www.umnctc.org/residents.html
West Bank Townhouses: www.housing.umn.edu/halls/townhouses/handbook

Student Housing Evacuation: HRL policies on evacuation in case of a fire can be found in the professional staff guidebook. Each hall has the evacuations procedures on-site. These procedures are covered yearly with residents. Each hall performs fire evacuation drills each academic year.

Education: Each September, HRL has special programming regarding fire safety during Safety Week. Each hall has presentations on what to do in case of a fire. Residents are provided materials outlining actions to be taken in case of a fire.

Evacuation Procedure: Residents are to immediately leave the building by the nearest, safest exit. The fire alarm system in the hall has a voice recording telling residents they need to leave the building. Housing staff do not do door-to-door warnings. Housing staff is responsible for moving all exiting residents to a safe location, normally a nearby residence hall.

Fire Safety Improvements: At this time the University of Minnesota has not determined any fire safety improvements are necessary within its housing facilities.

Fire Reporting: For the purposes of including a fire in the annual fire safety report, fires should be reported to one of the following departments/people: UMPD, MFD, SPFD, residence director, central housing, director of housing, or housing facilities. Fires that occur at CTC or CSCC will be reported to the housing properties director.


<table>
<thead>
<tr>
<th>Housing Facility</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Como Student Housing</td>
<td>0</td>
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</tr>
<tr>
<td>Commonwealth Terrace Cooperative</td>
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<tr>
<td>17th Ave Hall</td>
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</tr>
<tr>
<td>Bailey</td>
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<tr>
<td>Centennial</td>
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</tr>
<tr>
<td>Comstock</td>
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<tr>
<td>Frontier</td>
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<tr>
<td>Middlebrook</td>
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<td>Pioneer</td>
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<td>Territorial</td>
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<td>University Village</td>
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</tr>
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<td>Wilkins</td>
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<tr>
<td>Yudof</td>
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</tr>
</tbody>
</table>

*17th Ave Hall opened at the beginning of the 2013 academic year*
Fire Details

On 4/23/2015 in Comstock hall there was an accidental fire in a clothes dryer. There were no injuries or deaths. The damage to property was estimated between $1,000–9999.

On 2/17/2013 in University Village, there was a small accidental fire in the kitchen of an apartment. There were no injuries or deaths. The residents of the apartment were able to extinguish the fire with a fire extinguisher, and the fire department or police were not called. The value of the property damaged by the fire was $1,833. The HRL report number is 13HRL0193.

Fire Log

HRL maintains a fire log of fires that occur in on-campus student housing facilities. This log can be accessed during normal business hours. It includes the nature, date, time, and general location of the fire. The log is located at the Information Desk in HRL’s central housing office in Comstock Hall.

Steps to Be Taken in Case of Fire

If you discover a fire:

• Manually activate the fire alarm.
• Immediately exit the building and close the door(s) behind you.
• Tell others in the area there is a fire.
• Call 911 when you have reached safety. If you are trapped during a fire:
• Wet and place cloth material around and under the door to prevent smoke from entering.
• Close as many doors as possible between you and the fire.
• Be prepared to signal someone outside, but do not break glass until absolutely necessary, as smoke may be drawn into the room.

If caught in smoke:

• Drop to the floor and crawl toward an exit.
• Stay as low as possible.
• Take shallow breaths through your nose and use a shirt or towel as a filter.

The University of Minnesota does not have a system wide policy regarding the fire safety education and training for all students, faculty, and staff. Accredited clinical areas are required to have quarterly drills and policies in place.

HRL adheres to state and federal laws regarding policy, training, and drills. The Department of Environmental Safety offers fire safety training to students, staff, and faculty upon request.

For More Information

To request copies of this brochure or to request this publication in an alternative format, contact the University of Minnesota Police Department, 100 Transportation and Safety Building, 511 Washington Avenue S.E., Minneapolis, Minnesota 55455, or call 612-624-COPS (2677).

This publication can be made available in alternative formats for people with disabilities. To request an alternative format or more copies, contact the University of Minnesota Police Department, 100 Transportation and Safety building, 511 Washington Avenue S.E., Minneapolis, Minnesota 55455, or call 612-624-COPS (2677).

The University of Minnesota is committed to the policy that all persons shall have equal access to its programs, facilities, and employment without regard to race, color, creed, religion, national origin, sex, age, marital status, disability, public assistance status, veteran status, or sexual orientation.
STATISTICS ABOUT SEXUAL VIOLENCE

SEXUAL VIOLENCE IN THE U.S.
- One in five women and one in 71 men will be raped at some point in their lives (a)
- 46.4% lesbians, 74.9% bisexual women and 43.3% heterosexual women reported sexual violence other than rape during their lifetimes, while 40.2% gay men, 47.4% bisexual men and 20.8% heterosexual men reported sexual violence other than rape during their lifetimes. (p)
- Nearly one in 10 women has been raped by an intimate partner in her lifetime, including completed forced penetration, attempted forced penetration or alcohol/drug-facilitated completed penetration. Approximately one in 45 men has been made to penetrate an intimate partner during his lifetime. (b)
- 91% of the victims of rape and sexual assault are female, and 9% are male (α)
- In eight out of 10 cases of rape, the victim knew the person who sexually assaulted them (I)
- 8% of rapes occur while the victim is at work (e)

COST AND IMPACT
- Each rape costs approximately $151,423 (d)
- Annually, rape costs the U.S. more than any other crime ($127 billion), followed by assault ($93 billion), murder ($71 billion), and drunk driving ($61 billion) (l)
- 81% of women and 35% of men report significant short-term or long-term impacts such as Post-Traumatic Stress Disorder (PTSD) (a)
- Health care is 16% higher for women who were sexually abused as children (m)

CHILD SEXUAL ABUSE
- One in four girls and one in six boys will be sexually abused before they turn 18 years old (f)
- 34% of people who sexually abuse a child are family members (n)
- 12.3% of women were age 10 or younger at the time of their first rape/victimization, and 30% of women were between the ages of 11 and 17 (a)
- 27.8% of men were age 10 or younger at the time of their first rape/victimization (α)
- More than one-third of women who report being raped before age 18 also experience rape as an adult (a)
- 96% of people who sexually abuse children are male, and 76.8% of people who sexually abuse children are adults (n)
- 325,000 children are at risk of becoming victims of commercial child sexual exploitation each year (m)
- The average age at which girls first become victims of prostitution is 12 to 14 years old, and the average age for boys is 11 to 13 years old (m)
CAMPUS SEXUAL ASSAULT

- One in 5 women and one in 16 men are sexually assaulted while in college (i).
- More than 90% of sexual assault victims on college campuses do not report the assault (c).
- 63.3% of men at one university who self-reported acts qualifying as rape or attempted rape admitted to committing repeat rapes (j).

CRIME REPORTS

- Rape is the most under-reported crime; 63% of sexual assaults are not reported to police (o).
- Only 12% of child sexual abuse is reported to the authorities (g).
- The prevalence of false reporting is between 2% and 10%. For example, a study of eight U.S. communities, which included 2,059 cases of sexual assault, found a 7.1% rate of false reports (k).

A study of 136 sexual assault cases in Boston found a 5.9% rate of false reports (j).

Researchers studied 812 reports of sexual assault from 2000-03 and found a 2.1% rate of false reports (h).

REFERENCES


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Dear Colleague:

Education has long been recognized as the great equalizer in America. The U.S. Department of Education and its Office for Civil Rights (OCR) believe that providing all students with an educational environment free from discrimination is extremely important. The sexual harassment of students, including sexual violence, interferes with students' right to receive an education free from discrimination and, in the case of sexual violence, is a crime.

Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681 et seq., and its implementing regulations, 34 C.F.R. Part 106, prohibit discrimination on the basis of sex in education programs or activities operated by recipients of Federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. In order to assist recipients, which include school districts, colleges, and universities (hereinafter “schools” or “recipients”) in meeting these obligations, this letter explains that the requirements of Title IX pertaining to sexual harassment also cover sexual violence, and lays out the specific Title IX requirements applicable to sexual violence. Sexual violence, as that term is used in this letter, refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent due to the victim’s use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability. A number of different acts fall into the category of sexual violence, including rape.

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1 The Department has determined that this Dear Colleague Letter is a “significant guidance document” under the Office of Management and Budget’s Final Bulletin for Agency Good Guidance Practices, 72 Fed. Reg. 3432 (Jan. 25, 2007), available at: http://www.whitehouse.gov/sites/default/files/omb/assets/regulatory_matters.pdf/012507_good_guidance.pdf. OCR issues this and other policy guidance to provide recipients with information to assist them in meeting their obligations, and to provide members of the public with information about their rights, under the civil rights laws and implementing regulations that we enforce. OCR’s legal authority is based on those laws and regulations. This letter does not add requirements to applicable law, but provides information and examples to inform recipients about how OCR evaluates whether covered entities are complying with their legal obligations. If you are interested in commenting on this guidance, please send an e-mail with your comments to OCR@ed.gov, or write to us at the following address: Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202.

2 Use of the term “sexual harassment” throughout this document includes sexual violence unless otherwise noted. Sexual harassment also may violate Title IV of the Civil Rights Act of 1964 (42 U.S.C. § 2000c), which prohibits public school districts and colleges from discriminating against students on the basis of sex, among other bases. The U.S. Department of Justice enforces Title IV.
sexual assault, sexual battery, and sexual coercion. All such acts of sexual violence are forms of sexual harassment covered under Title IX.

The statistics on sexual violence are both deeply troubling and a call to action for the nation. A report prepared for the National Institute of Justice found that about 1 in 5 women are victims of completed or attempted sexual assault while in college. The report also found that approximately 6.1 percent of males were victims of completed or attempted sexual assault during college. According to data collected under the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (Clery Act), 20 U.S.C. § 1092(f), in 2009, college campuses reported nearly 3,300 forcible sex offenses as defined by the Clery Act. This problem is not limited to college. During the 2007-2008 school year, there were 800 reported incidents of rape and attempted rape and 3,800 reported incidents of other sexual batteries at public high schools. Additionally, the likelihood that a woman with intellectual disabilities will be sexually assaulted is estimated to be significantly higher than the general population. The Department is deeply concerned about this problem and is committed to ensuring that all students feel safe in their school, so that they have the opportunity to benefit fully from the school's programs and activities.

This letter begins with a discussion of Title IX's requirements related to student-on-student sexual harassment, including sexual violence, and explains schools' responsibility to take immediate and effective steps to end sexual harassment and sexual violence. These requirements are discussed in detail in OCR's Revised Sexual Harassment Guidance issued in 2001 (2001 Guidance). This letter supplements the 2001 Guidance by providing additional guidance and practical examples regarding the Title IX requirements as they relate to sexual violence. This letter concludes by discussing the proactive efforts schools can take to prevent sexual harassment and violence, and by providing examples of remedies that schools and OCR may use to end such conduct, prevent its recurrence, and address its effects. Although some examples contained in this letter are applicable only in the postsecondary context, sexual
harassment and violence also are concerns for school districts. The Title IX obligations discussed in this letter apply equally to school districts unless otherwise noted.

Title IX Requirements Related to Sexual Harassment and Sexual Violence

Schools' Obligations to Respond to Sexual Harassment and Sexual Violence

Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment prohibited by Title IX.9

As explained in OCR's 2001 Guidance, when a student sexually harasses another student, the harassing conduct creates a hostile environment if the conduct is sufficiently serious that it interferes with or limits a student’s ability to participate in or benefit from the school’s program. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the harassment is physical. Indeed, a single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. For instance, a single instance of rape is sufficiently severe to create a hostile environment.10

Title IX protects students from sexual harassment in a school's education programs and activities. This means that Title IX protects students in connection with all the academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program

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9 Title IX also prohibits gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. The Title IX obligations discussed in this letter also apply to gender-based harassment. Gender-based harassment is discussed in more detail in the 2001 Guidance, and in the 2010 Dear Colleague letter on Harassment and Bullying, which is available at http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf.

10 See, e.g., Jennings v. Univ. of N.C., 444 F.3d 255, 268, 274 n.12 (4th Cir. 2006) (acknowledging that while not an issue in this case, a single incident of sexual assault or rape could be sufficient to raise a jury question about whether a hostile environment exists, and noting that courts look to Title VII cases for guidance in analyzing Title IX sexual harassment claims); Vance v. Spencer Cnty. Pub. Sch. Dist., 231 F.3d 253, 259 n.4 (6th Cir. 2000) (“[w]ithin the context of Title IX, a student's claim of hostile environment can arise from a single incident” (quoting Doe v. Sch. Admin. Dist. No. 19, 66 F. Supp. 2d 57, 62 (D. Me. 1999))); Soper v. Haben, 195 F.3d 845, 855 (6th Cir. 1999) (explaining that rape and sexual abuse “obviously qualify as...severe, pervasive, and objectively offensive sexual harassment”); see also Berry v. Chi. Transit Auth., 618 F.3d 688, 692 (7th Cir. 2010) (in the Title VII context, “a single act can create a hostile environment if it is severe enough, and instances of uninvited physical contact with intimate parts of the body are among the most severe types of sexual harassment”); Turner v. Saloon, Ltd., 595 F.3d 679, 686 (7th Cir. 2010) (noting that “[a] single instance of conduct that is sufficiently severe may be enough,” which is “especially true when the touching is of an intimate body part” (quoting Jackson v. Cnty. of Racine, 474 F.3d 493, 499 (7th Cir. 2007))); McKinnis v. Crescent Guardian, Inc., 189 F. App'x 307, 310 (5th Cir. 2006) (holding that “the deliberate and unwanted touching of [a plaintiff’s] intimate body parts can constitute severe sexual harassment” in Title VII cases (quoting Harvill v. Westward Commc’n's, L.L.C., 433 F.3d 428, 436 (5th Cir. 2005))).
sponsored by the school at another location, or elsewhere. For example, Title IX protects a student who is sexually assaulted by a fellow student during a school-sponsored field trip.\textsuperscript{11}

If a school knows or reasonably should know about student-on-student harassment that creates a hostile environment, Title IX requires the school to take immediate action to eliminate the harassment, prevent its recurrence, and address its effects.\textsuperscript{12} Schools also are required to publish a notice of nondiscrimination and to adopt and publish grievance procedures. Because of these requirements, which are discussed in greater detail in the following section, schools need to ensure that their employees are trained so that they know to report harassment to appropriate school officials, and so that employees with the authority to address harassment know how to respond properly. Training for employees should include practical information about how to identify and report sexual harassment and violence. OCR recommends that this training be provided to any employees likely to witness or receive reports of sexual harassment and violence, including teachers, school law enforcement unit employees, school administrators, school counselors, general counsels, health personnel, and resident advisors.

Schools may have an obligation to respond to student-on-student sexual harassment that initially occurred off school grounds, outside a school’s education program or activity. If a student files a complaint with the school, regardless of where the conduct occurred, the school must process the complaint in accordance with its established procedures. Because students often experience the continuing effects of off-campus sexual harassment in the educational setting, schools should consider the effects of the off-campus conduct when evaluating whether there is a hostile environment on campus. For example, if a student alleges that he or she was sexually assaulted by another student off school grounds, and that upon returning to school he or she was taunted and harassed by other students who are the alleged perpetrator’s friends, the school should take the earlier sexual assault into account in determining whether there is a sexually hostile environment. The school also should take steps to protect a student who was assaulted off campus from further sexual harassment or retaliation from the perpetrator and his or her associates.

Regardless of whether a harassed student, his or her parent, or a third party files a complaint under the school’s grievance procedures or otherwise requests action on the student’s behalf, a school that knows, or reasonably should know, about possible harassment must promptly investigate to determine what occurred and then take appropriate steps to resolve the situation. As discussed later in this letter, the school’s Title IX investigation is different from any law enforcement investigation, and a law enforcement investigation does not relieve the school of its independent Title IX obligation to investigate the conduct. The specific steps in a school’s

\textsuperscript{11} Title IX also protects third parties from sexual harassment or violence in a school’s education programs and activities. For example, Title IX protects a high school student participating in a college’s recruitment program, a visiting student athlete, and a visitor in a school’s on-campus residence hall. Title IX also protects employees of a recipient from sexual harassment. For further information about harassment of employees, see 2001 Guidance at n.1.

\textsuperscript{12} This is the standard for administrative enforcement of Title IX and in court cases where plaintiffs are seeking injunctive relief. See 2001 Guidance at ii-v, 12-13. The standard in private lawsuits for monetary damages is actual knowledge and deliberate indifference. See Davis v. Monroe Cnty. Bd. of Ed., 526 U.S. 629, 643, 648 (1999).
investigation will vary depending upon the nature of the allegations, the age of the student or students involved (particularly in elementary and secondary schools), the size and administrative structure of the school, and other factors. Yet as discussed in more detail below, the school’s inquiry must in all cases be prompt, thorough, and impartial. In cases involving potential criminal conduct, school personnel must determine, consistent with State and local law, whether appropriate law enforcement or other authorities should be notified.13

Schools also should inform and obtain consent from the complainant (or the complainant’s parents if the complainant is under 18 and does not attend a postsecondary institution) before beginning an investigation. If the complainant requests confidentiality or asks that the complaint not be pursued, the school should take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the school should inform the complainant that its ability to respond may be limited.14 The school also should tell the complainant that Title IX prohibits retaliation, and that school officials will not only take steps to prevent retaliation but also take strong responsive action if it occurs.

As discussed in the 2001 Guidance, if the complainant continues to ask that his or her name or other identifiable information not be revealed, the school should evaluate that request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. Thus, the school may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the complainant’s age; whether there have been other harassment complaints about the same individual; and the alleged harasser’s rights to receive information about the allegations if the information is maintained by the school as an “education record” under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 C.F.R. Part 99.15 The school should inform the complainant if it cannot ensure confidentiality. Even if the school cannot take disciplinary action against the alleged harasser because the complainant insists on confidentiality, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence. Examples of such steps are discussed later in this letter.

Compliance with Title IX, such as publishing a notice of nondiscrimination, designating an employee to coordinate Title IX compliance, and adopting and publishing grievance procedures, can serve as preventive measures against harassment. Combined with education and training programs, these measures can help ensure that all students and employees recognize the

13 In states with mandatory reporting laws, schools may be required to report certain incidents to local law enforcement or child protection agencies.

14 Schools should refer to the 2001 Guidance for additional information on confidentiality and the alleged perpetrator’s due process rights.

15 For example, the alleged harasser may have a right under FERPA to inspect and review portions of the complaint that directly relate to him or her. In that case, the school must redact the complainant’s name and other identifying information before allowing the alleged harasser to inspect and review the sections of the complaint that relate to him or her. In some cases, such as those where the school is required to report the incident to local law enforcement or other officials, the school may not be able to maintain the complainant’s confidentiality.
nature of sexual harassment and violence, and understand that the school will not tolerate such conduct. Indeed, these measures may bring potentially problematic conduct to the school's attention before it becomes serious enough to create a hostile environment. Training for administrators, teachers, staff, and students also can help ensure that they understand what types of conduct constitute sexual harassment or violence, can identify warning signals that may need attention, and know how to respond. More detailed information and examples of education and other preventive measures are provided later in this letter.

**Procedural Requirements Pertaining to Sexual Harassment and Sexual Violence**

Recipients of Federal financial assistance must comply with the procedural requirements outlined in the Title IX implementing regulations. Specifically, a recipient must:

(A) Disseminate a notice of nondiscrimination;\(^{16}\)

(B) Designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX;\(^ {17}\) and

(C) Adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee sex discrimination complaints.\(^ {18}\)

These requirements apply to all forms of sexual harassment, including sexual violence, and are important for preventing and effectively responding to sex discrimination. They are discussed in greater detail below. OCR advises recipients to examine their current policies and procedures on sexual harassment and sexual violence to determine whether those policies comply with the requirements articulated in this letter and the 2001 Guidance. Recipients should then implement changes as needed.

(A) *Notice of Nondiscrimination*

The Title IX regulations require that each recipient publish a notice of nondiscrimination stating that the recipient does not discriminate on the basis of sex in its education programs and activities, and that Title IX requires it not to discriminate in such a manner.\(^ {19}\) The notice must state that inquiries concerning the application of Title IX may be referred to the recipient’s Title IX coordinator or to OCR. It should include the name or title, office address, telephone number, and e-mail address for the recipient’s designated Title IX coordinator.

The notice must be widely distributed to all students, parents of elementary and secondary students, employees, applicants for admission and employment, and other relevant persons. OCR recommends that the notice be prominently posted on school Web sites and at various

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\(^{16}\) 34 C.F.R. § 106.9.

\(^{17}\) Id. § 106.8(a).

\(^{18}\) Id. § 106.8(b).

\(^{19}\) Id. § 106.9(a).
locations throughout the school or campus and published in electronic and printed publications of general distribution that provide information to students and employees about the school’s services and policies. The notice should be available and easily accessible on an ongoing basis.

Title IX does not require a recipient to adopt a policy specifically prohibiting sexual harassment or sexual violence. As noted in the 2001 Guidance, however, a recipient’s general policy prohibiting sex discrimination will not be considered effective and would violate Title IX if, because of the lack of a specific policy, students are unaware of what kind of conduct constitutes sexual harassment, including sexual violence, or that such conduct is prohibited sex discrimination. OCR therefore recommends that a recipient’s nondiscrimination policy state that prohibited sex discrimination covers sexual harassment, including sexual violence, and that the policy include examples of the types of conduct that it covers.

(B) Title IX Coordinator

The Title IX regulations require a recipient to notify all students and employees of the name or title and contact information of the person designated to coordinate the recipient’s compliance with Title IX. The coordinator’s responsibilities include overseeing all Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints. The Title IX coordinator or designee should be available to meet with students as needed. If a recipient designates more than one Title IX coordinator, the notice should describe each coordinator’s responsibilities (e.g., who will handle complaints by students, faculty, and other employees). The recipient should designate one coordinator as having ultimate oversight responsibility, and the other coordinators should have titles clearly showing that they are in a deputy or supporting role to the senior coordinator. The Title IX coordinators should not have other job responsibilities that may create a conflict of interest. For example, serving as the Title IX coordinator and a disciplinary hearing board member or general counsel may create a conflict of interest.

Recipients must ensure that employees designated to serve as Title IX coordinators have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the recipient’s grievance procedures operate. Because sexual violence complaints often are filed with the school’s law enforcement unit, all school law enforcement unit employees should receive training on the school’s Title IX grievance procedures and any other procedures used for investigating reports of sexual violence. In addition, these employees should receive copies of the school’s Title IX policies. Schools should instruct law enforcement unit employees both to notify complainants of their right to file a Title IX sex discrimination complaint with the school in addition to filing a criminal complaint, and to report incidents of sexual violence to the Title IX coordinator if the complainant consents. The school’s Title IX coordinator or designee should be available to provide assistance to school law enforcement unit employees regarding how to respond appropriately to reports of sexual violence. The Title IX coordinator also should be given access to school law enforcement unit investigation notes.

20 Id. § 106.8(a).
and findings as necessary for the Title IX investigation, so long as it does not compromise the criminal investigation.

(C) Grievance Procedures

The Title IX regulations require all recipients to adopt and publish grievance procedures providing for the prompt and equitable resolution of sex discrimination complaints.²¹ The grievance procedures must apply to sex discrimination complaints filed by students against school employees, other students, or third parties.

Title IX does not require a recipient to provide separate grievance procedures for sexual harassment and sexual violence complaints. Therefore, a recipient may use student disciplinary procedures or other separate procedures to resolve such complaints. Any procedures used to adjudicate complaints of sexual harassment or sexual violence, including disciplinary procedures, however, must meet the Title IX requirement of affording a complainant a prompt and equitable resolution.²² These requirements are discussed in greater detail below. If the recipient relies on disciplinary procedures for Title IX compliance, the Title IX coordinator should review the recipient’s disciplinary procedures to ensure that the procedures comply with the prompt and equitable requirements of Title IX.²³

Grievance procedures generally may include voluntary informal mechanisms (e.g., mediation) for resolving some types of sexual harassment complaints. OCR has frequently advised recipients, however, that it is improper for a student who complains of harassment to be required to work out the problem directly with the alleged perpetrator, and certainly not without appropriate involvement by the school (e.g., participation by a trained counselor, a trained mediator, or, if appropriate, a teacher or administrator). In addition, as stated in the 2001 Guidance, the complainant must be notified of the right to end the informal process at any time and begin the formal stage of the complaint process. Moreover, in cases involving allegations of sexual assault, mediation is not appropriate even on a voluntary basis. OCR recommends that recipients clarify in their grievance procedures that mediation will not be used to resolve sexual assault complaints.

²¹ Id. § 106.8(b). Title IX also requires recipients to adopt and publish grievance procedures for employee complaints of sex discrimination.

²² These procedures must apply to all students, including athletes. If a complaint of sexual violence involves a student athlete, the school must follow its standard procedures for resolving sexual violence complaints. Such complaints must not be addressed solely by athletics department procedures. Additionally, if an alleged perpetrator is an elementary or secondary student with a disability, schools must follow the procedural safeguards in the Individuals with Disabilities Education Act (at 20 U.S.C. § 1415 and 34 C.F.R. §§ 300.500-300.519, 300.530-300.537) as well as the requirements of Section 504 of the Rehabilitation Act of 1973 (at 34 C.F.R. §§ 104.35-104.36) when conducting the investigation and hearing.

²³ A school may not absolve itself of its Title IX obligations to investigate and resolve complaints of sexual harassment or violence by delegating, whether through express contractual agreement or other less formal arrangement, the responsibility to administer school discipline to school resource officers or “contract” law enforcement officers. See 34 C.F.R. § 106.4.
Prompt and Equitable Requirements

As stated in the 2001 Guidance, OCR has identified a number of elements in evaluating whether a school's grievance procedures provide for prompt and equitable resolution of sexual harassment complaints. These elements also apply to sexual violence complaints because, as explained above, sexual violence is a form of sexual harassment. OCR will review all aspects of a school's grievance procedures, including the following elements that are critical to achieve compliance with Title IX:

- Notice to students, parents of elementary and secondary students, and employees of the grievance procedures, including where complaints may be filed;
- Application of the procedures to complaints alleging harassment carried out by employees, other students, or third parties;
- Adequate, reliable, and impartial investigation of complaints, including the opportunity for both parties to present witnesses and other evidence;
- Designated and reasonably prompt time frames for the major stages of the complaint process;
- Notice to parties of the outcome of the complaint;\(^\text{24}\) and
- An assurance that the school will take steps to prevent recurrence of any harassment and to correct its discriminatory effects on the complainant and others, if appropriate.

As noted in the 2001 Guidance, procedures adopted by schools will vary in detail, specificity, and components, reflecting differences in the age of students, school sizes and administrative structures, State or local legal requirements, and past experiences. Although OCR examines whether all applicable elements are addressed when investigating sexual harassment complaints, this letter focuses on those elements where our work indicates that more clarification and explanation are needed, including:

(A) Notice of the grievance procedures

The procedures for resolving complaints of sex discrimination, including sexual harassment, should be written in language appropriate to the age of the school's students, easily understood, easily located, and widely distributed. OCR recommends that the grievance procedures be prominently posted on school Web sites; sent electronically to all members of the school community; available at various locations throughout the school or campus; and summarized in or attached to major publications issued by the school, such as handbooks, codes of conduct, and catalogs for students, parents of elementary and secondary students, faculty, and staff.

(B) Adequate, Reliable, and Impartial Investigation of Complaints

OCR's work indicates that a number of issues related to an adequate, reliable, and impartial investigation arise in sexual harassment and violence complaints. In some cases, the conduct

\(^{24}\) "Outcome" does not refer to information about disciplinary sanctions unless otherwise noted. Notice of the outcome is discussed in greater detail in Section D below.
may constitute both sexual harassment under Title IX and criminal activity. Police investigations may be useful for fact-gathering; but because the standards for criminal investigations are different, police investigations or reports are not determinative of whether sexual harassment or violence violates Title IX. Conduct may constitute unlawful sexual harassment under Title IX even if the police do not have sufficient evidence of a criminal violation. In addition, a criminal investigation into allegations of sexual violence does not relieve the school of its duty under Title IX to resolve complaints promptly and equitably.

A school should notify a complainant of the right to file a criminal complaint, and should not dissuade a victim from doing so either during or after the school’s internal Title IX investigation. For instance, if a complainant wants to file a police report, the school should not tell the complainant that it is working toward a solution and instruct, or ask, the complainant to wait to file the report.

Schools should not wait for the conclusion of a criminal investigation or criminal proceeding to begin their own Title IX investigation and, if needed, must take immediate steps to protect the student in the educational setting. For example, a school should not delay conducting its own investigation or taking steps to protect the complainant because it wants to see whether the alleged perpetrator will be found guilty of a crime. Any agreement or Memorandum of Understanding (MOU) with a local police department must allow the school to meet its Title IX obligation to resolve complaints promptly and equitably. Although a school may need to delay temporarily the fact-finding portion of a Title IX investigation while the police are gathering evidence, once notified that the police department has completed its gathering of evidence (not the ultimate outcome of the investigation or the filing of any charges), the school must promptly resume and complete its fact-finding for the Title IX investigation. Moreover, nothing in an MOU or the criminal investigation itself should prevent a school from notifying complainants of their Title IX rights and the school’s grievance procedures, or from taking interim steps to ensure the safety and well-being of the complainant and the school community while the law enforcement agency’s fact-gathering is in progress. OCR also recommends that a school’s MOU include clear policies on when a school will refer a matter to local law enforcement.

As noted above, the Title IX regulation requires schools to provide equitable grievance procedures. As part of these procedures, schools generally conduct investigations and hearings to determine whether sexual harassment or violence occurred. In addressing complaints filed with OCR under Title IX, OCR reviews a school’s procedures to determine whether the school is using a preponderance of the evidence standard to evaluate complaints. The Supreme Court has applied a preponderance of the evidence standard in civil litigation involving discrimination under Title VII of the Civil Rights Act of 1964 (Title VII), 42 U.S.C. §§ 2000e et seq. Like Title IX,

[25] In one recent OCR sexual violence case, the prosecutor’s office informed OCR that the police department’s evidence gathering stage typically takes three to ten calendar days, although the delay in the school’s investigation may be longer in certain instances.
Title VII prohibits discrimination on the basis of sex. OCR also uses a preponderance of the evidence standard when it resolves complaints against recipients. For instance, OCR’s Case Processing Manual requires that a noncompliance determination be supported by the preponderance of the evidence when resolving allegations of discrimination under all the statutes enforced by OCR, including Title IX. OCR also uses a preponderance of the evidence standard in its fund termination administrative hearings. Thus, in order for a school’s grievance procedures to be consistent with Title IX standards, the school must use a preponderance of the evidence standard (i.e., it is more likely than not that sexual harassment or violence occurred). The “clear and convincing” standard (i.e., it is highly probable or reasonably certain that the sexual harassment or violence occurred), currently used by some schools, is a higher standard of proof. Grievance procedures that use this higher standard are inconsistent with the standard of proof established for violations of the civil rights laws, and are thus not equitable under Title IX. Therefore, preponderance of the evidence is the appropriate standard for investigating allegations of sexual harassment or violence.

Throughout a school’s Title IX investigation, including at any hearing, the parties must have an equal opportunity to present relevant witnesses and other evidence. The complainant and the alleged perpetrator must be afforded similar and timely access to any information that will be used at the hearing. For example, a school should not conduct a pre-hearing meeting during which only the alleged perpetrator is present and given an opportunity to present his or her side of the story, unless a similar meeting takes place with the complainant; a hearing officer or disciplinary board should not allow only the alleged perpetrator to present character witnesses at a hearing; and a school should not allow the alleged perpetrator to present evidence that will be used at a hearing; and a school should not allow the alleged perpetrator to review the complainant’s...
statement without also allowing the complainant to review the alleged perpetrator’s statement.

While OCR does not require schools to permit parties to have lawyers at any stage of the proceedings, if a school chooses to allow the parties to have their lawyers participate in the proceedings, it must do so equally for both parties. Additionally, any school-imposed restrictions on the ability of lawyers to speak or otherwise participate in the proceedings should apply equally. OCR strongly discourages schools from allowing the parties personally to question or cross-examine each other during the hearing. Allowing an alleged perpetrator to question an alleged victim directly may be traumatic or intimidating, thereby possibly escalating or perpetuating a hostile environment. OCR also recommends that schools provide an appeals process. If a school provides for appeal of the findings or remedy, it must do so for both parties. Schools must maintain documentation of all proceedings, which may include written findings of facts, transcripts, or audio recordings.

All persons involved in implementing a recipient’s grievance procedures (e.g., Title IX coordinators, investigators, and adjudicators) must have training or experience in handling complaints of sexual harassment and sexual violence, and in the recipient’s grievance procedures. The training also should include applicable confidentiality requirements. In sexual violence cases, the fact-finder and decision-maker also should have adequate training or knowledge regarding sexual violence. Additionally, a school’s investigation and hearing processes cannot be equitable unless they are impartial. Therefore, any real or perceived conflicts of interest between the fact-finder or decision-maker and the parties should be disclosed.

Public and state-supported schools must provide due process to the alleged perpetrator. However, schools should ensure that steps taken to accord due process rights to the alleged perpetrator do not restrict or unnecessarily delay the Title IX protections for the complainant.

(C) Designated and Reasonably Prompt Time Frames

OCR will evaluate whether a school’s grievance procedures specify the time frames for all major stages of the procedures, as well as the process for extending timelines. Grievance procedures should specify the time frame within which: (1) the school will conduct a full investigation of the complaint; (2) both parties receive a response regarding the outcome of the complaint; and (3) the parties may file an appeal, if applicable. Both parties should be given periodic status updates. Based on OCR experience, a typical investigation takes approximately 60 calendar days following receipt of the complaint. Whether OCR considers complaint resolutions to be timely, however, will vary depending on the complexity of the investigation and the severity and extent of the harassment. For example, the resolution of a complaint involving multiple incidents with multiple complainants likely would take longer than one involving a single incident that

30 For instance, if an investigation or hearing involves forensic evidence, that evidence should be reviewed by a trained forensic examiner.
occurred in a classroom during school hours with a single complainant.

(D) Notice of Outcome

Both parties must be notified, in writing, about the outcome of both the complaint and any appeal, \(^{31}\) i.e., whether harassment was found to have occurred. OCR recommends that schools provide the written determination of the final outcome to the complainant and the alleged perpetrator concurrently. Title IX does not require the school to notify the alleged perpetrator of the outcome before it notifies the complainant.

Due to the intersection of Title IX and FERPA requirements, OCR recognizes that there may be confusion regarding what information a school may disclose to the complainant.\(^ {32}\) FERPA generally prohibits the nonconsensual disclosure of personally identifiable information from a student’s “education record.” However, as stated in the 2001 Guidance, FERPA permits a school to disclose to the harassed student information about the sanction imposed upon a student who was found to have engaged in harassment when the sanction directly relates to the harassed student. This includes an order that the harasser stay away from the harassed student, or that the harasser is prohibited from attending school for a period of time, or transferred to other classes or another residence hall.\(^ {33}\) Disclosure of other information in the student’s “education record,” including information about sanctions that do not relate to the harassed student, may result in a violation of FERPA.

Further, when the conduct involves a crime of violence or a non-forcible sex offense,\(^ {34}\) FERPA permits a postsecondary institution to disclose to the alleged victim the final results of a

\(^{31}\) As noted previously, “outcome” does not refer to information about disciplinary sanctions unless otherwise noted.

\(^{32}\) In 1994, Congress amended the General Education Provisions Act (GEPA), of which FERPA is a part, to state that nothing in GEPA “shall be construed to affect the applicability of title VI of the Civil Rights Act of 1964, title IX of Education Amendments of 1972, title V of the Rehabilitation Act of 1973, the Age Discrimination Act, or other statutes prohibiting discrimination, to any applicable program.” 20 U.S.C. § 1221(d). The Department interprets this provision to mean that FERPA continues to apply in the context of Title IX enforcement, but if there is a direct conflict between the requirements of FERPA and the requirements of Title IX, such that enforcement of FERPA would interfere with the primary purpose of Title IX to eliminate sex-based discrimination in schools, the requirements of Title IX override any conflicting FERPA provisions. See 2001 Guidance at vii.

\(^{33}\) This information directly relates to the complainant and is particularly important in sexual harassment cases because it affects whether a hostile environment has been eliminated. Because seeing the perpetrator may be traumatic, a complainant in a sexual harassment case may continue to be subject to a hostile environment if he or she does not know when the perpetrator will return to school or whether he or she will continue to share classes or a residence hall with the perpetrator. This information also directly affects a complainant’s decision regarding how to work with the school to eliminate the hostile environment and prevent its recurrence. For instance, if a complainant knows that the perpetrator will not be at school or will be transferred to other classes or another residence hall for the rest of the year, the complainant may be less likely to want to transfer to another school or change classes, but if the perpetrator will be returning to school after a few days or weeks, or remaining in the complainant’s classes or residence hall, the complainant may want to transfer schools or change classes to avoid contact. Thus, the complainant cannot make an informed decision about how best to respond without this information.

\(^{34}\) Under the FERPA regulations, crimes of violence include arson; assault offenses (aggravated assault, simple assault, intimidation); burglary; criminal homicide (manslaughter by negligence); criminal homicide (murder and...
disciplinary proceeding against the alleged perpetrator, regardless of whether the institution concluded that a violation was committed.\(^{35}\) Additionally, a postsecondary institution may disclose to anyone—not just the alleged victim—the final results of a disciplinary proceeding if it determines that the student is an alleged perpetrator of a crime of violence or a non-forcible sex offense, and, with respect to the allegation made, the student has committed a violation of the institution’s rules or policies.\(^{36}\)

Postsecondary institutions also are subject to additional rules under the Clery Act. This law, which applies to postsecondary institutions that participate in Federal student financial aid programs, requires that “both the accuser and the accused must be informed of the outcome\(^{37}\) of any institutional disciplinary proceeding brought alleging a sex offense.”\(^{38}\) Compliance with this requirement does not constitute a violation of FERPA. Furthermore, the FERPA limitations on redisclosure of information do not apply to information that postsecondary institutions are required to disclose under the Clery Act.\(^{39}\) Accordingly, postsecondary institutions may not require a complainant to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the redisclosure of this information.

**Steps to Prevent Sexual Harassment and Sexual Violence and Correct its Discriminatory Effects on the Complainant and Others**

**Education and Prevention**

In addition to ensuring full compliance with Title IX, schools should take proactive measures to prevent sexual harassment and violence. OCR recommends that all schools implement preventive education programs and make victim resources, including comprehensive victim services, available. Schools may want to include these education programs in their (1) orientation programs for new students, faculty, staff, and employees; (2) training for students who serve as advisors in residence halls; (3) training for student athletes and coaches; and (4) school assemblies and “back to school nights.” These programs should include a
discussion of what constitutes sexual harassment and sexual violence, the school’s policies and
disciplinary procedures, and the consequences of violating these policies.

The education programs also should include information aimed at encouraging students to
report incidents of sexual violence to the appropriate school and law enforcement authorities.
Schools should be aware that victims or third parties may be deterred from reporting incidents
if alcohol, drugs, or other violations of school or campus rules were involved. As a result,
schools should consider whether their disciplinary policies have a chilling effect on victims’ or
other students’ reporting of sexual violence offenses. For example, OCR recommends that
schools inform students that the schools’ primary concern is student safety, that any other
rules violations will be addressed separately from the sexual violence allegation, and that use of
alcohol or drugs never makes the victim at fault for sexual violence.

OCR also recommends that schools develop specific sexual violence materials that include the
schools’ policies, rules, and resources for students, faculty, coaches, and administrators.
Schools also should include such information in their employee handbook and any handbooks
that student athletes and members of student activity groups receive. These materials should
include where and to whom students should go if they are victims of sexual violence. These
materials also should tell students and school employees what to do if they learn of an incident
of sexual violence. Schools also should assess student activities regularly to ensure that the
practices and behavior of students do not violate the schools’ policies against sexual
harassment and sexual violence.

Remedies and Enforcement

As discussed above, if a school determines that sexual harassment that creates a hostile
environment has occurred, it must take immediate action to eliminate the hostile environment,
prevent its recurrence, and address its effects. In addition to counseling or taking disciplinary
action against the harasser, effective corrective action may require remedies for the
complainant, as well as changes to the school’s overall services or policies. Examples of these
actions are discussed in greater detail below.

Title IX requires a school to take steps to protect the complainant as necessary, including taking
interim steps before the final outcome of the investigation. The school should undertake these
steps promptly once it has notice of a sexual harassment or violence allegation. The school
should notify the complainant of his or her options to avoid contact with the alleged
perpetrator and allow students to change academic or living situations as appropriate. For
instance, the school may prohibit the alleged perpetrator from having any contact with the
complainant pending the results of the school’s investigation. When taking steps to separate
the complainant and alleged perpetrator, a school should minimize the burden on the

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40 The Department’s Higher Education Center for Alcohol, Drug Abuse, and Violence Prevention (HEC) helps
campuses and communities address problems of alcohol, other drugs, and violence by identifying effective
strategies and programs based upon the best prevention science. Information on HEC resources and technical
assistance can be found at www.higheredcenter.org.
complainant, and thus should not, as a matter of course, remove complainants from classes or housing while allowing alleged perpetrators to remain. In addition, schools should ensure that complainants are aware of their Title IX rights and any available resources, such as counseling, health, and mental health services, and their right to file a complaint with local law enforcement.\footnote{The Clery Act requires postsecondary institutions to develop and distribute a statement of policy that informs students of their options to notify proper law enforcement authorities, including campus and local police, and the option to be assisted by campus personnel in notifying such authorities. The policy also must notify students of existing counseling, mental health, or other student services for victims of sexual assault, both on campus and in the community. 20 U.S.C. §§ 1092(f)(8)(B)(v)-(vi).}

Schools should be aware that complaints of sexual harassment or violence may be followed by retaliation by the alleged perpetrator or his or her associates. For instance, friends of the alleged perpetrator may subject the complainant to name-calling and taunting. As part of their Title IX obligations, schools must have policies and procedures in place to protect against retaliatory harassment. At a minimum, schools must ensure that complainants and their parents, if appropriate, know how to report any subsequent problems, and should follow-up with complainants to determine whether any retaliation or new incidents of harassment have occurred.

When OCR finds that a school has not taken prompt and effective steps to respond to sexual harassment or violence, OCR will seek appropriate remedies for both the complainant and the broader student population. When conducting Title IX enforcement activities, OCR seeks to obtain voluntary compliance from recipients. When a recipient does not come into compliance voluntarily, OCR may initiate proceedings to withdraw Federal funding by the Department or refer the case to the U.S. Department of Justice for litigation.

Schools should proactively consider the following remedies when determining how to respond to sexual harassment or violence. These are the same types of remedies that OCR would seek in its cases.

Depending on the specific nature of the problem, remedies for the complainant might include, but are not limited to:\footnote{Some of these remedies also can be used as interim measures before the school’s investigation is complete.}

- providing an escort to ensure that the complainant can move safely between classes and activities;
- ensuring that the complainant and alleged perpetrator do not attend the same classes;
- moving the complainant or alleged perpetrator to a different residence hall or, in the case of an elementary or secondary school student, to another school within the district;
- providing counseling services;
- providing medical services;
- providing academic support services, such as tutoring;
• arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant’s academic record; and
• reviewing any disciplinary actions taken against the complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the complainant being disciplined.\textsuperscript{43}

Remedies for the broader student population might include, but are not limited to:

**Counseling and Training**

• offering counseling, health, mental health, or other holistic and comprehensive victim services to all students affected by sexual harassment or sexual violence, and notifying students of campus and community counseling, health, mental health, and other student services;
• designating an individual from the school’s counseling center to be “on call” to assist victims of sexual harassment or violence whenever needed;
• training the Title IX coordinator and any other employees who are involved in processing, investigating, or resolving complaints of sexual harassment or sexual violence, including providing training on:
  o the school’s Title IX responsibilities to address allegations of sexual harassment or violence
  o how to conduct Title IX investigations
  o information on the link between alcohol and drug abuse and sexual harassment or violence and best practices to address that link;
• training all school law enforcement unit personnel on the school’s Title IX responsibilities and handling of sexual harassment or violence complaints;
• training all employees who interact with students regularly on recognizing and appropriately addressing allegations of sexual harassment or violence under Title IX; and
• informing students of their options to notify proper law enforcement authorities, including school and local police, and the option to be assisted by school employees in notifying those authorities.

**Development of Materials and Implementation of Policies and Procedures**

• developing materials on sexual harassment and violence, which should be distributed to students during orientation and upon receipt of complaints, as well as widely posted throughout school buildings and residence halls, and which should include:
  o what constitutes sexual harassment or violence
  o what to do if a student has been the victim of sexual harassment or violence
  o contact information for counseling and victim services on and off school grounds
  o how to file a complaint with the school
  o how to contact the school’s Title IX coordinator

\textsuperscript{43} For example, if the complainant was disciplined for skipping a class in which the harasser was enrolled, the school should review the incident to determine if the complainant skipped the class to avoid contact with the harasser.
what the school will do to respond to allegations of sexual harassment or violence, including the interim measures that can be taken

- requiring the Title IX coordinator to communicate regularly with the school's law enforcement unit investigating cases and to provide information to law enforcement unit personnel regarding Title IX requirements;\(^4^4\)

- requiring the Title IX coordinator to review all evidence in a sexual harassment or sexual violence case brought before the school's disciplinary committee to determine whether the complainant is entitled to a remedy under Title IX that was not available through the disciplinary committee;\(^4^5\)

- requiring the school to create a committee of students and school officials to identify strategies for ensuring that students:
  - know the school's prohibition against sex discrimination, including sexual harassment and violence
  - recognize sex discrimination, sexual harassment, and sexual violence when they occur
  - understand how and to whom to report any incidents
  - know the connection between alcohol and drug abuse and sexual harassment or violence
  - feel comfortable that school officials will respond promptly and equitably to reports of sexual harassment or violence;

- issuing new policy statements or other steps that clearly communicate that the school does not tolerate sexual harassment and violence and will respond to any incidents and to any student who reports such incidents; and

- revising grievance procedures used to handle sexual harassment and violence complaints to ensure that they are prompt and equitable, as required by Title IX.

**School Investigations and Reports to OCR**

- conducting periodic assessments of student activities to ensure that the practices and behavior of students do not violate the school's policies against sexual harassment and violence;

- investigating whether any other students also may have been subjected to sexual harassment or violence;

- investigating whether school employees with knowledge of allegations of sexual harassment or violence failed to carry out their duties in responding to those allegations;

- conducting, in conjunction with student leaders, a school or campus “climate check” to assess the effectiveness of efforts to ensure that the school is free from sexual harassment and violence, and using the resulting information to inform future proactive steps that will be taken by the school; and

\(^4^4\) Any personally identifiable information from a student's education record that the Title IX coordinator provides to the school's law enforcement unit is subject to FERPA's nondisclosure requirements.

\(^4^5\) For example, the disciplinary committee may lack the power to implement changes to the complainant’s class schedule or living situation so that he or she does not come in contact with the alleged perpetrator.
submitting to OCR copies of all grievances filed by students alleging sexual harassment or violence, and providing OCR with documentation related to the investigation of each complaint, such as witness interviews, investigator notes, evidence submitted by the parties, investigative reports and summaries, any final disposition letters, disciplinary records, and documentation regarding any appeals.

Conclusion

The Department is committed to ensuring that all students feel safe and have the opportunity to benefit fully from their schools’ education programs and activities. As part of this commitment, OCR provides technical assistance to assist recipients in achieving voluntary compliance with Title IX.

If you need additional information about Title IX, have questions regarding OCR’S policies, or seek technical assistance, please contact the OCR enforcement office that serves your state or territory. The list of offices is available at http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm. Additional information about addressing sexual violence, including victim resources and information for schools, is available from the U.S. Department of Justice’s Office on Violence Against Women (OVW) at http://www.ovw.usdoj.gov/. 46

Thank you for your prompt attention to this matter. I look forward to continuing our work together to ensure that all students have an equal opportunity to learn in a safe and respectful school climate.

Sincerely,

/s/

Russlynn Ali
Assistant Secretary for Civil Rights

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46 OVW also administers the Grants to Reduce Domestic Violence, Dating Violence, Sexual Assault, and Stalking on Campus Program. This Federal funding is designed to encourage institutions of higher education to adopt comprehensive, coordinated responses to domestic violence, dating violence, sexual assault, and stalking. Under this competitive grant program, campuses, in partnership with community-based nonprofit victim advocacy organizations and local criminal justice or civil legal agencies, must adopt protocols and policies to treat these crimes as serious offenses and develop victim service programs and campus policies that ensure victim safety, offender accountability, and the prevention of such crimes. OVW recently released the first solicitation for the Services, Training, Education, and Policies to Reduce Domestic Violence, Dating Violence, Sexual Assault and Stalking in Secondary Schools Grant Program. This innovative grant program will support a broad range of activities, including training for school administrators, faculty, and staff; development of policies and procedures for responding to these crimes; holistic and appropriate victim services; development of effective prevention strategies; and collaborations with mentoring organizations to support middle and high school student victims.
STUDENT CONDUCT CODE

SECTION I. SCOPE.

This policy applies to all students and student groups at the University of Minnesota (University), whether or not the University is in session.

SECTION II. GUIDING PRINCIPLES.

(a) The University seeks an environment that promotes academic achievement and integrity, that is protective of free inquiry, and that serves the educational mission of the University.

(b) The University seeks a community that is free from violence, threats, and intimidation; that is respectful of the rights, opportunities, and welfare of students, faculty, staff, and guests of the University; and that does not threaten the physical or mental health or safety of members of the University community.

(c) The University is dedicated to responsible stewardship of its resources and to protecting its property and resources from theft, damage, destruction, or misuse.

(d) The University supports and is guided by state and federal law while also setting its own standards of conduct for its academic community.

(e) The University is dedicated to the rational and orderly resolution of conflict.

(f) Students are entitled to the rights and responsibilities of other citizens with regard to freedom of speech, peaceable assembly, and right to petition. Students are entitled to exercise their rights to inquire and dissent, speak freely, and peaceably assemble and protest to the extent permissible under both the First Amendment and the Student Conduct Code.

(g) Students are entitled to due process and procedural fairness protections, including the prompt notification of charges, the opportunity to respond, the right to an advocate of choice, and the right to the resolution of a case within a reasonable period of time.

SECTION III. DEFINITIONS.

Subd. 1. Academic Environment. Academic environment shall mean any setting where a student is engaged in work toward academic credit, satisfaction of program-based requirements, or related activities including but not limited to on-line courses, learning abroad, and field trips.

Subd. 2. Campus. Campus shall mean all University premises, including all land, buildings, facilities, and other property owned, possessed, leased, used, or controlled by the University, and adjacent streets and sidewalks.

Subd. 3. Plagiarism. Plagiarism shall mean representing the words, creative work, or ideas of another person as one's own without providing proper documentation of source. Examples include, but are not limited to:
STUDENT CONDUCT CODE

Adopted: July 10, 1970
Amended: December 13, 1974; March 11, 1994; June 13, 2003; December 8, 2006; October 12, 2012; June 10, 2016
Technical Change: July 8, 2015
Supersedes: (see end of policy)

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- copying information word for word from a source without using quotation marks and giving proper acknowledgement by way of footnote, endnote, or in-text citation;
- representing the words, ideas, or data of another person as one's own without providing proper attribution to the author through quotation, reference, in-text citation, or footnote;
- producing, without proper attribution, any form of work originated by another person such as a musical phrase, a proof, a speech, an image, experimental data, laboratory report, graphic design, or computer code;
- paraphrasing, without sufficient acknowledgment, ideas taken from another person that the reader might reasonably mistake as the author's; and
- borrowing various words, ideas, phrases, or data from original sources and blending them with one's own without acknowledging the sources.

It is the responsibility of all students to understand the standards and methods of proper attribution and to clarify with each instructor the standards, expectations, and reference techniques appropriate to the subject area and class requirements, including group work and internet use. Students are encouraged to seek out information about these methods from instructors and other resources and to apply this information in all submissions of academic work.¹

Subd. 4. Student. Student shall mean any person taking courses at the University or enrolled in a University program; any person participating as a student in University activities prior to the start of classes; any student who is not enrolled or registered for a particular term but has a continuing relationship with the University; any student who withdraws, transfers, or graduates after an alleged violation of the Student Conduct Code; and any already graduated student when the conduct at issue implicates the student's University degree.

Subd. 5. Student Group. Student group shall mean any group of students that is or has been registered as a University student group under applicable University policies or procedures.

Subd. 6. University-Sponsored Activities. University-sponsored activities shall mean any program or event sponsored by the University, including but not limited to those sponsored by student groups, or athletics.

Subd. 7. Medical Amnesty. Medical amnesty shall align with Minnesota Statutes § 340A.503, Subd. 8, and it shall mean that a student is not subject to Student Conduct Code disciplinary sanctions for underage possession and consumption of alcohol if the student contacts a 911 operator to report that the student or another student is in need of medical assistance for an immediate health or safety concern. To be eligible for medical amnesty, the student who initiates contact must be the first person to make such a report, must provide a name and contact information, must remain on the scene until assistance arrives, and must cooperate with the authorities at the scene. The student who receives medical assistance and up to two students acting in concert with the student initiating contact with a 911 operator shall also be immune from disciplinary sanctions.

¹ Portions used with permission from New York Institute of Technology and University of Texas, San Antonio.
SECTION IV. DISCIPLINARY OFFENSES.

Any student or student group found to have committed, attempted to commit, or assisted or abetted another person or group to commit the following misconduct is subject to appropriate disciplinary action under this policy:

Subd. 1. Scholastic Dishonesty. Scholastic dishonesty means plagiarism; cheating on assignments or examinations; engaging in unauthorized collaboration on academic work; taking, acquiring, or using course materials without faculty permission; submitting false or incomplete records of academic achievement; acting alone or in cooperation with another to falsify records or to obtain dishonestly grades, honors, awards, or professional endorsement; altering, forging, misrepresenting, or misusing a University academic record; or fabricating or falsifying data, research procedures, or data analysis.

Subd. 2. Disruption of the Academic Environment. Disruption of the academic environment means engaging in behavior that substantially or repeatedly interrupts either the instructor's ability to teach and/or a student's ability to learn.

Subd. 3. Falsification. Falsification means willfully providing University offices or officials with false, misleading, or incomplete information; forging or altering without proper authorization official University records or documents or conspiring with or inducing others to forge or alter without proper authorization University records or documents; misusing, altering, forging, falsifying, or transferring to another person University-issued identification; or intentionally making a false report of a bomb, fire, natural disaster, or other emergency to a University official or an emergency service agency.

Subd. 4. Refusal to Identify and Comply. Refusal to identify and comply means willfully refusing to or falsely identifying one's self or willfully failing to comply with a proper order or summons when requested by law enforcement personnel, by emergency medical staff responding to an emergency, or by a University employee acting within the purview of his or her job responsibilities.

Subd. 5. Attempt to Injure or Defraud. Attempt to injure or defraud means making, forging, printing, reproducing, copying, or altering any record, document, writing, or identification used or maintained by the University when done with intent to injure, defraud, or misinform.

Subd. 6. Harm to Person. Harm to person means engaging in conduct that endangers or threatens to endanger the physical and/or mental health, safety, or welfare of another person, including, but not limited to, threatening, stalking, harassing, intimidating, or assaulting behavior.

Subd. 7. Bullying. Bullying means aggressive behavior directed at another person that causes stress or harm and that is repeated over time, including but not limited to assaulting, defaming, terrorizing, making obscene gestures, or invading privacy.

Subd. 8. Sexual Misconduct. Sexual misconduct means any non-consensual behavior of a sexual nature that is committed by force or intimidation, or that is otherwise unwelcome. Sexual misconduct includes the following behaviors: sexual assault, relationship violence, stalking, and sexual or gender-based harassment.
Subd. 9. Disorderly Conduct. Disorderly conduct means engaging in conduct that incites or threatens to incite an assault or breach of the peace; breaching the peace; obstructing or disrupting teaching, research, administrative, or public service functions; or obstructing or disrupting disciplinary procedures or authorized University activities.

Subd. 10. Illegal or Unauthorized Possession or Use of Weapons. Illegal or unauthorized possession or use of weapons means possessing or using weapons or articles or substances usable as weapons, including, but not limited to, firearms, incendiary devices, explosives, and dangerous biological or chemical agents, except in those instances when authorized by law and, where applicable, by proper University authority.

Subd. 11. Illegal or Unauthorized Possession or Use of Drugs or Alcohol. Illegal or unauthorized possession or use of drugs or alcohol means possessing or using drugs or alcohol illegally or, where applicable, without proper University authorization.

Subd. 12. Providing Alcohol to Minors. Providing alcohol to minors means directly or indirectly providing alcohol to anyone under the legal drinking age.

Subd. 13. Unauthorized Use of University Facilities or Services. Unauthorized use of University facilities or services means wrongfully using University properties or facilities; misusing, altering, or damaging fire-fighting equipment, safety devices, or other emergency equipment or interfering with the performance of those specifically charged to carry out emergency services; or acting to obtain fraudulently—through deceit, unauthorized procedures, bad checks, or misrepresentation—goods, quarters, services, or funds from University departments or student groups or individuals acting on their behalf.

Subd. 14. Theft, Property Damage, or Vandalism. Theft, property damage, or vandalism means theft or embezzlement of, damage to, destruction of, unauthorized possession of, or wrongful sale or gift of property.

Subd. 15. Unauthorized Access. Unauthorized access means accessing without authorization University property, facilities, services, or information systems, or obtaining or providing to another person the means of such unauthorized access, including, but not limited to, using or providing without authorization keys, access cards, or access codes.

Subd. 16. Disruptive Behavior. Disruptive behavior means willfully disrupting University events; participating in a campus demonstration that disrupts the normal operations of the University and infringes on the rights of other individuals; leading or inciting others to disrupt scheduled or normal activities of the University; engaging in intentional obstruction that interferes with freedom of movement, either pedestrian or vehicular, on campus; using sound amplification equipment on campus without authorization; or making or causing noise, regardless of the means, that disturbs authorized University activities or functions.

Subd. 17. Hazing. Hazing means any behavior or activity that endangers the physical and/or mental health or safety of an individual (including, without limitation, an act intended to cause personal degradation or humiliation), for the purpose of initiation in, admission to, affiliation with, or as a condition for continued membership in a student group or University athletic team.
Subd. 18. Rioting. Rioting means engaging in, or inciting others to engage in, harmful or destructive behavior in the context of an assembly of three or more persons disturbing the peace on campus, in areas proximate to campus, or in any location when the riot occurs in connection with, or in response to, a University-sponsored event. Rioting includes, but is not limited to, such conduct as using or threatening violence to others, damaging or destroying property, impeding or impairing fire or other emergency services, or refusing the direction of an authorized person.

Subd. 19. Violation of University Rules. Violation of University rules means engaging in conduct that violates University, collegiate, or departmental regulations that have been posted or publicized, including provisions contained in University contracts with students.

Subd. 20. Violation of Local, State, or Federal Laws or Ordinances. Violation of local, state, or federal laws or ordinances means engaging in conduct that violates a local, state, or federal law, or ordinance, including, but not limited to, laws governing alcoholic beverages, drugs, gambling, sex offenses, indecent conduct, or arson.

Subd. 21. Persistent Violations. Persistent violations means engaging in repeated conduct or action in violation of this Code.

SECTION V. SANCTIONS.

Students and student groups found responsible for disciplinary offenses under the Student Conduct Code are subject to sanctions. Factors to consider in determining appropriate sanctions include: the nature of the offense, the severity of the offense, the culpability of the student or student group, the impact on other students or members of the University community, and the opportunity for student development. Separation from the University through suspension or expulsion is a serious sanction that may be appropriate for: repeated violations of the Student Conduct Code, for serious scholastic dishonesty, and for misconduct that constitutes a threat to community safety or well-being (including, but not limited to harm to person and sexual assault), or significantly disrupts the rights of others or the operations of the University.

The University seeks to provide a safe, secure, and healthy environment for all students. Recognizing that the potential application of disciplinary sanctions could deter students from seeking medical attention for themselves or others, the University will provide medical amnesty as defined in Section III, Subd. 7. However, a student requiring emergency evaluation or treatment at a medical facility may be required to complete an alcohol assessment or education program. This is not considered a disciplinary response. Amnesty is granted only for violations of Section IV, Subd. 11, and does not apply to other possible violations of the Student Conduct Code (e.g., property damage or assault) which may have occurred during the time of intoxication. In circumstances involving a student group, the willingness of the student group's members to seek medical assistance for a member or a guest will be viewed as a mitigating factor in the review process for any possible violations.

The following sanctions, which are listed in order of least severe to most severe, may be imposed upon students or student groups found to have violated the Student Conduct Code:
Subd. 1. Academic Sanction. An academic sanction means a sanction affecting the course or academic work of the student for violation of Section IV, Subd. 1.

Subd. 2. Warning. A warning means the issuance of an oral or written warning or reprimand.

Subd. 3. Probation. Probation means special status with conditions imposed for a defined period of time and includes the probability of more severe disciplinary sanctions if the student or student group is found to violate any institutional regulation during the probationary period.

Subd. 4. Required Compliance. Required compliance means satisfying University requirements, work assignments, community service, participating in a restorative justice process, or other discretionary assignments.

Subd. 5. Confiscation. Confiscation means confiscation of goods used or possessed in violation of University regulations or confiscation of falsified identification or identification wrongly used.

Subd. 6. Restitution. Restitution means making compensation for loss, injury, or damage.

Subd. 7. Restriction of Privileges. Restriction of privileges means the denial or restriction of specified privileges, including, but not limited to, access to an official transcript for a defined period of time.

Subd. 8. University Housing Suspension. University housing suspension means separation of the student from University Housing for a defined period of time.

Subd. 9. University Housing Expulsion. University housing expulsion means permanent separation of the student from University Housing.

Subd. 10. Suspension. Suspension means separation of the student or student group from the University for a defined period of time, after which the student is eligible to return to the University. Suspension may include conditions for readmission. The suspension may be deferred when an offense is serious enough to warrant separation from the University, but where the specific circumstances of the case justify special consideration.

Subd. 11. Expulsion. Expulsion means the permanent separation of the student from the University.

Subd. 12. Withholding of Diploma or Degree. Withholding of diploma or degree means the withholding of diploma or degree otherwise earned for a defined period of time or until the completion of assigned sanctions.

Subd. 13. Revocation of Admission or Degree. Revocation of admission or degree means revoking a student’s admission to the University or revoking a degree already awarded by the University.

SECTION VI. INTERIM SUSPENSION.

The president or delegate may impose an immediate suspension on a student or student group pending a hearing before the appropriate disciplinary committee (1) to ensure the safety and well-being of members of the University community or to preserve University property, (2) to ensure the student's own physical or emotional safety and well-being, or (3) if the student or student group poses an ongoing threat of disrupting or interfering with the operations of the University. During the interim
suspension, the student or student group may be denied access to all University activities or privileges for which the student or student group might otherwise be eligible, including access to University housing or property. The student or student group has a right to a prompt hearing before the president or delegate on the questions of identification and whether the interim suspension should remain in effect until the full hearing is completed.

SECTION VII. HEARING AND APPEALS OF STUDENT DISCIPLINE.

Subd. 1. Hearing Process. Any student or student group charged with violation of the Student Conduct Code shall have the opportunity to receive a fair hearing. A finding of responsibility for violation of the Student Conduct Code must be based on a preponderance of the evidence. The president or delegate shall ensure that each campus has a hearing process that includes the following:

(a) notification of the report and a request to meet;
(b) an informal meeting to learn more about the steps of the disciplinary process and to share information related to the incident;
(c) if the student or student group is found responsible, a proposal of an informal resolution that includes the findings and disciplinary sanctions being offered to resolve the incident;
(d) if the informal resolution is not accepted, a request for a formal hearing in which a panel will determine responsibility and potential sanctions; and
(e) if the formal resolution is not accepted, a request for an appeal.

In exceptional circumstances where the University determines that an informal resolution is not appropriate, a student's responsibility will be decided through a formal hearing in which a panel will determine responsibility and possible sanctions. In regard to sexual misconduct cases, both the reporting party and the accused student have the opportunity to request a formal hearing and appeal as part of due process.

Subd. 2. Appeals Process. To safeguard the rights of students and student groups, the president or delegate shall ensure that each campus has a campus-wide appeals procedure to govern alleged violations of this policy. The appeals procedure shall provide both substantive and procedural fairness for the student or student group alleged to have violated the Student Conduct Code and shall provide for resolution of cases within a reasonable period of time.

The appeals procedure must describe:

(a) grounds for an appeal;
(b) procedures for filing an appeal; and
(c) the nature of an appellate review.

SECTION VIII. JURISDICTION.

Subd. 1. The Student Conduct Code shall apply to student and student group conduct that occurs on campus or at University-sponsored activities.
Subd. 2. The Student Conduct Code shall apply to student and student group conduct that directly relates to the University's education, services, programs, or rules, including but not limited to scholastic dishonesty, hazing, violation of University rules, and falsification, whether the conduct occurs on campus or off campus.

Subd. 3. At the discretion of the president or delegate, the Student Conduct Code also shall apply to off-campus student and student group conduct when the conduct, as alleged, adversely affects a substantial University interest and either:
   (a) constitutes a criminal offense as defined by local, state, or federal law or ordinance, regardless of the existence or outcome of any criminal proceeding; or
   (b) indicates that the student or student group may present a danger or threat to the health or safety of the student or others.

Subd. 4. Conduct of a student who is a member of a student group will not be considered to be conduct of the student group unless the facts and circumstances surrounding the conduct suggest that the student group sponsored, organized, or otherwise endorsed the conduct.

SECTION IX. THE RESPONSIBILITIES OF DUAL MEMBERSHIP.

Students are both members of the University community and of the state. Students are responsible to the community of which they are a part, and they are responsible to the academic community of the University. By enforcing the Student Conduct Code, the University neither substitutes for nor interferes with other civil or criminal legal processes. When a student is charged in both jurisdictions, the University will decide on the basis of its interests, the interests of affected students, and the interests of the community whether to proceed with its disciplinary process or to defer action. Determinations made or sanctions imposed under the Student Conduct Code will not be subject to change because criminal charges arising out of the same facts were dismissed, reduced, or resolved in favor of the criminal law defendant.

SECTION X. DELEGATION OF AUTHORITY.

The president or delegate shall implement this policy, including publishing and distributing the Student Conduct Code and the procedures governing the student disciplinary process at the University.

POLICY STATEMENT

The University of Minnesota is committed to the safety, dignity and respect of all of its students, staff, faculty, volunteers and visitors. The University prohibits all forms of sexual assault, stalking and relationship violence and provides comprehensive support and reporting mechanisms for all members of the community.

Any individual who believes that they have been subjected to sexual assault, stalking and/or relationship violence can report the incident(s) to the police department, victim survivor assistance, and/or internal mechanisms for discipline and dispute resolution, prevention training and other related services. University employees must report incidents of assault or abuse of a child (i.e. under age 18) that they know about or have reason to believe is occurring or occurred to the police. University employees with supervisory or advising responsibilities must report incidents of sexual assault, stalking and/or relationship violence of any staff, faculty or student, when they learn about the incident, to the appropriate University office.

No one acting on behalf of the University may retaliate against an individual for having made a report in good faith under this policy or having participated in an investigation of sexual assault, stalking and/or relationship violence. Retaliation against any individual for reporting under this policy is prohibited and may result in disciplinary action. Reports of retaliation will be reviewed and investigated in the same manner in which other allegations of misconduct are handled.

REASON FOR POLICY

Board of Regents Policies on Sexual Harassment and Safety of Minors prohibit conduct covered by this administrative policy and Board of Regents Policy: Student Conduct Code. Further, this policy implements the Regent's policy in part and establishes procedures for responding to incidents involving sexual assault and relationship violence. The commitment of the entire University community to this policy contributes to our goal of creating a campus free from sexual assault and from other violence that may occur within a personal, intimate relationship.

PROCEDURES

https://policy.umn.edu/operations/sexualassault
FORMS/INSTRUCTIONS

There are no forms associated with this policy.

APPENDICES

• Affirmative Consent

FREQUENTLY ASKED QUESTIONS

• Sexual Assault, Stalking and Relationship Violence FAQ
• University Employees Reporting Child Abuse, Neglect, and Sexual Assault

CONTACTS

<table>
<thead>
<tr>
<th>Subject</th>
<th>Contact</th>
<th>Phone</th>
<th>Fax/Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Contact(s)</td>
<td>Tina Marisam</td>
<td>612-626-9357</td>
<td><a href="mailto:marisam@umn.edu">marisam@umn.edu</a></td>
</tr>
<tr>
<td>University of Minnesota - Crookston</td>
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<tr>
<td>Subject</td>
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<td>Phone</td>
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<tr>
<td>For victim/survivor services</td>
<td>Polk County Coordinated Victims Services</td>
<td>218-281-1554</td>
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<tr>
<td></td>
<td></td>
<td>1-800-524-1993</td>
<td></td>
</tr>
<tr>
<td>To report a possible crime</td>
<td>Crookston police</td>
<td>911 or 218-281-3111</td>
<td></td>
</tr>
<tr>
<td>To report an alleged violation by a student</td>
<td>Office of Student Affairs</td>
<td>218-281-8505</td>
<td></td>
</tr>
<tr>
<td>To report an alleged violation by an employee</td>
<td>Human Resources Office of Equal Opportunity and Affirmative Action on the Twin Cities Campus</td>
<td>218-281-8345 or 218-281-8346</td>
<td>612-624-9547</td>
</tr>
<tr>
<td>To report an incident occurring in a residence hall</td>
<td>Residential Life Counseling Services Student Health Services</td>
<td>218-281-8531 or 218-281-8533</td>
<td>218-281-8586, or 218-281-8585</td>
</tr>
<tr>
<td>University of Minnesota - Duluth</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
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<table>
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<tr>
<th>For victim/survivor services</th>
<th>Women's Resource and Action Center (WRAC) Program for Aid to Victims of Sexual Assault (PAVSA) Counseling: Health Services</th>
<th>218-726-6292 218-726-1931 218-726-7913</th>
</tr>
</thead>
<tbody>
<tr>
<td>To report a possible crime</td>
<td>UMD Police - 911</td>
<td>218-726-7000</td>
</tr>
<tr>
<td>To report an alleged violation by a student</td>
<td>Student Life</td>
<td>218-726-8969 218-726-8501</td>
</tr>
<tr>
<td>To report an alleged violation by an employee</td>
<td>UMD Department of Human Resources and Equal Opportunity</td>
<td>218-726-6827</td>
</tr>
<tr>
<td>For assistance if a university housing student is involved</td>
<td>Housing and Residence Life UMD Police</td>
<td>218-726-8178 218-726-8768</td>
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</table>

### University of Minnesota - Morris

<table>
<thead>
<tr>
<th>Subject</th>
<th>Contact</th>
<th>Phone</th>
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</tr>
</thead>
<tbody>
<tr>
<td>For victim/survivor services</td>
<td>Student Counseling</td>
<td>320-589-6060</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Someplace Safe</td>
<td>800-974-3359</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Health Services</td>
<td>320-589-6070</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Stevens Community Medical Center</td>
<td>320-589-1313</td>
<td></td>
</tr>
<tr>
<td>To report a possible crime</td>
<td>UMM Campus Police (evenings, weekends)</td>
<td>911 320-589-6000 320-287-1601</td>
<td></td>
</tr>
<tr>
<td>To report an alleged violation by a student</td>
<td>Student Affairs</td>
<td>320-589-6013</td>
<td></td>
</tr>
<tr>
<td>To report an alleged violation by an employee</td>
<td>Human Resources/Equal Opportunity The Office of Equal Opportunity and Affirmative Action on the Twin Cities Campus</td>
<td>320-589-6021 612-824-9547</td>
<td></td>
</tr>
<tr>
<td>For assistance if a residence hall student is involved</td>
<td>Community Advisor, Hall Director, or Residential Life Director Or UMM Police</td>
<td>320-589-6475 320-589-6000</td>
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### University of Minnesota - Rochester

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<th>Subject</th>
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<th>Phone</th>
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</thead>
<tbody>
<tr>
<td>For victim/survivor services</td>
<td>Crisis Hotline</td>
<td>507-269-4511</td>
<td></td>
</tr>
</tbody>
</table>
To report a possible crime  Premier Security Rochester City Police  507-281-4952  507-285-8300
To report an alleged violation by a student  Director of Student Development  507-258-8023
To report an alleged violation by an employee  Human Resources The Office of Equal Opportunity and Affirmative Action on the Twin Cities Campus  507-258-8010  612-624-9547

University of Minnesota - Twin Cities

<table>
<thead>
<tr>
<th>Subject</th>
<th>Contact</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>For victim/survivor services</td>
<td>Aurora Center for Advocacy &amp; Education or 24 hour crisis line Boynton Health Service or (after hours recorded info) Fairview-University Medical Center Emergency Room University Counseling Services</td>
<td>612-626-2929  612-626-9111  612-626-7800  612-625-8400  612-273-3000  612-624-3323</td>
<td></td>
</tr>
<tr>
<td>To report a possible crime</td>
<td>UM Police Department</td>
<td>911, or 612-624-3550</td>
<td></td>
</tr>
<tr>
<td>To report an alleged violation by a student</td>
<td>Office for Community Standards</td>
<td>612-624-6073</td>
<td></td>
</tr>
<tr>
<td>To report an alleged violation by an employee</td>
<td>The Office of Equal Opportunity and Affirmative Action</td>
<td>612-624-9547</td>
<td></td>
</tr>
<tr>
<td>For assistance if a residence hall student is involved</td>
<td>Hall director or community advisor</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

DEFINITIONS

Affirmative Consent
Informed, freely and affirmatively communicated willingness to participate in sexual activity that is expressed by clear and unambiguous words or actions. This definition of consent does not vary based upon a person's sex, sexual orientation, gender identity or gender expression.

*See Appendix: Affirmative Consent for further guidance.

Relationship Violence
Causing physical harm or abuse, and threats of physical harm or abuse, arising out of a personal, intimate relationship. Relationship violence often is a criminal act that can be prosecuted under Minnesota state law, as well as under the Student Conduct Code and employee discipline procedures.

Reporting Party
The individual who was subjected to the sexual assault, stalking or relationship violence
Sexual Assault
Actual, attempted or threatened sexual contact with another person without that person’s affirmative consent. Sexual assault often is a criminal act that can be prosecuted under Minnesota state law, as well as under the Student Conduct Code and employee discipline procedures.

Stalking
A course of conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause a reasonable person to feel fear.

RESPONSIBILITIES

Counseling Services
Provide counseling services and referrals.

Equal Opportunity and Affirmative Action
Oversight of policy and complaint services, consultation regarding allegations, and in the Twin Cities system office, investigation of allegations against employees and students.

Health Care Services
Provide health care and counseling, and referrals.

Housing/Residential Life Offices
Provide assistance to residents, including changing living situations if requested and reasonably available.

Police Departments
Investigate allegations for possible criminal prosecution.

Student Conduct Offices
- Respond to and resolve allegations by students consistent with the Student Conduct Code. This includes advising and sanctioning student offenders when warranted. Some offices, including the Twin Cities campus, will also investigate allegations, unless an appropriate and timely investigation is being conducted by police for use by the student conduct office.
- Provide resource and guidance for training for University presenters and formal hearing board members and chairs.

Victim/Survivor Services
- Maintain all contacts and reports as strictly confidential.
- Provide crisis intervention and advocacy.
- Assist victim/survivor in contacting police and/or reporting to other University offices, if the victim/survivor consents (some can assist in obtaining restraining orders).
- Assist victim/survivor in obtaining medical assistance and counseling, changing academic programs or housing, etc.
- Campus-based programs will also provide awareness, prevention and risk-reduction training, and educational programming for students and employees.

RELATED INFORMATION

- Board of Regents Policy: Student Conduct Code
- Board of Regents Policy: Code of Conduct
- Board of Regents Policy: Sexual Harassment
- Regulations Concerning Faculty Tenure
- Civil Service Rules
HISTORY

Amended:
August 2015 - Comprehensive Review, Major Revision. Added a new appendix that covers affirmative consent prior to engaging in sexual activity.

Amended:
January 2014 - Comprehensive Review, Minor Revision. Emphasizes the reporting of incidents. Aligns the policy with the writing style of other administrative policies.

Amended:
August 2008 - Clarified Policy Statement, Reason, added FAQ, and clarified procedure. Statement now explicitly mentions that stalking is prohibited (previously it mentioned that sexual assault and relationship violence were prohibited.) Title changed to reflect this.

Amended:
July 2004 - Updated contacts section and Police Department instructions in Procedure.

Effective:
May 2001

Supercedes:
1993 Memo on Sexual Assault by Marvalene Hughes.

University Policy Program
350-2 McNamara Alumni Center, Minneapolis, MN 55455 - P: 612-624-8081, policy@umn.edu

Have a good faith belief there has been a violation of University policy? Please report concerns to your supervisor, the appropriate University administrator to investigate the matter, or submit a report to UReport.
Affirmative Consent

A determination about the existence of consent is a critical element in the investigation of a sexual assault. University policy requires affirmative consent between individuals engaging in sexual activity. Affirmative consent is defined as “informed, freely and affirmatively communicated willingness to participate in sexual activity that is expressed by clear and unambiguous words or actions.” Clear and unambiguous words or actions are those that are freely and actively given by informed individuals that a reasonable person in the circumstances would believe communicate a willingness to participate in a mutually agreed upon sexual activity. The following factors will be considered when determining consent:

- It is the responsibility of each person who wishes to engage in the sexual activity to obtain consent.
- A lack of protest, the absence of resistance and silence do not indicate consent.
- The existence of a present or past dating or romantic relationship does not imply consent to future sexual activity.
- Consent must be present throughout the sexual activity and may be initially given, but withdrawn at any time.
- When consent is withdrawn all sexual activity must stop. Likewise, where there is confusion about the state of consent, sexual activity must stop until both parties consent again.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Consent is not obtained where:
  - There is physical force, threats, intimidation or coercion.
  - There is incapacitation due to the influence of drugs or alcohol.
  - There is the inability to communicate because of a physical or mental condition
  - An individual is asleep, unconscious or involuntarily physically restrained.
  - An individual is unable to understand the nature or extent of the sexual situation because of mental or physical incapacitation or impairment.
  - One party is not of legal age to give consent pursuant to Minnesota state law.

University Policy Program
350-2 McNamara Alumni Center, Minneapolis, MN 55455 - P: 612-624-8081, policy@umn.edu

Have a good faith belief there has been a violation of University policy? Please report concerns to your supervisor, the appropriate University administrator to investigate the matter, or submit a report to UReport.
INTRODUCTION AND PURPOSE

This procedure implements Board of Regents Policy: Student Conduct Code and explains the Twin Cities campus's process for actions initiated against students or student organizations by the University under Board of Regents Policy: Student Conduct Code. Procedures governing resolution of student-initiated complaints against the University are provided pursuant to Board of Regents Policy: Conflict Resolution Process for Student Academic Complaints.

The purpose of the student disciplinary process is to provide a framework for resolving complaints about violations of Board of Regents Policy: Student Conduct Code, so that:

- **Informal resolution is encouraged.** The disciplinary process encourages informal resolution of complaints where appropriate.
- **Student development is emphasized.** The disciplinary process emphasizes the educational purpose in student discipline, including helping students understand and accept responsibility for their own behavior.
- **Community interests are met.** While the emphasis of the disciplinary process is on responsible student self-development, the nature of the offense may require, in fairness to the community, the imposition of disciplinary sanctions.
- **Students receive fair treatment.** Most disciplinary matters are resolved informally, with the agreement of the student. When the people involved are unable to reach agreement, however, Board of Regents Policy: Student Conduct Code requires that students have the opportunity to receive a fundamentally fair hearing and a campus-wide appeal.

DIFFERENT DISCIPLINARY PROCESSES: TWIN CITIES CAMPUS

The University of Minnesota-Twin Cities has a campus-wide disciplinary process, managed by the Office for Community Standards (OCS) and the Campus Committee on Student Behavior (CCSB) - that handles most complaints under Board of Regents Policy: Student Conduct Code. In certain circumstances, discipline follows another process:

- A college may maintain its own hearing process for complaints within the college of scholastic dishonesty (which is a violation of Board of Regents Policy: Student Conduct Code).
- Professional or graduate programs may maintain their own codes of conduct for their students.
- Certain administrative units, specifically Housing and Residential Life, the Student Activities Office, and the Learning Abroad Center, also may maintain disciplinary processes for violations of their rules of conduct.
Regardless of the process, OCS is a resource for colleges and units in handling disciplinary matters.

Complaints of violations of Board of Regents Policy: Student Conduct Code

Complaints of violation of Board of Regents Policy: Student Conduct Code may issue from OSC, a responsible administrator under the code of conduct of a professional or graduate program, a responsible administrator under the disciplinary processes of an appropriate administrative unit (i.e., Housing and Residential Life, the Student Activities Office, or the Learning Abroad Center) or an instructor in the case of a grade sanction for scholastic dishonesty. In any case, students are entitled to notice identifying alleged violations and explaining the basis for the allegations. Complaints should be made as soon as possible after the event takes place.

Informal resolution

The offices and administrators that informally resolve complaints under Board of Regents Policy: Student Conduct Code are:

- **Office for Community Standards**
  The Office for Community Standards (OCS) seeks to informally resolve complaints of violations of Board of Regents Policy: Student Conduct Code. OCS administrators meet with the student and consult with affected instructors or administrators to develop a proposed written resolution, including sanctions where appropriate. Students may accept OCS's proposed informal resolution, or may choose to go to a hearing. OCS also may choose to send a complaint to a hearing, rather than informally resolve it.

  OCS handles complaints of violations of Board of Regents Policy: Student Conduct Code other than scholastic dishonesty, and may be involved in resolving complaints of scholastic dishonesty, especially when those complaints cross college lines or involve repeat violations or other misconduct under Board of Regents Policy: Student Conduct Code. OCS also handles complaints that fall within an administrative unit's rules but are so serious as to warrant a University, rather than unit, response.

  **Record Hold.** Students who refuse to respond to OCS upon receiving a complaint of violation of the Student Conduct will have a hold placed on their record, preventing them from registering or obtaining a transcript until they respond to the complaint.

- **Instructors and colleges for scholastic dishonesty complaints**
  Allegations of scholastic dishonesty frequently are first raised by the affected instructor and are resolved simply by the assignment of a grade or other academic consequence in the class and the acceptance of that grade or consequence by the student. Instructors or their college should report all cases of scholastic dishonesty to OCS, even if the matter is resolved. The OCS is the central repository for all reports of scholastic dishonesty violations.

- **Responsible administrator under a professional or graduate program code of conduct**
  Some professional or graduate programs maintain their own codes of conduct which may overlap with Board of Regents Policy: Student Conduct Code. The programs may apply their own disciplinary procedures for violation of their codes by their students. Some of these codes may provide for informal resolution of complaints. Students should consult the code that applies to them for information about informally resolving complaints. A list of these codes of conduct can be found in Appendix: Disciplinary Processes of Professional or Graduate Programs and Administrative Units: Twin Cities.

- **Administrative unit**
  Some administrative units (Housing and Residential Life, the Student Activities Office, Athletics, Greek Life, and the Learning Abroad Center) have their own disciplinary processes, which overlap with Board of Regents Policy: Student Conduct Code, and may issue and resolve complaints of their rule violations through their own process. See Appendix: Disciplinary Processes of Professional or Graduate Programs and Administrative Units. Board of Regents Policy: Student Conduct Code complaints that are so serious as to warrant sanctions beyond the authority of the particular administrative unit, however, should be forwarded by the unit to OCS for handling, which may include a hearing before the CCSB.

Formal resolution

If a complaint under Board of Regents Policy: Student Conduct Code is not resolved informally, the student is entitled to a hearing. The hearing procedure varies depending on the circumstances of the student and the nature of the complaint. The hearing bodies are:

- **Campus Committee on Student Behavior (CCSB)**
The Campus Committee on Student Behavior (CCSB) is a campus-wide hearing body comprised of faculty, staff, and students that hears and decides complaints under the Student Conduct Code. See Appendix: CCSB Hearing Procedures: Twin Cities. The CCSB has authority to hear all types of complaints under Board of Regents Policy: Student Conduct Code, including:

- complaints under Board of Regents Policy: Student Conduct Code of misconduct other than scholastic dishonesty, including sexual assault, sexual harassment, stalking, and relationship violence;
- complaints of scholastic dishonesty that cross college lines;
- "intracollege" complaints of scholastic dishonesty (i.e., complaints involving a student within the college, in a course offered by that college) that are referred to CCSB by a college, or that are accompanied by non-scholastic complaints under Board of Regents Policy: Student Conduct Code; and
- any other complaints under Board of Regents Policy: Student Conduct Code that are referred to CCSB by a professional or graduate program, college, or administrative unit.

College disciplinary process for scholastic dishonesty

Each college has the authority to manage its own hearing process for formal resolution of intracollege complaints of scholastic dishonesty, which is a violation of Section VI(1) of Board of Regents Policy: Student Conduct Code. A complaint of scholastic dishonesty is "intracollege" when it involves a student admitted by that college, in a course offered by that college. Colleges may have their own established hearing procedures, or may follow the template procedures outlined in Appendix: Guidelines for Colleges: Student Conduct Code Conflict Resolution Procedures: Twin Cities.

Professional or graduate program disciplinary process

Professional or graduate programs that maintain their own codes of conduct may formally resolve complaints according to their own established hearing process. A copy of the final decision must be sent to the Office for Community Standards (OCS). Students should consult the code that applies to them for information about formally resolving complaints. See Appendix: Disciplinary Processes of Professional or Graduate Programs and Administrative Units.

Administrative unit disciplinary process

Some administrative units (Housing and Residential Life, the Student Activities Office, the Learning Abroad Center) have their own disciplinary processes to formally resolve complaints involving violation of their rules and Board of Regents Policy: Student Conduct Code violations. Students should consult the process that applies to them for information about formally resolving complaints. See Appendix: Disciplinary Processes of Professional or Graduate Programs and Administrative Units.

In all cases, hearings on violations of Board of Regents Policy: Student Conduct Code must be fundamentally fair. What constitutes fundamental fairness in a University hearing depends on a number of factors, including the seriousness of the potential penalty. However, a fundamentally fair hearing process usually allows for students or student organizations to:

- be notified in writing of the alleged violation and the underlying factual allegations; the time, date, and place of the hearing; and the range of possible sanctions;
- receive a prompt hearing;
- present their case, including witnesses;
- hear all evidence against them;
- question adverse testimony;
- be confronted by their accusers (subject to reasonable procedures to address concerns for safety or well-being);
- be accompanied or represented by an advocate of their choice;
- be found responsible only if the information as a whole shows that it is more likely than not that the student's conduct violated Board of Regents Policy: Student Conduct Code;
- receive a written disciplinary decision following the hearing; and
- receive notification of the procedure for a campus-wide appeal of the disciplinary decision.

A formal record, a tape recording, or a transcript of the hearing procedure must be kept for appellate purposes. Board of Regents Policy: Student Conduct Code hearings are not court cases, and court rules of process, procedure, or evidence do not apply.

Possible sanctions for violation of Board of Regents Policy: Student Conduct Code
The Board of Regents Policy: Student Conduct Code outlines the range of sanctions for violation of Board of Regents Policy: Student Conduct Code. Colleges, programs, and administrative units may further define the applicable sanctions under their processes. When hearing cases of violations of Board of Regents Policy: Student Conduct Code, the CCSB and the colleges are authorized to apply the full scope of sanctions available to the University, including expulsion from the University. Professional graduate programs or administrative units enforcing their own codes or disciplinary rules generally limit their sanctions to those that fall within the reach of the program or administrative unit including expulsion from the program. Cases that may warrant a broader sanction should be referred to or coordinated with the Office for Community Standards.

Interim student suspension

The president or provost may impose an immediate interim suspension on a student or student organization pending a hearing before the appropriate disciplinary committee (1) to ensure the safety and well-being of members of the University community or preserve University property, (2) to ensure the student's own physical or emotional safety and well-being, or (3) if the student or student organization poses an ongoing threat of disrupting or interfering with the operations of the University. During the interim suspension, the student or student organization may be denied access to all University activities or privileges for which the student or student organization might otherwise be eligible, including access to University housing or property. The student or student organization has a right to a prompt hearing before the president or provost on the questions of identification and whether the interim suspension should remain in effect until the full hearing is completed. The student must be informed in writing of the term of the suspension, the reasons for it, and the opportunity to be heard on the limited questions described above. The underlying Board of Regents Policy: Student Conduct Code case will be heard and decided by the appropriate hearing body, and the case generally will take precedence over other cases pending before that body.

Appeal

A student found to have violated Board of Regents Policy: Student Conduct Code is entitled to a campus-wide appeal of disciplinary decisions made in the hearing process. The reporting party in a sexual assault, sexual harassment, stalking, or relationship violence case also has the right to a campus-wide appeal.

Grounds for Appeal

The following are the grounds for appealing a disciplinary decision.

- There was significant procedural error sufficient to affect the outcome (e.g., lack of notice, opportunity to be heard, or opportunity to challenge information). A procedural error is not a basis for sustaining an appeal unless it was significant enough to affect the outcome.
- The rule found to have been violated was misapplied, misinterpreted, or contrary to law.
- New evidence exists that was not previously available to the appealing party and that is sufficient to affect the outcome.
- The sanction was grossly disproportionate to the offense.
- The disciplinary decision was not based on substantial information. Substantial information means relevant information that a reasonable person might accept as adequate to support a conclusion. In making this determination, the appellate officer must respect the credibility determinations of the hearing body and must not substitute the officer's judgment for the hearing body. Rather, the appellate officer must determine whether the hearing body's disciplinary decision was unreasonable (i.e., arbitrary) in light of the information presented.

Nature of Appellate Review

A student found to have violated Board of Regents Policy: Student Conduct Code or the reporting party in a sexual assault, sexual harassment, stalking, or relationship violence case has the right to appeal the disciplinary decision. Appellate review generally is review of the record to determine whether a serious error occurred in the original proceeding that resulted in unfairness. Appellee review respects the credibility judgments of the hearing body, and respects the hearing body's determinations as long as there is any evidence to reasonably support them.

Appellate Officer

The appellate officer makes the final University decision regarding student discipline. The Provost serves as the appellate office unless the Provost authorizes another administrator who holds a position of campus-wide scope to serve as the appellate officer the Provost's place.

Parties and Advocates

The parties to an appeal are (1) the appellant, who is the student found to have violated Board of Regents Policy: Student Conduct Code or the reporting party in a sexual assault, sexual harassment, stalking, or relationship violence case, and (2) the responde
who is either the chair or a representative member of the original hearing panel. The appellant may be represented by an advocate (e.g., Student Conflict Resolution Center). If the appellant is represented by an attorney, the respondent will be represented by an attorney from the Office of General Counsel. Unless the appellate officer decides otherwise, the appeal is a written appeal and representation by an advocate or attorney is limited to providing written information.

**Procedure for Filing an Appeal**

To appeal a disciplinary decision, a student found to have violated Board of Regents Policy: Student Conduct Code or the reporting party in a sexual assault, sexual harassment, stalking, or relationship violence case must submit a notice of appeal to Provost's Appeal Secretary within five (5) weekdays of receipt of the original disciplinary decision. [Address: Provost's Appeal Secretary, 234 Morrill Hall, 100 Church Street, SE, Minneapolis, MN 55455.] A student found to have violated Board of Regents Policy: Student Conduct Code or the reporting party in a sexual assault, sexual harassment, stalking, or relationship violence case would then be provided with an additional five (5) weekdays for submission to the Provost's Appeal Secretary of a written statement specifically identifying the ground(s) for the appeal, explaining why the ground(s) for appeal are met, and providing any supporting documentation.

**Review of Information**

To decide an appeal, the appellate officer reviews the written appeal submitted by the appellant and may review any or all portions of the record as appropriate to decide the appeal. The appellate officer also has discretion to seek further information to assist in deciding the appeal, including one or more of the following:

- additional written information from the appellant, including citations to key portions of the record;
- a written response from the respondent;
- written responses to questions, from either the appellant or the respondent; and
- oral presentations from the appellant and the respondent (or their advocate/attorney), which will be recorded.

In cases of sexual assault, sexual harassment, stalking, or relationship violence, if the student found to have violated Board of Regents Policy: Student Conduct Code is asked to submit written information or to appear for an oral presentation, the reporting party will be offered the same opportunity. If the reporting party in a sexual assault, sexual harassment, stalking, or relationship violence case is asked to submit written information or to appear for an oral presentation, the student who was accused will be offered the same opportunity. At any oral presentation, the accused student and the reporting student each may be accompanied by a support person.

**Appellate Decision**

The appellate officer makes the final University decision. The appellate officer may accept, modify, or reject the disciplinary decision of the hearing body, or return the matter for further proceedings. The appellate officer will provide a written decision to the appellant and the chair of the hearing body. In cases of sexual assault, sexual harassment, stalking, or relationship violence, the appellate officer will provide simultaneous written notice to the accused student, the reporting party, and the chair of the hearing body. The appellate officer will strive to issue a final decision within thirty (30) calendar days of the notice of appeal.

**Sanctions Pending Appeal**

Academic (grade) sanctions by the hearing body are implemented immediately, even pending appeal. Disciplinary sanctions affecting the student's status/attendance at the University generally are stayed pending appeal, unless the Provost or delegate determines that sanctions should be immediately implemented because the underlying offense involved serious harm to another person or the student otherwise presents a continuing risk of harm or disruption to the community. All other disciplinary sanctions are generally stayed pending appeal.

**Appendices**

- [Campus Committee on Student Behavior Hearing Procedures: Twin Cities](#)
- [Disciplinary Processes of Professional or Graduate Programs and Administrative Units: Twin Cities](#)
- [Guidelines for Colleges: Student Conduct Code Conflict Resolution Procedures: Twin Cities](#)

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**University Policy Program**

350-2 McNamara Alumni Center, Minneapolis, MN 55455 - P: 612-624-8081, policy@umn.edu

Have a good faith belief there has been a violation of University policy? Please report concerns to your supervisor, the appropriate University administrator to investigate the matter, or submit a report to UReport.
April 14, 2017

TO: Regent Thomas J. Anderson, chair
Regent Peggy E. Lucas
Regent Steven A. Sviggum

FROM: Regent Dean E. Johnson, Chair
Regent David J. McMillan, Vice Chair

RE: Charge to Special Oversight Committee

Over the past several months, many in the University of Minnesota community endured a difficult period in the aftermath of an incident involving a report of sexual assault and subsequent actions by the University. Allegations of sexual assault are serious and the Board of Regents is committed to ensuring student safety across all University campuses as well as an appropriate process for all parties involved. To that end, we are committed to examining the recent events and processes to identify areas in which we can further enhance our processes for the betterment of our students.

This is not an investigation or a broad-ranging inquiry; it is a review focused on specific issues with the goal of learning from our recent experiences. We seek to not only ensure that the University is in compliance with law and policy, but also assess how the University can improve.

The importance of these issues merit direction and oversight independent from the administration and, therefore, I am appointing you to a special oversight committee of the Board of Regents. This appointment is under the Chair’s authority to appoint and identify the responsibilities of special committees (Bylaws of the Board of Regents, Article V, Section C).

The special committee will oversee the review, which will be coordinated and supported by the General Counsel with employment of outside assistance as appropriate. The University's Chief Auditor will provide advice and assistance as needed. The committee is also encouraged to solicit input from the Faculty Athletics Representatives (FARs). The review will entail consideration of sensitive and confidential information, including information protected under state and federal privacy laws. Thus, we must ensure that any public discussion respects all applicable privacy laws and that the review is conducted so as to maintain the attorney-client privilege and preserve the special committee’s ability to strike the proper balance of the many interests at stake.

Your specific charge is to oversee review of the following issues:

1. Practices and policies with respect to suspensions and other discipline within the Department of Intercollegiate Athletics (Twin Cities Campus), including how these practices and policies interact or relate to Board of Regents Policy: Student Conduct Code (Conduct Code) process and the criminal justice process.

Driven to Discover™
2. The standards of review and processes at each stage of the Conduct Code process as it relates to Title IX matters.

3. Practices and policies regarding permissible communication during the Conduct Code process, including specifically when that process involves student-athletes.

4. Lessons learned from the threatened boycott by the football team, including review of involvement by Regents, senior University leaders, coaches, and individuals from outside the University.

We appreciate that whenever the University examines its practices, such a review involves self-assessment. In this case, we have confidence that the General Counsel will involve outside counsel or other external resources as appropriate to examine the recent events in a responsible fashion that is consistent with his duties and obligations to the University of Minnesota. Furthermore, we anticipate that the General Counsel, in consultation with the Chief Auditor, will shape recommendations for University practices moving forward.

The special oversight committee will solicit from the General Counsel both public analysis and recommendations and privileged legal advice. We ask that the special oversight committee keep us apprised of the timeline for completion of the review.

c. Members of the Board of Regents
   President Eric W. Kaler
   Douglas R. Peterson, General Counsel
   Gail Klatt, Chief Auditor
   Brian R. Steeves, Executive Director & Corporate Secretary
Office for Civil Rights

OCR's mission is to ensure equal access to education and to promote educational excellence through vigorous enforcement of civil rights in our nation's schools. Find out More (/about/offices/list/ocr/aboutocr.html)

Resources Available in Other Languages

- العربية
- العربية
- हिन्दी
- 한국어
- فارسی
- français
- kreyòl ayisyen
- русский
- español
- Kiswahili
- Tagalog
- Dari
- Af-Soomaali

Protecting Students - (/about/offices/list/ocr/frontpage/pro-students/race-origin-pr.html)

Filing a Complaint - (/about/offices/list/ocr/docs/howto.html?src=go)

Civil Rights Data - (/about/offices/list/ocr/data.html?src=go)

Frequently Asked Questions - (/about/offices/list/ocr/faqs.html?src=go)
The Trump administration is planning to disband the Labor Department division that has policed discrimination among federal contractors for four decades, according to the White House’s newly proposed budget, part of wider efforts to rein in government programs that promote civil rights.

As outlined in Labor’s fiscal 2018 plan, the move would fold the Office of Federal Contract Compliance Programs, now home to 600 employees, into another government agency in the name of cost-cutting.

The proposal to dismantle the compliance office comes at a time when the Trump administration is reducing the role of the federal government in fighting discrimination and protecting minorities by cutting budgets, dissolving programs and appointing officials unsympathetic to previous practices.

The new leadership at the Environmental Protection Agency, for instance, has proposed eliminating its environmental justice program, which addresses pollution that poses health threats specifically concentrated in minority communities. The program, in part, offers money and technical help to residents who are confronted with local hazards such as leaking oil tanks or emissions from chemical plants.

Under President Trump’s proposed budget, the Education Department’s Office of Civil Rights — which has investigated thousands of complaints of discrimination in school districts across the country and set new standards for how colleges should respond to allegations of sexual assault and harassment — would also see significant staffing cuts. Administration officials acknowledge in budget documents that the civil rights office will have to scale back the number of investigations it conducts and limit travel to school districts to carry out its work.

And the administration has reversed several steps taken under President Barack Obama to address LGBT concerns. The Department of Housing and Urban Development, for example, has revoked the guidance to implement a rule ensuring that transgender people can stay at sex-segregated shelters of their choice, and the Department of Health and Human Services has removed a question about sexual orientation from two surveys of elderly Americans about services offered or funded by the government.
The efforts to reduce the federal profile on civil rights reflects the consensus view within the Trump administration that Obama officials exceeded their authority in policing discrimination on the state and local level, sometimes pressuring targets of government scrutiny to adopt policies that were not warranted.

Administration officials made clear in the initial weeks of Trump’s presidency that they would break with the civil rights policies of his predecessor. Attorney General Jeff Sessions ordered a review of agreements to reform police departments, signaling his skepticism of efforts to curb civil rights abuses by law enforcement officers. His Justice Department, meantime, stopped challenging a controversial Texas voter identification law and joined with the Education Department in withdrawing federal guidance allowing transgender students to use school bathrooms corresponding to their gender identity.

While these decisions have been roundly criticized by liberal activists, administration officials said that civil rights remain a priority for the Trump White House.

“The Trump administration has an unwavering commitment to the civil rights of all Americans,” White House spokeswoman Kelly Love said in an emailed statement.

But Vanita Gupta, who was the head of Justice’s civil rights division from October 2014 to January 2017, said that the administration’s actions have already begun to adversely affect Americans across the country.

“They can call it a course correction, but there’s little question that it’s a rollback of civil rights across the board,” said Gupta, who is now president of the Leadership Conference on Civil and Human Rights.

Labor’s budget proposal says that folding its compliance office into the Equal Employment Opportunity Commission “will reduce operational redundancies, promote efficiencies, improve services to citizens, and strengthen civil rights enforcement.”

Historically, the two entities have played very different roles. Unlike the EEOC, which investigates complaints it receives, the compliance office audits contractors in a more systematic fashion and verifies that they “take affirmative action” to promote equal opportunity among their employees.

Patricia A. Shiu, who led the compliance office from 2009 to 2016, said the audits are crucial because most workers don’t know they have grounds to file a complaint. “Most people do not know why they don’t get hired. Most people do not know why they do not get paid the same as somebody else,” she said.

Under Obama, officials in the compliance office often conducted full-scale audits of companies, examining their practices in multiple locations, rather than carrying out shorter, more limited reviews as previous administrations had done.

Some companies have questioned the more aggressive approach, noting the office has consistently found since 2004 that 98 percent of federal contractors comply with the law.

But the compliance office also scored some major recent legal victories, including a $1.7 million settlement with Palantir
involving Gordon Food Service, which serves the Agriculture Department, the Pentagon and the Federal Bureau of Prisons, the office found the company had “systematically eliminated qualified women from the hiring process.” The firm agreed to pay $1.85 million in wages to 926 women who had applied for jobs and hire 37 of them. Gordon Food was also forced to no longer require women to take a strength test.

In Education Department budget documents, the administration acknowledges that proposed funding levels would hamper the work of that department’s civil rights office. The budget would reduce staffing by more than 40 employees.

“To address steady increases in the number of complaints received and decreased staffing levels, OCR must make difficult choices,” the budget documents say. “OCR’s enforcement staff will be limited in conducting onsite investigations and monitoring, and OCR’s ability to achieve greater coordination and communication regarding core activities will be greatly diminished.”

Some critics of the civil rights office said school districts often felt they were presumed guilty in the eyes of the federal government.

“There was sort of this sense that . . . if there was a complaint filed, there must have been done something wrong,” said Thomas J. Gentzel, executive director of the National School Boards Association. “But there’s usually two sides to a story.”

Education Department spokeswoman Liz Hill said that Education Secretary Betsy DeVos and Candice E. Jackson, who has been named as the acting head of the civil rights office, are committed to protecting all students from discrimination.

“Each civil rights complaint received by OCR is given due care and attention, with OCR serving as a fair and impartial investigative office,” Hill said.

Jackson’s nomination has added to the anxiety of civil rights activists. Jackson, a lawyer from Vancouver, Wash. and author of a book about women who had accused President Bill Clinton of sexual assault, has written that programs aimed at fostering a diverse student body dismiss “the very real prices paid by individual people who end up injured by affirmative action.”

Similar concerns have been raised about Trump’s likely selection of Eric S. Dreiband to head the Justice Department’s civil rights division. A former Bush administration official and veteran conservative Washington lawyer, Dreiband has represented several companies that were sued for discrimination. (Dreiband is representing the Washington Post in an age and race discrimination case in federal court in the District.)

**Correction:** An earlier version of this story misstated the status of a a rule ensuring that transgender people can stay at sex-segregated shelters of their choice. The story has been corrected.

Lisa Rein contributed to this report.
Juliet Eilperin is The Washington Post's senior national affairs correspondent, covering how the new administration is transforming a range of U.S. policies and the federal government itself. She is the author of two books—one on sharks, and another on Congress, not to be confused with each other—and has worked for the Post since 1998. Follow @eilperin.

Nina Brown writes about national education and about people with a stake in schools, including teachers, parents and kids. Follow @emmersbrown.

Darryl Fears has worked at The Washington Post for more than a decade, mostly as a reporter on the National staff. He currently covers the environment, focusing on the Chesapeake Bay and issues affecting wildlife. Follow @bydarrylfears.
The University of Minnesota's Office of Equal Opportunity and Affirmative Action (EOAA) was founded in 1972 to ensure that all University community members uphold federal and state civil rights laws and regulations, as well as University equal opportunity policies.

The EOAA Office envisions a University community that is equitable—one that values the diversity of its workforce and student body and is free from discrimination and harassment. We act as a neutral party to advise individuals and departments about perceived, existing and potential discrimination, harassment, sexual violence, retaliation, and potential violations of the policy against nepotism through consultation and investigation.

EOAA investigates complaints about discrimination; harassment, including sexual harassment; sexual misconduct, including sexual assault; stalking, and relationship violence; nepotism; and retaliation.

EOAA provides educational programming on issues related to discrimination, harassment, sexual violence, bullying, religious discrimination, and the hiring process.

EOAA also is responsible for recommending changes and making revisions to relevant University policies and procedures.

Employment Opportunities:
- Equal Opportunity Administrator
- Equal Opportunity Associate

The Chronicle of Higher Education

MPR News: U of M rolls out new policy defining sexual consent

MPR News: How the University of Minnesota handles sexual assault
http://www.mprnews.org/story/2015/04/01/bcs-st-sexual-assault-university-of-minnesota

Upcoming Events
More events coming soon!

Let Us Help You
- Report discrimination, harassment, retaliation, nepotism, sexual assault or Title IX violations
- Review commonly used EOAA definitions
- Learn about EOAA workshops and trainings
- Access the University's Affirmative Action Plan

Contact Information
274 McNamara Alumni Center
200 Oak Street SE
Minneapolis, MN 55455
Office: 612-624-9547
Fax: 612-624-5223
Email: eoaa@umn.edu
About | Orientation & First-Year Programs (OFYP)

Orientation & First-Year Programs (OFYP)
OFFICE OF UNDERGRADUATE EDUCATION

About

Home | More | About OFYP

Vision
All entering students will experience a seamless transition and become engaged community members.

Mission
To provide quality transitional experiences that maximize students' potential for personal and academic success.

Goals
In connection with OFYP's mission and the University's retention goals, OFYP programs and experiences will support the student transition and sense of belonging by...

• Helping students understand and thrive in their transition
• Creating a welcoming environment
• Communicating academic expectations and pathways
• Sharing information about how to navigate resources
• Fostering community development
• Conveying the importance of student engagement
• Connecting new students with peer leaders

Points of Pride

Following are awards received by OFYP for several of our communications (both print and electronic).

2016
Communications Forum, Maroon Award for Design, Poster
2015-2016 Welcome Students Poster
Communications Forum, Maroon Award for Design, Multi-Page Print
2015-2016 Gold Book: Your Guide to the First Year

2015
Outstanding Publication for New Students or Family Members
NCDA National Convention 2015
Communications Forum, O Brand Award for Design, Poster
2014-2015 Welcome Students Poster

2014
Outstanding Novelties Item (Large Institution)
NCDA National Convention 2014
Gold Award for Campaign/Series Promotional
2014 Communications Forum Conference
Maroon Award for Design, Multi-Page Print
2014 Communications Forum Conference

2013
Outstanding Use of Themes (Institution size greater than 18,000)
NOHAC 2013

2012
Outstanding Welcome Week Publicity (Institution size greater than 15,000)
NOHAC 2012
Maroon Award for Informational/Instructed Campaign/Series
2012 Communications Forum Conference

2010
Outstanding Welcome Week Publicity (Institution size greater than 15,000)
NOHAC 2010
Outstanding Use of Theme
NOHAC 2010

2008
Outstanding General Brochure or Booklet (three or more colors)
NOHAC 2008

2007
Outstanding Multimedia/Emerging Technologies
NOHAC 2007
Outstanding Use of Theme
NOHAC 2007
Outstanding Orientation Website
NOHAC 2007
Top Five Program in the Outstanding Showcase Program
2007 NOHAC Region V Conference

2006
Outstanding General Brochure for Special Populations
NOHAC 2006

2005
Outstanding General Brochure for Special Populations
NOHAC 2005
Outstanding General Booklet or Brochure for Special Populations
NOHAC 2005

2004
Outstanding Multimedia/Emerging Technologies
NOHAC 2004

2002
World Famous Multimedia/Emerging Technologies
NOHAC 2002

1999
Outstanding General Booklet or Brochure for Special Populations
NOHAC 1999

Core Values

Student success
Dedicated to the success of each individual

Building community
Celebrating diversity, encouraging responsibility, and creating a sense of belonging

Collaboration
Strengthening our work by building internal and external relationships

Leadership
Developing the leader within each of us

Commitment to excellence
Pursuing our work with professionalism, innovation, scholarship, and integrity

315 Coffman Memorial Union
300 Washington Avenue SE
Minneapolis, MN 55455

cfyp@umn.edu 612-624-1979
1-800-234-1979

https://www.ofyp.umn.edu/more/about

EXHIBIT 12
The Aurora Center for Advocacy & Education
Sexual Assault • Relationship Violence • Stalking

Our Mission

To serve all victims/survivors/concerned people of sexual assault, relationship violence, and stalking at the University of Minnesota and Augsburg College.

The mission encompasses these goals:

- Deliver free and confidential services to everyone at the University of Minnesota.
- Build partnerships between The Aurora Center and other departments on campus.
- Create awareness and prevention strategies around sexual assault, relationship violence, stalking and oppression.
- Provide meaningful volunteer and leadership opportunities.

We envision a campus where:

- Sexual assault, relationship violence, and stalking is unacceptable;
- Victims/survivors/concerned people receive the advocacy, compassion, and support they deserve from friends, family, the campus community, as well as from the medical, legal, and criminal justice systems;
- Students, faculty, staff, and other stakeholders help us challenge the institutions, practices and policies, and systems that promote sexism, racism, heterosexism, classism, ageism, religious oppression, and the oppression of people with disabilities which are among the root causes of violence.

The Aurora Center is committed to valuing diversity, honoring clients from all race, color, creed, religion, national origin, sex, age, marital status, disability, public assistance status, veteran status, sexual orientation, gender identity, or gender expression.
About

Mission Statement
To support and advance the mission of the University by providing outstanding on-campus housing facilities, programs, and services.

Vision Statement
To be the housing option of choice for students and summer conference guests.

Meet Us

Residence Director (RD)

Domingo Coto
Roy Wilkins Hall

Domingo Coto
Sanford Hall

Kyle Flowers
University Village

Dominique Gant
Frontier Hall

Nick Goffard
Radius at 15th

Grant Henry
Territorial Hall

Ashley Lang
Bailey Hall

Terri Luna
Yudof Hall

Sean Smallwood
Comstock Hall

Lisa Thao
Centennial Hall

Kegan Walker
Keeler

Kegan Walker
17th Avenue Hall

Jie Zhao
Middlebrook Hall

Assistant Residence Director (ARD)

https://housing.umn.edu/contact-us/about
Alex Abraha  
Centennial Hall

Mick Castro  
Roy Wilkins Hall

Mick Castro  
Sanford Hall

Rachael Mills  
Keeler

Rachael Mills  
17th Avenue Hall

Nabil Shuna  
Territorial Hall

Lexi Tarter  
Middlebrook Hall

Pang Veng  
Frontier Hall

Business Operations Supervisor (BOS)

Vicky Bayerl  
Bailey Hall

Diane Branson  
Roy Wilkins Hall

Diane Branson  
Sanford Hall

Ann Hawes  
Frontier Hall

Andy Hillis  
Centennial Hall

Dre Jefferson  
Middlebrook Hall

Mari Maack  
Magnusson Keeler

Mari Maack  
17th Avenue Hall

Mariah Marx  
Radius at 15th

Becky Mohn  
University Village

Sharon Roberson  
Yudof Hall

Michael Sanders  
Comstock Hall

Computer Center Coordinator (CCC)

Jacob Boldenow  
Bailey Hall

Hannah DuBlos  
Comstock Hall

Dylan Dworsky

https://housing.umn.edu/contact-us/about
Can't Find What You're Looking For?
Feel free to stop by our office or contact us.

https://housing.umn.edu/contact-us/about
PUBLIC SAFETY

DEPARTMENT OF PUBLIC SAFETY

POLICE (https://publicsafety.umn.edu/about)

SECURITY (https://publicsafety.umn.edu/home/escort)

COMMUNICATIONS (https://psec.umn.edu)

CONNECT WITH US!

https://www.facebook.com/UniversityofMinnesotaPolice/

https://twitter.com/umnpolice

THE LATEST

NOTICES (https://publicsafety.umn.edu/alerts)

STATS AND MAPS (https://publicsafety.umn.edu/statistics)

DAILY CRIME LOG (https://publicsafety.umn.edu/home/dailycrime)

https://publicsafety.umn.edu/
Timely Warning—August 8, 2017
On Tuesday, August 8 just before 5:00 a.m., the University of Minnesota Police Department responded to the report of a robbery outside of the Civil Engineering Building at 500 Pillsbury Drive SE.

Timely Warning—July 19, 2017
On Wednesday, July 19 at approximately 4:15 a.m., a University of Minnesota employee was the victim of a robbery. The crime occurred at the bus shelter near Jones Hall on Pleasant Street.

GET HELP

REPORTING A CRIME
(HTTPS://PUBLICSAFETY.UMN.EDU/REPORTCRIME)

SEXUAL ASSAULT
(HTTPS://PUBLICSAFETY.UMN.EDU/SEXUALASSAULT)

ALERTING U
(HTTPS://PUBLICSAFETY.UMN.EDU/ALERTS)

RESOURCES
(HTTPS://PUBLICSAFETY.UMN.EDU/RESOURCES)

SERVICES
(HTTPS://PUBLICSAFETY.UMN.EDU/SERVICES)

FAQS
(HTTPS://PUBLICSAFETY.UMN.EDU/CONTENT/FAQ)
Student-Athlete Development Mission Statement

The University of Minnesota's Student-Athlete Development program encourages and supports service, leadership, personal and professional development for the overall well-being of the intercollegiate student-athlete. We strive to build success through creative problem solving, personalized educational sessions, trainings and meaningful partnerships with campus and community stakeholders.

Vision:

To serve as the premier provider of services and resources in the enhancement of the student-athlete experience through empowerment and leadership development.

Pillars of Excellence

- Individual
- Team
- Department

Student-Athlete Development Commitments

- **Academic Excellence** - Utilize resources to shape and build upon intellectual capacity in the pursuit of scholastic achievement.

- **Athletic Excellence & Leadership** - Empower a continued commitment to honoring our athletic mission guided by leadership, integrity and pride.

- **Personal Development** - Coordinate educational programs, developmental initiatives and assessment tools to increase awareness through identity exploration and enhancement.

- **Professional Development** - Provide programming to encourage career progression and enhanced professional competence.

- **Service** - Promote a shared belief in making a difference in the lives of others by being an active and engaged member of our campus and surrounding community.
Orientation and First-Year Programs (OFYP) in the Office of Undergraduate Education

In the 1990’s, the University was legislatively mandated to address sexual assault in its orientation programming. At that time, we decided to deliver this content through the means of a now copyrighted play – Pieces of the Puzzle. This play is a theatrical representation of campus life issues including alcohol, sexual assault, academics, integrity, respect, mental health issues among others.

During the program, students see a high impact monologue of a man realizing he has sexually assaulted women. Later in the play, you see a woman’s experience of being sexually assaulted. At the conclusion of play, the students go back into their small groups and discuss the play. Each Orientation Leader is required to review the sexual assault monologue. All new freshmen are required to attend and view this, which results in over 5700 views. This year (2015) the play was showcased in Transfer Welcome Days, which was attended by 462 transfer students. The consent language we have used (provided by the Aurora Center) in the play is provided below. This is integrated into the play in between monologues and is a part of online orientation content for transfer students (98% completion rate).

In preparation for Orientation and Welcome Week, the Orientation Leaders go through bystander training conducted by the Aurora Center. During this training they cover the Title IX and Cleary Act. Welcome Week Leaders participate in a similar training and are also asked to complete a summer task that asks them if/how they applied the training. In 2015, Welcome Week Leaders and Orientation Leaders were trained on the new policy during August training.

Pieces of the Puzzle Slide about Sexual Assault and Consent Language:
Assumptions
Illegal Sex: I have access to your body no matter what. If you say no, I will ignore it. I may try to “work out a yes” with threats or coercion. I may use alcohol to make you less resistant and may drink to justify my actions.
Unhealthy Sex: I have access to your body until you say “NO’ or push me off.
Healthy/Legal/Fun Sex: I do not have access to your body until you say YES or have otherwise clearly indicated consent to me.

*Aurora Center for Advocacy & Education
Orientation & First-Year Programs: 2016 Safety Messaging

The following is a list of the various messages OFYP sends to all new undergraduate students and their parents/families. This includes topics/resources: personal safety, avoiding theft, transit safety, sexual assault awareness, financial literacy, alcohol education, student conduct, stepping up, creating a community of care, being respectful and civil, mental health awareness.

Freshman Orientation
Resource Fair
-2-hour opportunity to engage with parents and students about safety, UMPD & security monitor program
  • Staffed by Security Monitors and occasional UMPD officer

Navigating the U session
-Orientation Leaders present to audience of 120-200 students (2x per day)
  • Parking & Transportation Slides
    o Light rail
    o Driver safety on campus (avoid distracted driving and watch for walkers/bikers)
    o Biking safety (stay off sidewalks, purchase U-Lock, follow signs/traffic signals, use bike lanes, watch out for walkers and drivers)
    o 624-WALK
    o Concludes with overall safety message of it’s importance, respect each other and share the space
  • UMPD
    o Created video to address the following: 5 ways to avoid meeting an officer in an unpleasant way
    o Take care of your stuff
      • Lock your bike
      • Take gear with you
      • Lock your door
      • Write down your serial number
    o Take care of yourself and friends
      • Always walk with a friend
      • use 624-WALK or gopher chauffeur
      • Be aware of your surrounds
      • No one gets left behind
    o Cross with the lights and look both ways
      • Watch out for trains, bikers, pedestrians. buses
    o Don’t break the law
      • Be responsible
      • Obey the speed limit
      • If you are underage, don’t event think about it
      • Make good choices
    o Be responsible for your safety
- Trust your instincts
- If you feel unsafe, call 911
- Remember you are in an urban area

**East Bank Tour**
- Orientation Leaders take families on this optional tour offered each morning of Orientation. Tour script is based off Admissions tour.
  - Light Rail
  - Security Point (blue light emergency phones, UMPD, 624-WALK, cameras throughout campus)
  - University Bus System (Connector, routes, transit-way, bike racks)

**Pieces of the Puzzle (POP)**
- Orientation Leaders perform 75-minute skit on college life issues. Following various scenes there are social norming slides to accompany the messages in the skits (listed below)
  - **Mental Health Awareness**
    - 32.7 percent of University of Minnesota Twin Cities students report being diagnosed with at least one mental health condition within their lifetime.
    - 20.8% of college student report having depression, 21.7% with anxiety disorders, and 5.6% of us are diagnosed with ADD or ADHD. *2015 College Student Health Survey*
    - The largest population of students that the Disability Resource Center (DRC) works with are those with mental health-related impacts, for example anxiety, depression, or bipolar disorder. The DRC works with students to determine reasonable accommodations to remove barriers they may experience due to their disability or health condition. 
      *Ds.umn.edu*
    - The University offers various levels of support for students with Mental Health concerns including:
      - Group or Individual Counseling
      - Assessments are available
      - Medication management
      - Work closely with your transfer of care
  - **Peer Pressure**
    - 34.1% of 18-24-year-old undergraduates report High Risk Drinking in the past two-weeks. *2015 College Student Health Survey*
  - **Male Sexual Assault Monologue**
    - Assumptions
      - **Illegal Sex**: I have access to your body no matter what. If you say no, I will ignore it. I may try to “work out a yes” with threats or coercion. I may use alcohol to make you less resistant and may drink to justify my actions.
      - **Unhealthy Sex**: I have access to your body until you say “NO’ or push me off.
• Healthy/Legal/Fun Sex: I do not have access to your body until you say YES or have otherwise clearly indicated consent to me.
  *Aurora Center for Advocacy & Education

• Five Levels of Drinking
  o As the frequency of High Risk Drinking increase, GPA goes down 3.31 for non-drinkers to 2.90 for frequent High Risk Drinkers
    *2010 CSHS Health and Academics Report, unpublished
  o In a situation when someone has passed out due to drinking and you cannot wake them up:
    Call 911  Stay with them  Roll them on their side
  o Medical Amnesty – Step Up!
    -The State of Minnesota passed a law in 2013 encouraging medical help-seeking behavior for anyone suffering from alcohol poisoning by granting immunity from criminal prosecution for both the person needing medical attention and the person calling for help.
    -The purpose of this law is to reinforce our efforts to create a community of care - Seek help first!
    -This law reinforces the University of Minnesota’s commitment to creating a caring campus community.
    -So, if you see someone in who needs help, step up and CALL 9-1-1

• Woman Sexual Assault Monologue
  o 23.7% of all students experienced a sexual assault in their lifetime
    *2015 College Student Health Survey
  o You meet someone you are attracted o at a party… get their number, they will be attractive in the morning.
  o For more information or support, contact the Aurora Center for Advocacy & Education 612-626-2929

• Words of Wisdom

The affirmative consent approach has been the essence of the Pieces of the Puzzle messaging since 2007. For 2016, OFYP is committed to continue to send affirmative consent messages through the orientation play Piece of the Puzzle for next year, but the manner in which that is delivered has yet to be determined as it may not need to change significantly.

*Pieces of the Puzzle (POP) Facilitation*

-Orientation Leaders lead a 30-minute discussion following the POP performance. Students are prompted to discuss their reactions to the play and the impact these issues may have on their transition to college. While the topics each group discusses may vary, they OLs are trained to ensure each group discuss their reactions to the sexual assault monologues.

*Transfer Orientation*

*Online Orientation*

- PTS: transportation, getting around campus
- UMPD: TXT-U, 624-WALK, Gopher Chauffeur
**Parent Orientation**

*Health & Safety Session (Freshman & Transfer)*
- Presented by UMPD & Boynton
- Policies, protocol and statistics around crime

*Coaching Your Student (Freshman)*
- Presented by staff from Parent & Family Program, HRL, CAPE: computer safety, general audience questions, landscape for safety

**Welcome Week**

*Check-in Presentation*
- OFYP student staff facilitate 15-minute presentation providing an overview, expectations of WW and highlighting resources. Specifically related to safety are:
  - Gopher Chauffeur
  - 624-WALK
  - UMPD role, don’t hesitate to call 911
  - Medical Amnesty law
  - Transit safety with light rail
  - Student Conduct Code
- Students also receive a nametag that includes Campus Connector schedule (during WW) and important phone numbers including 624-WALK and Gopher Chauffeur.

*U of M Day Engagement Sessions*
20-minute repeating sessions offered on Friday of Welcome Week. Students self-select sessions they are most interested in learning more about. Example safety sessions are:
- Let’s Talk About Sex! (Boynton-SHADE): Sexual Health Education
- Transportation is strong with this one – Know ALL campus options! (PTS): Campus Transit
- You’re An Adult-Don’t Get Busted (U Legal Services): Rights & responsibilities
- Students attended this session & you won’t believe what happened next (Rothenberger Institute): Student Health Behaviors: sex, relationships, alcohol, stress, nutrition, exercise, sleep
- Metro Transit: How to Ride (Metro Transit)

*Mall of America*
- Gopher Chauffeur runs to escort students between MOA and campus if intoxicated
- Security Monitor present at 4th St. bus loading area
- Conduct wellness checks as needed with HRL

**Communications/Publications**

*Gold Book*
Distributed to all new students and parents at Orientation (transition piece)
- Your Safety
• Getting around campus
• Being Healthy
• Parent section – campus safety

**U Minnesota**

**Class of 2020 & New Transfer Student Guides**
- Safe U Resources in it’s own icon (also listed in printed guide for those who do not have access to electronic devices)

**Countdown to Welcome Week Email Series**
- Safety/Student Conduct theme – highlights Student Conduct Code & Medical Amnesty, Safe U resources
- Overwhelming Moments/Self-Care theme- highlights

**Class of 2020 monthly e-newsletter**
*Emailed monthly, examples of safety themes:*
- Encourages completion of AlcoholEdu, Transit & Haven
- Transit around campus
- Medical Amnesty
- Self Care

**Other**

**Student Staff Training:**
- Step Up Training (Aurora) for OLs, TSAs, & WWLs
  - Title IX & Cleary Act is covered
- Emergency procedures training presentation to OLs, TSAs, WWLs, & Event Staff
  - Aligns with Emergency Management

**UMPD Logistical Assistance**
- Coordinate with UMPD to have officers assist with the following Welcome Week events:
  - Pride & Spirit
  - New Student Convocation
  - Jermaine Davis
  - MOA (security monitors)
Welcome to the University of Minnesota and Orientation

Here it is—your first college book! It has many authors: People from more than 50 departments across campus contributed to it with the hope that any information you learn now about the University of Minnesota will help make your transition to college life a smooth one.

This book is designed in sections to support your transition—Life at the U of M, Learning at the U of M, and Your Next Steps. It will introduce you to some of the University's departments and services—and the people, places, and things that will be a part of your daily life. In order for you to thrive, you need to understand how to navigate the campus and its many resources. This guide will introduce you to the resources that will help you understand academic expectations. You will learn where to go for help with everything from studying to writing papers. You will also discover ways to get involved on campus and in the community.

The goal of this publication—and of everyone on campus—is to help you thrive in this great living and learning environment so you feel like you belong here.

You will have access to endless resources, starting with the U of M's huge website win-cities.umn.edu. Every section in this book includes links to guide you to more information. A PDF of this publication—with active links—will be available in July at www.ofyp.umn.edu.

At the end of most sections you will find a list of reminders—things that you should know or do before you arrive for your welcome program. Here's your first list:

- If your parent/s are not attending Parent Orientation, make sure you share this publication with them.
- Bring this book with you when you come back to campus and use it as a reference at the beginning of the semester.
- Seek new friends! Orientation is the ideal time to start making connections.

So, read this guide carefully—and then read it again. You will use this as a workbook during Orientation, welcome programs, and into the beginning of the semester. Knowing how to access resources from the very beginning of your college career can lead to excellent outcomes.

This publication is for all new first-year students—including freshmen and transfer students. Most of the information in this book applies to everyone, but on occasion there is information specific to transfer or international students. That information will be marked with these icons:

- Transfer Students
- International Students

Orientation & First-Year Programs
612-624-1979
1-800-234-1979
ofyp.umn.edu
ofyp@umn.edu
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The University of Minnesota Police Department UMPD is a 24/7, 365-day-a-year police department with over 50 sworn officers whose mission is to keep the University and its people safe.

UMPD has its own K9, motorcycle, and investigative units.

There are over 3,000 cameras on campus that are monitored daily by the Public Safety Emergency Communications Center (PSECC).

The UMPD can be contacted day or night by calling 911.

The PSECC answers all 911 calls from campus phone and from cell phone calls that originate from (or near) campus.

Theft is the most reported crime on campus. It is a crime of opportunity. Thieves wait for students to leave their personal belongings unattended. Take that opportunity away from the bad guys. Take your stuff with you everywhere you go.

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The University of Minnesota is a safe learning environment for students. The safety of those on campus is not only the responsibility of the University of Minnesota Department of Public Safety, but also the students, faculty, and staff.

**University Police**

The University of Minnesota Police Department (UMPD) is a police department unique to any other post-secondary educational institution in Minnesota, employing over 50 full-time sworn peace officers. The department responds to all police calls on the Twin Cities campus. In addition to conducting investigations, the Community Investigations Division (CID) provides outreach opportunities through presentations and training. The Patrol Division includes motorcycle and bicycle patrols, as well as K9 Units specializing in bomb detection. Specialized units, such as the Coordinated Response Team (CRT) and Foot Beat Officers, engage the University community by addressing livability issues affecting students, faculty, and staff. Overall, the UMPD provides a visible presence at campus events ranging from athletic competitions to visiting dignitaries.

**University Security**

University Security serves university students, staff and faculty and visitors by enhancing personal safety, reducing risks and acting as ambassadors of the U of M. Their services include 624-WALK, campus security patrol, event security, bicycle patrols, bicycle lock assistance, and building security.

**PSECC**

The PSECC provides 911 dispatch and security monitoring services. They answer all 911 emergency calls from campus and dispatch the appropriate responders to assist in coordinating responses. They provide video surveillance monitoring and card access services for the University.

**Emergencies on campus**

In the event of a campus emergency you will be notified any of several ways, including:

- **SAFEU Alerts**—For any emergency where student safety is a concern, the University will send out a text giving information on the incident and action steps for those on campus. SAFE U Alerts are only for major incidents. All students with cell phones are automatically enrolled to receive SAFE U Alerts. More information: [safe-u.umn.edu/safe-u.html](safe-u.umn.edu/safe-u.html)

- **Outdoor Warning System**—UMPD uses a public address system to broadcast alerts that concern campus safety.

- **Email**—the University uses campus email to release Timely Warning Notifications and other information concerning safety on campus.

**Easy safety precautions**

If you decide to walk on or off campus at night go as a group and come back as a group. There is safety in numbers. Be aware...
of your surroundings. If you see something suspicious, call 911. Do not text, talk on the phone, or listen to music with earphones on while walking or biking.

Do not leave your property unattended. If you are in the library, Coffman, or a classroom and have to leave for any reason, take your property with you. Always lock your residence hall room, even if you will only be gone for a minute—every time.

Step Up: There's a hero in all of us

Have you ever been concerned about a situation and wanted to help, but couldn't? YOU'RE NOT ALONE!

The goals of the Step Up program are to give students:

• the ability to recognize events in which they should step up
• skills to effectively intervene

Active bystanders recognize emergency situations (sexual assault, alcohol abuse, safety) and non-emergency situations (e.g., a friend is depressed, gambling, and has problems) and have the skills to intervene directly or indirectly. Any student or student group may request a Step Up workshop, free of charge, to learn the Five Decision-Making Steps and the 3-D Approach to Intervention. Step Up is sponsored by The Aurora Center for Advocacy & Education, Boynton Health, and the Office for Student Affairs. Follow us on Twitter: @StepUpUMN and Facebook: UMN Step Up.

More information: stepup.umn.edu

Aurora Center for Advocacy & Education

You will see signs for The Aurora Center around campus. The center provides a safe and confidential space (in Appleby Hall) for students, faculty, staff, and others who are victims, survivors, or concerned people of sexual assault, relationship violence, or of "affirmative consent"

Informed, freely and affirmatively communicated willingness to participate in sexual activity that is expressed by clear and unambiguous words or actions. This definition of consent does not vary based upon a person's sex, sexual orientation, gender identity or gender expression.

More Information: policy.umn.edu/operations/sexualassault

Your safety

The Aurora Center provides prevention education and intervention services for the campus community, including:

• Direct services for victim/survivors, consultations for concerned people, and policy review.
• Help with court, academics, restraining orders, police, University systems, medical, safety and housing, and support groups.
• Prevention and intervention education.
• Serve as confidential advisors.

More information: www.umn.edu/aurora

Safe computing practices

• Beware of phishing scams. Phishing emails are fraudulent messages aimed at stealing your passwords or other sensitive information and may appear to come from anyone, like "UMN Edu Team," "Service," "HelpDesk," or even a co-worker, professor, or friend. Report suspicious messages to phishing@umn.edu.
• Do not open attachments unless you are expecting them.
• Never click on a link or call a phone number that comes up in a pop-up window.
• Choose strong and unique passwords, and do not share your passwords with others.

Confidential Advisors

The Aurora Center staff and volunteers are considered confidential advisors where other university employees (i.e., professors, academic advisors, and student staff) may not be confidential. Aurora advocates are required to keep all information about clients confidential unless clients provide written permission to release information, with the exception of instances where mandated reporting is necessary (for example, child abuse or neglect).

HAVEN—UNDERSTANDING SEXUAL ASSAULT:

Haven is designed to address the critical issues of sexual assault, relationship violence, stalking, and sexual harassment by teaching you key definitions and statistics, bystander skills, and campus-specific policies, procedures, and resources. See page 52 to learn more about the required online courses.
When in doubt, reach out.
Contact Technology Help (it.umn.edu/help) or the University Information Security am (it.umn.edu/safe-
computing) with questions.

OPHER CHAUFFEUR
Get a free, safe ride
home on Thursdays,
fridays, and Saturdays.
Call 612-388-6911
Home between
5:00 p.m. – 2:30 a.m.

University Security is in direct radio contact
with the University Police Department.

The Information Desk in each residence
hall and apartment building is open 24
hours a day during the academic term.

Safety on-the-go
As you navigate to, from, and around
campus, consider these tips to keep you safe.

Driver safety
- Always wear your seat belt.
- Be aware of pedestrian and bicycle traffic.
- Always close your windows and sunroof
and lock your doors, even if you will only
be gone a short time.
- Put all belongings, valuables, and
packages in the trunk.
- If you own a moped, motorized scooter, or
motorized bike, you must be licensed and
have insurance for that vehicle.
- Have your keys in your hand before
arriving at your car.
- Lock your door while driving.

Transit safety
- Do not step into the roadway until the bus
has stopped and the door has opened.
- Cross at least 10 feet in front of a bus so
the driver can see you.
- Do not run to catch the bus.
- Never stick your arms or legs in the doors
to prevent them from closing.
- Keep aisles clear of feet, books, bags, etc.
- Allow other passengers to exit before you
board.

Light Rail safety
- Tracks are for trains and buses. Never walk
on tracks, and stay away from switches
which can move at any time.
- Look both ways for oncoming trains,
buses, and bicycles as you enter an
intersection.
- Cross only at intersections and legal
signed mid-block crosswalks.
- Running or horseplay on the platform is
dangerous—especially near moving trains.
- Turn down your mobile device near the
platform and rail crossing.

- Use two-factor authentication
whenever possible. Learn more:
  z.umn.edu/2factorauth
- Regularly update your devices only from
the vendor’s site.
- Use built-in virus prevention software or
install anti-virus software.
- Turn on built-in encryption for your device.
- Back up your data regularly and use secure
storage solutions such as Google Drive or
Box Secure Storage.
- Never leave your personal device
unattended. Secure your devices with
passcodes, passwords, or thumbprint or
face recognition locks. Your information is
only as secure as the device it is on.
- When using a public computer, log out of
all accounts and close all windows before
you leave to prevent others from accessing
your personal information.
- Use secure WiFi connections or connect to
the University wired network when on
 campus. Learn more: wifi.umn.edu
- Obey United States copyright laws by
legally downloading and sharing software,
music, videos, or images. Learn more:
  z.umn.edu/uscopyright

Safety in residence halls

Locked doors
All doors leading to residence hall rooms
and apartments are locked 24 hours a day.
Access to your residence hall is controlled by
your U Card. If your U Card is lost or stolen,
deactivate it online right away and obtain
a replacement U Card. (Remember, there
may be a fee to replace your U Card.) Once
you obtain your replacement U Card you
will need to update your U Card information
with your hall’s business office to gain access
to your residence hall again.

Additional security
- Security cameras are installed in every
residence hall and apartment. They are
located in public areas such as lobbies,
stairwells, computer rooms, elevators,
laundry rooms, and tunnels between
buildings.
- Each building has a University Security
employee on duty every day from
11:00 p.m. to 7:00 a.m.

Locked doors
All doors leading to residence hall rooms
and apartments are locked 24 hours a day.
Access to your residence hall is controlled by
your U Card. If your U Card is lost or stolen,
deactivate it online right away and obtain
a replacement U Card. (Remember, there
may be a fee to replace your U Card.) Once
you obtain your replacement U Card you
will need to update your U Card information
with your hall’s business office to gain access
to your residence hall again.

Additional security
- Security cameras are installed in every
residence hall and apartment. They are
located in public areas such as lobbies,
stairwells, computer rooms, elevators,
laundry rooms, and tunnels between
buildings.
- Each building has a University Security
employee on duty every day from
11:00 p.m. to 7:00 a.m.
• Bicyclists are not allowed to turn left to cross the tracks and must use designated bike boxes.

**Bike safety**
- Never ride on a campus sidewalk unless it is designated as a bike lane with pavement markings. University police can write citations for bicyclists riding on sidewalks.
- Obey all traffic signs, signals, and laws.
- Yield to pedestrians in crosswalks.
- Always wear a bike helmet.
- Most campus bike lanes are one-way only. Bikers must ride in the direction of traffic.
- Headlights and reflectors are required by Minnesota law for night riding.
- A “No-Zone” is when you are not visible to a car, truck, or bus. Always assume the driver does not know you are there.
- For maximum theft protection, use a U-Lock.
- Keep a written record of your bike’s serial number.

**Pedestrian safety**
- Obey “Don’t Walk” and other traffic-control signals.
- Cross within the marked crosswalk. Jaywalking is subject to a fine of more than $100.
- Be aware of your surroundings. Don’t be distracted with electronic devices.
- A “No-Zone” is when you are not visible to a car, truck, or bus. Always assume the driver does not know you are there.
- Walk confidently: Look ahead and make eye contact.
- Avoid shortcuts: Take well-traveled and well-lit walkways.
- Trust your instincts.

**Student Legal Service**
The University Student Legal Service (USLS) provides legal services, representation, and education to students. This is the place to discuss landlord/tenant issues (lease reviews, disputes with management, etc.), criminal law (most misdemeanors), immigration questions, or consumer or credit problems. There are other services offered, too, including a notary public. USLS also offers a variety of programs that cover topics such as interacting with police, business start-up, career mentoring, and tenancy law.

Here are some safety tips (and legal reminders) from USLS:
- Students must be aware of and comply with all state laws. Ignorance is not a defense!
- Take steps to avoid identity theft: Secure data—shred documents containing your personal information, safeguard bank accounts, and don’t respond to emails asking for sensitive information. Don’t keep your Social Security card with you, and never give out the number unless absolutely necessary. Immediately report suspected identity theft to the police.
- Driver’s licenses: If you are going to drive in Minnesota, you must have a valid driver’s license. If you move to Minnesota permanently, you must get a Minnesota license.
- Auto insurance: If you drive in Minnesota you must have auto insurance for your vehicle. Always carry proof of insurance in your vehicle. Lack of insurance is a crime.
- Criminal convictions or charges: Bad conduct can result in academic discipline and impact your future educational and employment opportunities. (International students: Certain criminal acts could result in loss of status and removal.)
- Alcohol use: The drinking age is 21. If you are under 21 you may not possess or consume alcohol, and doing so is a crime. Providing alcohol to someone under the age of 21 is also a crime.
- False identification: It is a crime to use a false I.D. (identifying yourself or your age falsely and inaccurately).
- Illegal downloads: Before you download copyrighted music, movies, software, or games from the Internet, make sure it is authorized. Severe penalties can result from illegal downloading.

**BE SAFE: KNOW STATE LAWS AND UNIVERSITY EXPECTATIONS**
For questions regarding immigration issues, contact USLS for assistance. Read through the list above. You are responsible to know the laws that apply to all students at the University of Minnesota.
McNAMARA ACADEMIC CENTER FOR STUDENT-ATHLETES
STUDENT-ATHLETE HANDBOOK

2016-2017
FOR ATHLETIC COMPETITION DATES VISIT:
www.gophersports.com

FOR McNAMARA ACADEMIC CENTER INFORMATION VISIT:
mac.umn.edu
WELCOME
STUDENT-ATHLETES!

2016-2017
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Special acknowledgment to the University of Minnesota Department of Intercollegiate Athletics for its support of the 2014-2015 Student-Athlete Handbook.

Information contained in the Student-Athlete Handbook is as accurate and extensive as possible. Contact appropriate offices for possible changes, additions or deletions.

The University of Minnesota is committed to the policy that all persons shall have equal access to its programs, facilities, and employment without regard to race, color, creed, religion, national origin, sex, age, marital status, disability, public assistance status, veteran status, or sexual orientation.

Inquiries regarding compliance may be directed to:

Director Office of Equal Opportunity and Affirmative Action
419 Morrill Hall
100 Church St. S.E.
Minneapolis, MN 55455
(612) 624 - 9547
eoaahh.umn.edu
www.eoaffact.umn.edu

The Student-Athlete Handbook is available in alternate formats. Please direct requests to:

McNamara Academic Center
244 Bierman Field Athletic Bldg.
516 15th Ave. S.E.
Minneapolis, MN 55455
(612) 625-6888

Student-Athlete Handbook
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All rights reserved.
DIRECTORY
(the area code for all numbers is 612)

ATHLETICS
Administration............................624-4497
Communication......................... 625-4090
Compliance..................................626-8233
Financial Aid................................ 625-5357
(For Student-Athletes)
M Club............................................ 626-7305
Golden Gopher Fund ...............626-4653
Strength and Conditioning ....625-9891
TCF Stadium................................ 624-5072
Ticket Office.................................. 624-8080

ATHLETIC MEDICINE
Aquatic Center .........................625-2850
Bierman Field
Athletic Building .....................624-4497
Football........................................624-3344
Mariucci Arena ..........................626-4499
Ridder Arena..............................626-4740
Sports Pavilion ..........................626-2003
Williams Arena ..........................626-2003

UNIVERSITY OFFICES
University of Minnesota........ 625-5000
University Police...................... 624-2677
University Counseling and Consulting
Services ........................................ 624-3323
University Escort Service .......624-9255
Boytont Health Services.................................. 625-3222
Helpline/E-Mail ......................... 626-4276
Helpline/Web Registration ..625-5333

TEAM OFFICES
Baseball ........................................ 625-1060
Basketball (Men's) .................625-3035
Basketball (Women's) .........624-3563
Cross Country (Men's) .........625-6063
Cross Country (Women's) ....624-6533
Football........................................ 624-6004
Golf (Men's).............................. 625-6063
Golf (Women's)....................... 625-6063
Gymnastics (Men's) ............626-1320
Gymnastics (Women's) .........624-4331
Hockey (Men's)....................... 625-2886
Hockey (Women's) ..........624-6533
Rowing........................................ 625-0188
Soccer......................................... 624-4331
Softball...................................... 626-5594
Swimming & Diving ...............626-1320
Tennis (Men's)....................... 625-1013
Tennis (Women's) ..................625-0188
Track (Men's)......................... 625-6063
Track (Women's) ..............624-6533
Volleyball .................................624-6533
Wrestling....................................... 625-1013

EMERGENCY
Emergency ................................. 911
Crisis Connection ....................379-6363
Poison Treatment ...................347-3141
Sexual Violence Crisis Line.... 626-9111
Suicide Prevention .... 1-800-273-TALK
SAFETY & REPORTING RESOURCES
The Aurora Center for Advocacy and Education
Sexual Assault, Relationship Violence, Stalking & Harassment
Business Line: 612-626-2929
24-Hour Helpline: 612-626-9111
Text Line: 612-615-8911

Equal Opportunity and Affirmative Action
Investigates complaints on sexual assault, stalking, relationship violence, sexual harassment, discrimination, nepotism and retaliation.
612-624-9547
Anonymous Reporting Form: diversity.umn.edu/eoaa/reportingform

Title IX Coordinator
Title IX prohibits sex discrimination including sexual harassment and sexual assault in schools, either in athletics or academics.
Title IX inquiries and complaints should be directed to the Title IX Coordinator for the University of Minnesota:
Kimberly D. Hewitt (khewitt@umn.edu)
612-624-9547

University of Minnesota Police Department
Non-Emergency: 612-624-2577
Emergency: 911
police@umn.edu

Security Monitor Escort System
Free security escort system anywhere on campus and up to a mile off campus 24 hours a day and 365 days a year.
Call to request an escort: 612-624-9255

MENTAL HEALTH RESOURCES
Sports Psychology
Sport Psychology offers counseling and mental skills training to student-athletes and coaches. We aim to help student-athletes achieve their highest academic, athletic and personal aspirations.
To set up an appointment, go through your athletic trainer or e-mail any of the following directly:
   Dr. Carly: and02825@umn.edu
   Dr. Justin: and02826@umn.edu
   Dr. Allie: wagen076@umn.edu

Student Counseling Services (SCS)
Services offered include individual and group counseling, workshops, and classes for students seeking to improve academic success, choose a major, or resolve personal and mental health concerns.
Call to request an appointment: 612-624-3323
www.uccs.umn.edu / www.mentalhealth.umn.edu
Welcome home to the beautiful University of Minnesota campus. I'm excited to get started as your new athletics director and to get to know each of you throughout the upcoming year. This state and this university are very special to my family and me. My wife and I are both from the upper Midwest, two of my children were born in Minnesota, and I worked for Gopher Athletics for four years earlier in my career. I love this university and this athletics department just as you do. I also played football in college, so I understand many of the demands and challenges you face as a student-athlete as well. I know we can accomplish great things together. I was excited to take this job not only to come home, but also because of the tremendous potential I see in our athletics department and in each of you.

My job as the AD is to support you and your coaches and help each of you reach that potential. While I promise to work hard every day to do my part, I need you to work hard every day to do yours. That starts with reviewing this handbook. We have an amazing staff that provides so many resources to support your success in the classroom and in competition, as well as preparing you for life after graduation with professional development programs, community service opportunities, and life skills coaching. We offer these resources because we want you to take advantage of them, but it is up to you to know what's available and what would help you reach your goals. We all represent the entire state of Minnesota and every Minnesotan. That's a privilege I hope you cherish. It's also one that comes with responsibilities.

Those responsibilities are listed, in part, within this handbook. It includes your student-athlete code of conduct, eligibility requirements and other guidelines to follow. Accountability is important to me. I expect it from everyone who works in our athletics department and I expect you to be accountable as well. It is important that you understand the expectations of Gopher student-athletes and take them seriously. If you see me around campus, at practice or at a game, come say hello and introduce yourself. As I said earlier, I want to get to know each of you and what I can do to best support you while you're here at Minnesota. If you ever need anything, please reach out to me or someone within our department for help. That's what we're here to do.

Go Gophers!

Sincerely,

Mark Coyle
Director of Athletics
Welcome Student-Athletes!

The Office of Undergraduate Education provides support to students and academic units across campus. Their initiatives focus on developing excellence in areas that will help attract and retain the best students while creating a distinctive educational program that will graduate students who can solve problems, communicate effectively, think critically, and have the knowledge and skills to be productive life-long learners, leaders, and global citizens.

As part of the Office of Undergraduate Education, the McNamara Academic Center for Student-Athletes (MAC) is here to help you succeed academically and personally throughout your career as a student-athlete at the University of Minnesota. We understand the extraordinary time demands and individual aspirations you possess as a Gopher student-athlete and have developed support programs to help you succeed in the classroom and on the field of play. These programs include academic advising, learning programs, a state-of-the-art computer lab, eligibility monitoring and free tutorial assistance, as well as personal development, career development, and community service programs.

Please take the time to read this handbook closely as it outlines your eligibility requirements and provides information about the services and staff within the Department of Intercollegiate Athletics. Our doors are always open, so please feel free to stop by the MAC at any time. Our staff looks forward to working with you throughout your career and is excited about the opportunity for you to compete at the highest level, academically and athletically.

Go Gophers!

Sincerely,

J.T. Bruett, Director
McNamara Academic Center for Student-Athletes
UNIVERSITY OF MINNESOTA ATHLETICS
Transforming Gopher Athletics by impacting the lives of our student-athletes, enhancing the reputation of the U, and bringing pride to all Minnesotans.

VISION
INVEST | LEAD | WIN

INVEST
• Make student-athlete well-being a top priority
• Transform our training, academic and nutritional infrastructure
• Create a first-class collegiate atmosphere and fan experience
• Recruit, hire, develop and retain a superior staff

LEAD
• Be an industry leader with innovative ideas
  • Think big, be bold

WIN
• Football, basketball and hockey success are essential
• All sports perennially contend for Big Ten championships
• Develop leaders and connect our student-athletes to impactful careers
• Graduate our student-athletes with a lifelong connection to the University

VALUES
INTEGRITY | TEAMWORK | COMMITMENT

INTEGRITY
• Achieve our goals with unwavering ethics

TEAMWORK
• Establish unifying relationships in the department while respecting each other's role and practicing direct and honest communication

COMMITMENT
• Recognize and reward hard work and passion
The McNamara Academic Center is a student-athlete focused environment dedicated to guiding student-athletes to graduation, building positive relationships, and enhancing their overall experience. We strive to serve the University and our constituents with integrity and professionalism.
RICHARD F. "PINKY" McNAMARA
Bachelor of Arts in 1956

"When your success passes your wildest dreams, it's time to give back. If I lived five lifetimes, I could not repay the University what I owe it."

From humble beginnings in Hastings, Minnesota, Richard F. "Pinky" McNamara attended the University of Minnesota on an athletic scholarship and was a three-year letter winner for the Golden Gopher football team. McNamara graduated with a Bachelor of Arts degree in 1956 and went on to become a well-known entrepreneur and philanthropist.

In 1997, he received the University's prestigious Outstanding Achievement Award. McNamara served as a trustee of the University of Minnesota Foundation and was named to the Board of Regents in 2001.

Determined to share the fruits of his successes, Pinky McNamara left an indelible mark at the University with his generosity by making numerous gifts in support of improving student life. In 1998, he donated $10 million to his alma mater, which at the time, was the second largest gift ever received by the University of Minnesota from a living alumnus.

"If I lived five lifetimes, I couldn't repay the University of Minnesota for what it has meant in my life and my career," McNamara said at the time of his historic gift. "I had academic advisers and teachers who guided me and saved my academic life with their dedication. I hope that what I am doing will encourage other alumni to consider giving back to the University, which has made such a difference not only in our individual lives, but in the collective life of the state." Among other things, the gift was used to improve the undergraduate student experience in liberal arts and intercollegiate athletics, including the McNamara Academic Center for Student-Athletes, which was formally rededicated in March 27, 2001 and named in honor of "Pinky" McNamara. In addition, $3 million of his gift went to help build the McNamara Alumni Center—a building that was finished in 2000, bears McNamara's name, and has among its many tenants the Board of Regents.

Since its beginning in 1983, the McNamara Academic Center for Student-Athletes has expanded over the years to become one of the top academic support programs for student-athletes in the country. The staff in the center has developed a comprehensive academic and student-athlete welfare program to enhance the overall experience of Gopher student-athletes while they work to obtain their degree.

This well-known entrepreneur, philanthropist, former University of Minnesota Regent and former Golden Gopher football player passed away, May 23, 2011. His example of giving inspires all who enter our doors.
<table>
<thead>
<tr>
<th>STAFF</th>
<th>AREA OF SUPPORT</th>
<th>TELEPHONE NUMBER</th>
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</thead>
<tbody>
<tr>
<td>J.T. BRUETT</td>
<td>Support for McNamara Academic Center</td>
<td>612.626.5093</td>
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<tr>
<td>Director of the McNamara</td>
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<tr>
<td>Academic Center for</td>
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<td>Student-Athletes</td>
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<tr>
<td>JACKI LIENESCH</td>
<td>Football</td>
<td>612.625.9860</td>
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<tr>
<td>Associate Director &amp;</td>
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<tr>
<td>Director of Football</td>
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<td>Academic Advising</td>
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<tr>
<td>KY BURGESS</td>
<td>Baseball, Men's Cross Country/Track &amp; Field,</td>
<td>612.625.1374</td>
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<tr>
<td>Academic Counselor</td>
<td>Wrestling</td>
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<tr>
<td>CHRIS CORDS</td>
<td>Women's Basketball, Men's Hockey, Men's &amp;</td>
<td>612.625.3805</td>
</tr>
<tr>
<td>Academic Counselor</td>
<td>Women's Swimming &amp; Diving</td>
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<tr>
<td>ROBERT DAY</td>
<td>Football</td>
<td>612.625.5170</td>
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<td>Academic Counselor</td>
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<tr>
<td>CYNTHIA DOWD</td>
<td>Men's &amp; Women's Golf, Rowing, Softball, Volleyball</td>
<td>612.625.1435</td>
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<tr>
<td>Academic Counselor</td>
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<tr>
<td>KYLE QUALIANA</td>
<td>Men's Basketball, Soccer</td>
<td>612.625.9355</td>
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<tr>
<td>Academic Counselor</td>
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<tr>
<td>LAURA SCHNELL</td>
<td>Men's &amp; Women's Gymnastics, Women's Hockey, Women's</td>
<td>612.625.7803</td>
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<tr>
<td>Academic Counselor</td>
<td>Cross Country/Track &amp; Field</td>
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<tr>
<td>KIM HALGREN</td>
<td>Coordinator of Mentor Tutoring</td>
<td>612.625.8333</td>
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<tr>
<td>Coordinator of Learning</td>
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<td>Services</td>
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<tr>
<td>SANDY SCHINETSKY</td>
<td>Coordinator of Subject Tutoring &amp; Men's &amp;</td>
<td>612.625.3510</td>
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<tr>
<td>Tutorial Coordinator/</td>
<td>Women's Tennis</td>
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<td>Academic Counselor</td>
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<tr>
<td>STEPHANIE SHUEY</td>
<td>Learning Specialist</td>
<td>612.625.1183</td>
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<td>Academic</td>
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<tr>
<td>MIKE PRYTZ</td>
<td>Technical Support</td>
<td>612.625.3469</td>
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<td>Data Analyst</td>
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<tr>
<td>CAITLIN BOON</td>
<td>Principal Office &amp; Administrative Assistant</td>
<td>612.625.6888</td>
</tr>
<tr>
<td>JESS EUBANKS</td>
<td>Learning Services Intern</td>
<td>612.625.3302</td>
</tr>
<tr>
<td>MARY MARUGGI</td>
<td>Football Intern</td>
<td>612.625.6540</td>
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MISSION AND PURPOSE

Since its beginning in 1983, we have developed a comprehensive academic and student-athlete welfare program to enhance the overall experience of Gopher student-athletes while they work to obtain their degree.

The full-time professional staff in our center consists of a Director, an Associate Director, Academic Counselors, Coordinators of Learning Services, a Data Analyst, an Administrative Assistant and two interns.

The McNamara Academic Center is a student-athlete focused environment dedicated to guiding student-athletes to graduation, building positive relationships, and enhancing their overall experience. We strive to serve the University and our constituents with integrity and professionalism.

Within an environment that values integrity and respect, the MAC strives to:

• conduct the affairs of the MAC in a manner consistent with the highest of ethical standards;
• provide a congenial support program that fosters academic success and develops leadership within a diverse group of student-athletes;
• emphasize the primacy of student-athletes’ academic responsibilities;
• encourage participation in university programming to maximize student-athletes’ collegiate experience; and
• celebrate the academic achievements of University of Minnesota student-athletes.

Intercollegiate Athletics at the University of Minnesota is an enterprise with many constituents in the university community, the Twin Cities area, and the entire state of Minnesota. We are committed to cooperation and communication with those vested in the overall success of the students participating in the University’s Intercollegiate Athletics program. Fulfillment of our mission and integrity of our work depends upon strong, supportive relationships with university faculty and the athletic department.

The MAC is committed to helping student-athletes become independent and self-reliant learners.

We want student-athletes to:

• develop and maintain a high level of motivation and self-discipline;
• set appropriate academic goals;
• plan and use time efficiently;
• improve learning skills; and
• earn a baccalaureate degree from the University of Minnesota in an area of interest.

We have developed a comprehensive academic support program and have outstanding facilities to provide student-athletes with many opportunities for personal growth.
ACADEMIC INTEGRITY

University of Minnesota students are expected to act with integrity regarding academics. At its most basic, academic integrity on the part of the students means earning grades/credit honestly.

The most common forms of academic dishonesty by students are:

- Cheating on exams – for your own protection, avoid even the appearance of cheating – do NOT sit near friends during tests, etc.;
- Cheating on assignments – copying another’s work, turning in work that you have not done, or turning in the same work for more than one assignment/class;
- Plagiarism – improper or inadequate citation of references for papers which misrepresents another’s work as yours – when in doubt, provide a reference!

Remember, anyone who is a party to misrepresentation is guilty of misconduct!

Office for Student Academic Integrity:
http://www.umn.edu/oscai

LEARNING PROGRAMS

The MAC provides a comprehensive learning support program that is comprised of the following: Subject-Area tutoring, mentor tutoring, Student Writing Support consultations, and supervised study, all of which are administered by the Coordinators of Learning Services. Additional services provided by the Learning Center include learning assessment, disability testing and coordination of services through on-campus resources.

SUBJECT-AREA TUTORING

Subject-Area tutoring is provided on a drop-in basis Sunday–Thursday evenings for the most common subjects (math, sciences, and social sciences). A complete schedule for drop-in tutoring is available on the MAC website, posted on the front monitor in the Bierman lobby, and available at the front desk. Many Subject-Area tutor sessions are set up by the student’s academic advisor, but tutoring is also available on an individual basis by appointment at the request of the student-athlete. Student-athletes are encouraged to sign up for a tutor for any classes with which they are having trouble as early as possible.
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MENTOR TUTORING

Mentor tutoring is provided for student-athletes who need additional help developing the study skills necessary for success at the university level. Mentor tutors provide guided, supervised study on an individualized basis. Mentor tutors are accomplished students who have knowledge of learning styles, strategies, techniques, tools, and resources important to success in college classes. Mentor tutors have graduate degrees or are working toward their graduate degree. Sessions are generally one to two hours long and utilize learning spaces separate from the common learning areas. Each student-athlete has a custom-designed schedule for meetings that takes into consideration level of coursework, needs of the student-athlete, and practice and class schedules. The Mentor Tutor program serves 110-125 student-athletes per term.

SUPERVISED STUDY

Supervised Study is provided throughout five distinct learning environments. The Learning Center is a quiet environment where students can study, receive tutoring or use the computers. Independent study and room 107 are areas for students to quietly study on their own. The Computer Lab offers 40 computers for independent study. The classroom can be used for tutoring, small groups or large meetings. The Gopher Getaway offers computers, group study and tutoring. Login is required to use any of these areas, and hours are tracked by week. The hours of operation during the fall and spring academic terms are Sundays 4 – 10 pm, Mondays – Thursdays 8 am – 10 pm, and Fridays 8 am – 5 pm. Hours are extended during finals week.

Coordinators of Learning Services

Coordinators of Learning Services administer the above-referenced programs and also meet with student-athletes to help with goal setting and mapping out a successful term. Coordinators of Learning Services are available by appointment or on a walk-in basis.

Student-athletes with learning disabilities should contact the Disability Resource Center to see if they qualify for instructional assistance or classroom accommodations. Counselors and Coordinators of Learning Services are available to assist in this process at the request of the student-athlete.
LEARNING CENTER/RESOURCES POLICIES

The following policies apply to all student-athletes attending the University of Minnesota. If you have any questions regarding these policies, please be sure to contact a Coordinator of Learning Services or the Director of the MAC.

Learning Center Rules

- Cell phones are not allowed in any of the learning areas. All cell phones must be put away while in the learning areas.
- The use of any computer, including personal laptops, in a learning area must be for academic purposes. Social networking sites and websites containing inappropriate content are banned in the learning areas.
- Disruptive behavior is not tolerated. Student-athletes who disrupt the learning environment will be asked to leave, and their Academic Counselor will be notified of the policy violation.

Subject-Area Tutoring Policies

Tutoring is not designed to take the place of class attendance. Student-athletes must be sure to attend all classes, take notes, and pay close attention to assignment requirements that are announced in class.

Drop-in tutoring is provided in many common subjects Sunday through Thursday evenings. Attendance does not require setting an appointment, but attendance is documented. In general, these sessions are not intended for intensive one-on-one attention; rather, they are intended to offer assistance with brief questions and assist with understanding the occasional concept. For more intensive assistance or to receive assistance in a subject that is not covered on a drop-in basis, please request a Subject-Area tutor on an individual basis.

Individual Subject-Area tutors must be arranged by talking to your advisor. After the request has been made, student-athletes receive a reply e-mail within two working days. All meetings must take place at the Learning Center during hours of operation. It is not permissible for a student-athlete and Subject-Area tutor to meet outside of the MAC under any circumstances.

If a student-athlete cannot make it to an appointment on time for any reason, he or she must contact the Coordinator of Learning Services and his or her Academic Counselor as soon as possible. The MAC attendance policy applies to all scheduled tutor sessions.

Student-athletes may not hire a tutor on their own. All subject-area tutoring must be arranged by the appropriate MAC staff or through the appropriate campus department.

We do not have tutors on call for all subjects at all times so student-athletes are encouraged to be proactive in requesting a tutor, especially if the subject is uncommon.

Subject-Area Tutor and Mentor Tutor Attendance Policy

Student-athletes are expected to attend all pre-scheduled subject tutor and mentor tutor sessions on time and be prepared to work. If a student-athlete cannot attend a session on time, it is his or her responsibility to contact the Coordinator of Learning Services and his or her Academic Counselor ahead of time. A student-athlete's tutoring privileges will be terminated after three no-shows and reinstatement of services will be at the discretion of the Director of the MAC.
No-shows are recorded when a student-athlete does not show without notifying the Academic Counselor at least four hours prior to the meeting or if the student-athlete is more than 20 minutes late without prior notification.

Computer Access

Two computer labs in the MAC are available for preparing academic assignments. A limited number of laptop computers are available for daily checkout for tutoring or overnight team travel.

U of M public computer lab locations and hours are available at (http://www.publabs.umn.edu).

MAC Computer Lab Policy

The MAC provides computers to help student-athletes complete their coursework. Access is a privilege based on appropriate use of these resources. Any attempt to alter the configuration of these computers or bypass MAC security systems, especially to engage in inappropriate uses noted below, will result in loss of privileges.

A complete copy of the MAC Computing Ethics Policy can also be found on the website. This policy prohibits:

- Irresponsible uses that cause network congestion.
- Interference with the work of other network users, disrupting network services, spreading viruses, or interfering with normal operation of systems on the network.
- Commercial use, such as marketing, advertising, or business transactions between commercial organizations.
- Viewing or distributing pornography or participating in sexually explicit online chat.
- Engaging in commercial activity, i.e. marketing, advertising, or private for profit activity.
- Gambling in any form.
- Use of computers in the learning areas for accessing social networking sites or use of computers for other non-academic purposes.

Computer Use and the Law

MAC computer users have the constitutional right to freedom of speech in electronic communications. However, all users bear responsibility for the content and consequences of their own communications. Federal, state, and local laws apply to all electronic interactions and publicly-presented online information, whether locally to the University of Minnesota or disseminated to one or more distant users via the internet. Among the most important of these are laws prohibiting:

- Harassment, verbal assault, threats, slander, libel, and sexual harassment.
- Grammar forging and delivery of anonymous messages with intent to harass or defraud.
- Gaining unauthorized access to systems.
- Software piracy, copyright and trade mark violations, and any unauthorized use of programs, databases, and privately owned files.
• Distribution or presentation of materials deemed by community standards to be obscene.

Unlawful use of University computers may result in loss of user privileges, administrative action, supervisory review, and/or referral to the Office for Student Conduct and Academic Integrity.

SERVICES AVAILABLE TO STUDENT-ATHLETES
• Academic Counselor in addition to college adviser
• Small group tutoring sessions
• Graduation planning coordinated with student and college adviser
• Identification of campus resources for students with special needs
• Access to learning areas
• Day and evening access to personal computers with numerous software applications
• Priority registration upon successfully meeting with college adviser
• Clarifying/monitoring of academic eligibility issues
• Academic monitoring via course progress reports twice per semester
• Career planning and development programs and services

FILE NOTES ADVISORY FOR STUDENTS
The University of Minnesota is committed to your success as a student and wants to support your timely progress toward graduation and your career. You will be assigned an academic adviser to help map your journey through your degree requirements and undergraduate experience, and career counselors will be available to help you plan for your career after college. Advisers and career counselors generally keep file notes that summarize communication between the two of you, including meetings, email and phone calls.

File notes:
• Help your adviser and career counselor provide you better service and are part of a web of continuous campus support.
• Move with you to your new adviser or major if you change advisers or majors.
• Are private.
• Are not part of your transcript.
• Are governed by the federal Family Educational Rights and Privacy Act (FERPA) and as such cannot be shared with anyone outside the University who does not have your written permission (such as your parents or guardians), and cannot be shared inside the university with anyone who does not have a job-related reason to view them (such as your academic adviser or career counselor).

You have a right to see the information in your file notes. If you wish to view this information, you can contact Academic Support Resources Office for assistance. Your adviser can also help you with this process.
PRIVACY & RELEASE OF INFORMATION
The staff respects the privacy of student-athletes. Treatment of confidential information is guided by Board of Regents guidelines, state and federal law, and professional ethics. Information about you will not be released without your written consent unless the data falls in one of the following categories:

- Information pertinent to academic integrity (e.g., plagiarism, copying, etc.).
- Information related to Conference and/or NCAA rules.
- Information needed to protect health and safety.
- Information subpoenaed in a legal proceeding.
- Information that is required by law to be reported, e.g. abuse or neglect of minors or vulnerable adults.

GRADUATION PLANNER
In addition to your athletic goals, the University of Minnesota offers a rich environment for the achievement of your academic goals. On the Twin Cities campus, students can earn undergraduate and graduate degrees in 161 fields of study. You will choose courses from an average of 6,000 different sections offered each semester.

Throughout your years here, you will encounter coursework and departments you never knew existed, and perhaps make major career decisions based on opportunities here. You are encouraged to dream, to challenge yourself academically, and to prove that you can attain the goals you set. At times the choices will seem overwhelming – especially when faced with selecting courses and majors to fit your individual needs and aspirations.

The graduation planner was developed as a tool to help student-athletes do thoughtful planning and course selection on a somewhat long-range basis, as well as consider the requirements for different majors. First-year and new transfer students will work with their Academic Counselor during their first semester to set up a plan for the current year. Continuing students complete a plan each semester prior to priority registration for the next semester.

Students who do not submit a graduation plan signed by their college adviser to their Academic Counselor will not receive the privilege of priority registration.

The graduation plan is an investment in your educational future. It gives you a chance to explore the many possibilities at a university of this size. It also allows you to work closely with both your college adviser and your Academic Counselor, thus reducing the probability of becoming academically ineligible and helping to ensure that you graduate in the most efficient and personally rewarding fashion.

SUSPENSION/PROBATION POLICY
Undergraduates are placed on academic probation if either their term GPA or their cumulative GPA is below 2.00. They remain on probation until both GPAs are 2.00 or above. They are suspended if, while on probation, their cumulative GPA is or goes below 2.00.

Suspension from your college automatically disqualifies you from athletic competition, since suspended students cannot register for University courses for one full academic year.
CLASS ATTENDANCE

You must attend the first day of all your classes each semester. Instructors have the right to drop you from the class if you miss the first day.

Each student is personally responsible for attending class, as well as understanding each instructor’s policy for missed classes and making up work missed due to absence for team travel or illness.

Academic success requires the self-discipline of regular class attendance. In the event of illness or other unavoidable reasons for missing class, contact the instructor in advance to discuss arrangements for making up material you will have missed. If you do miss a class, borrow class notes from another student and review them with that student or the instructor.

ABSENCE FROM CLASS FOR COMPETITION & TRAVEL

University policy governs absence from class for competition or travel. The Faculty Academic Oversight Committee on Intercollegiate Athletics has adopted a policy that limits absences to no more than nine days per semester for the number of class days an athlete can miss due to the scheduling of athletic events.

The University’s Faculty Athletics Representatives have prepared a letter addressed to faculty explaining University policy on missed class time due to team travel and listing the names of the “traveling squad” and dates of competition. Obtain copies of this letter from your Academic Counselor and discuss your absences with your instructors within the first week of each term that you will be traveling.

During the first week of class, you are responsible to find out the policy on make-up work in each of your classes. If you know you will miss class because of competition, discuss it with your instructors during the first week so that you know where you stand ahead of time. Do not wait until you have already missed a test or assignment to find out your instructor’s policy on make-up work. Since you will miss some class time because of competition and travel, other absences from class should be avoided.

DISTANCE EDUCATION GUIDELINES

Distance education courses are designed for mature students interested in self-directed and self-paced study. An ability to express oneself well in writing is critical to success in these courses. There are no established study schedules, but most students require at least three months to complete a course.

Distance education courses may be used as part of the graduation planning process by which the student-athlete earns extra credits toward a degree. Enrollment in any distance education course should take place only after approval by your Academic Counselor and the Director of the MAC. Students should usually allow a minimum of fifteen weeks for completion of a distance education course.

General Guidelines:

• Distance Learning classes may not be used for full time enrollment.

• A minimum of six weeks from the date of the submission of the first assignment is required before an official grade will be posted to a transcript.

• No more than three lessons can be submitted during any five-day work week.
• An examination (e.g., midterm, final) or a paper counts as a lesson in the three lessons per week limit.

• You have four weeks from the date of registration to cancel the course without the course appearing on your transcript. If you cancel after six weeks and before six months, a grade of "W" will be placed on your transcript.

• To cancel more than 4 months after you registered, you must petition for approval from the Continuing Education and Extension Scholastic Committee.

• You have nine months to complete most courses.

• If a course cannot be completed in nine months, you must negotiate with your instructor to receive an incomplete. The incomplete will count as an "F" in your Big Ten GPA, until such time that the course is completed and a final grade is assigned.

• It is generally recommended that first-year student-athletes not enroll in Online & Distance Learning courses.

Guidelines That Relate to Athletics

• All work for the course (lessons/tests) must be completed and submitted according to the above guidelines prior to the first day of the term if the distance education course is to be used for eligibility certification for that semester.

• You are encouraged to schedule the completion of your course well in advance of the deadline for eligibility. Experience shows that unforeseen obstacles often interrupt well-planned schedules; leave yourself time for such problems to be resolved before they impact your eligibility. It is strongly recommended that you complete all coursework and exams in the beginning of finals week if you wish to include the grade for a given semester.

• Your eligibility cannot be regained until the grade for the course is officially submitted to the Registrar's Office. Be advised that faculty do not necessarily grade coursework immediately upon its receipt. Your deadline/crisis is not their deadline/crisis — plan ahead to accommodate delays.

DROPPING AND ADDING INDIVIDUAL COURSES

You must see your Academic Counselor to cancel any course. Student-athletes must obtain permission (an electronic override) from their Academic Counselor to withdraw from a course after the first day of a semester. All schedule changes must be done with the Counselor's guidance.

WITHDRAWAL FROM THE UNIVERSITY

Scholastic Committee approval is required after the tenth week of the semester if you are withdrawing from all of your courses. A complete withdrawal after the third week of classes will result in all "W's" appearing on your transcript for that semester.

Dropping all your classes in any semester in which you practiced or competed makes you immediately ineligible for competition, which continues through one calendar year from the time you register in a full-time course of study for another semester. Big Ten eligibility rules prohibit you from canceling all your courses for any semester in which you practice or compete.
GRADE POINT AVERAGES

You must choose between two grading systems (A-F or S-N) for many classes. You may change your grading system through the end of the second week of classes for the current semester; note, however, that some courses are offered only on one grading system.

If you are considering taking a class S-N (pass/no-pass), talk with your Academic Counselor. Also consult your college adviser before taking any courses on the S-N basis that may apply toward your major. Most majors require their coursework be done on the A-F system.

A student who registers on the A-F system will receive a grade on a scale of A, B, C, D, or F (with pluses and minuses). Under the S-N system, students who would receive a grade of C- or better in the course receive an S.

A grade of incomplete or "I" may be given as a temporary grade at the discretion of the instructor when that instructor has a reasonable expectation that you can successfully complete the unfinished work in that course before the end of the next semester. Student-athletes should avoid taking incompletes whenever possible, since an "I" taken on the A/F system will count as an "F" in your eligibility (Big Ten) GPA. If you think you may need to arrange for an incomplete, you should first consult your Academic Counselor. Grades of D in a course required for your major will not count as credit toward eligibility.

GRADE POINT AVERAGE CALCULATION

Student-athletes at Minnesota have two grade point averages (GPAs):

1. Your university GPA is calculated by the University and includes only grades of A, B, C, D, and F (with +'s and -'s).
2. Your Big Ten GPA is calculated by the Registrar's Office to determine eligibility according to Big Ten Conference standards. The Big Ten GPA uses grades of A, B, C, D, F (with +'s and -'s) and any incomplete or empty grade, which count as F's until completed.

To calculate your University and Big Ten GPAs, use the following values for each grade earned with the A-F grading system:

<table>
<thead>
<tr>
<th>Grade</th>
<th>GPA</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>4.00</td>
</tr>
<tr>
<td>A-</td>
<td>3.67</td>
</tr>
<tr>
<td>B+</td>
<td>3.33</td>
</tr>
<tr>
<td>B</td>
<td>3.00</td>
</tr>
<tr>
<td>B-</td>
<td>2.67</td>
</tr>
<tr>
<td>C</td>
<td>2.00</td>
</tr>
<tr>
<td>C-</td>
<td>1.67</td>
</tr>
<tr>
<td>D+</td>
<td>1.33</td>
</tr>
<tr>
<td>D</td>
<td>1.00</td>
</tr>
<tr>
<td>F</td>
<td>0.00</td>
</tr>
<tr>
<td>I</td>
<td>0.00</td>
</tr>
</tbody>
</table>

For each course, multiply your final grade by the number of credits. Divide the total number of grade points by the total number of credits. The result is your GPA.

Remember that grades of S, W, and N (when taken on the S-N system) do not count in your GPA, and incompletes in any course count as an "F" in the Big Ten GPA.
GRADE CHANGE POLICY

Big Ten Conference Rule 14.4.3.4.B.2.a states:
A change in a student’s grade or records by administrative action, or by special procedures not available generally to all students for elimination of scholastic deficiencies, shall not make the student eligible, except where made to correct a provable error.

POLICY ON GRADE CHANGES FOR STUDENT-ATHLETES

Student-athletes may not maintain or regain athletic eligibility through the use of unearned grade changes. Student-athletes should have available to them the opportunities available to non-student-athletes for raising or correcting assigned grades, but are not entitled to special privileges based on their status as athletes.

A further interpretation of this rule states:
A student who is not eligible for competition prior to the opening day of classes can gain eligibility no later than the first day of classes. However, the student cannot compete until he or she actually gains eligibility.

GRADE CORRECTIONS

Grading errors may occur when the student’s work was not properly graded or recorded. Further, when a student originally assigned an incomplete in a course completes the work as agreed, the "I" may be changed to a letter grade.

GRADE CHANGES THAT OCCUR ON OR AFTER THE FIRST DAY OF A SEMESTER

In order for a grade change submitted on or after the first day of a semester to be utilized in determining a student-athlete’s eligibility for athletic competition for that semester, a Verification Grade Coursework Completion form must be submitted to the Registrar’s Office with a Supplemental Grade Report Form changing the grade in that course. The Registrar and Faculty Athletics Representative will certify that Big Ten Conference rules as well as University of Minnesota policy in regard to grade changes have been met prior to allowing the new grade to be used for purposes of determining the student-athlete’s eligibility.

REGISTRATION

An accurate and appropriate registration is your personal responsibility.

To remain eligible for athletic competition and for your grant-in-aid, you must register for a full-time course of study, e.g. at least 12 credits during each semester in which you practice, compete, or receive an athletic scholarship.

Dropping below 12 credits during any semester makes you immediately ineligible to practice or compete.

All first-year student-athletes are required to complete a minimum of 12 credits at the University of Minnesota in the fall in order to be eligible for spring (Big 10 Rule 14.3). All first-year students must complete their first 24 credits on campus at the University of Minnesota.
PRIORITY REGISTRATION

The University extends the privilege of priority registration to student-athletes. The Athletics Department expects all student-athletes to participate in priority registration.

Student-athletes are given permission by their Academic Counselor on the third day of the registration queue for the upcoming semester. Since this occurs during the graduate student and senior queue, class selection is excellent. Student-athletes should be able to select courses that will apply toward their degree and conflict minimally with practice and travel times.

In order to receive permission for priority registration, you must:

- Schedule an appointment with your college adviser in order to obtain approval of your course selection. You should schedule your appointment with your adviser at least four weeks in advance since appointment times fill quite rapidly during registration periods. When scheduling an appointment, identify yourself as a student-athlete.
- Develop a year-long graduation plan with your college adviser, and submit a copy to your MAC Academic Counselor.
- Be currently enrolled in at least 13 credits, unless prior approval was granted by the college adviser and MAC Academic Counselor for enrollment in fewer than 13 credits.
- Identify and clear any holds on your record that would prevent you from registering.

If you are not prepared for registration during priority registration, you will be required to wait until you have met with your college adviser.

ONLINE REGISTRATION

Students at the University of Minnesota register online. Detailed directions for registration are posted online. Web registration is accessed at http://www.umn.edu. The system will walk you through registration.

REGISTRATION CHANGES

- Any schedule changes after the first day of classes for the term must be approved by your athletic Academic Counselor.
- Students are allowed to change registration for the current semester through the second week of classes. Since you will already have missed a significant amount of course material, additions after the first week of the semester require instructor approval and/or college scholastic committee approval.
- Not attending a class (without officially canceling) will result in a grade of "F" or "N" on your transcript. Since the refund amount for a canceled course is based upon the actual date of cancellation, it is important that you officially cancel a course by self-registration as soon as you decide to drop it.
- When making changes in your registration on the self-registration system, you can receive a new printout of your courses.
- Students may cancel a course or courses (without adding others) through the end of the tenth week of the current semester. Cancellations after week ten require
approval of the scholastic committee. Courses cancelled prior to the start of the third week of classes will not show up on your transcript; courses canceled from the third week through the end of the tenth week will result in a "W". The "W" does not count in your GPA.

- The University of Minnesota allows students a one-time only late cancellation after the tenth week of the semester. See your college office for the procedures.

**LATE REGISTRATION & FEES**

All registration and fee information can be found at http://www.onestop.umn.edu/.

**TUITION REFUNDS**

Student-athletes must consult One Stop to determine their refund. The dates change each semester.

Student-athletes must speak with the Athletic Financial Aid Office to determine how this affects their athletic grants/scholarships.

Student-athletes who wish to enroll for fewer than three credits in May term or six credits in summer school must receive approval before dropping below this limit, or the student will be responsible for repaying any tuition/room and board cost differences.

**FEE STATEMENTS & HOW TO PAY YOUR TUITION**

Athletic grant-in-aid scholarships are credited to your account after registration but before the due date for your fees. You may notice that your enrollment statement lists your total balance due at the time of registration, even if you are on tuition and grant-in-aid may be directed to the Compliance Office.
**STUDENT-ATHLETE DEVELOPMENT**

**OFFICE OF STUDENT-ATHLETE DEVELOPMENT**

<table>
<thead>
<tr>
<th>STAFF</th>
<th>TELEPHONE NUMBER</th>
<th>EMAIL ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
<tr>
<td>Student-Athlete Development Intern</td>
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</tbody>
</table>

**MISSION**

The University of Minnesota's Student-Athlete Development program encourages and supports service, leadership, personal and career development for the overall well-being of the intercollegiate student-athlete. We strive to build success through creative problem solving, personalized education sessions, trainings and meaningful partnerships with campus and community stakeholders.

**VISION**

To serve as the premier provider of services and resources in the enhancement of the student-athlete experience through empowerment and leadership development.

**BENEFITS OF THE PROGRAM**

The challenges that student-athletes face, both on and off the playing field, are unparalleled. The University of Minnesota Student-Athlete Development Program is based on the premise that the same qualities and skills necessary for a student-athlete to attain a level of greatness in athletics can be applied to "real world" situations. This program is designed to help the student-athlete not only bridge the gap from college life to professional life, but also make meaningful contributions to their communities. The Student-Athlete Development Program is intended to benefit you, the student-athlete. It is our hope and commitment to you to do our very best in helping you receive the maximum possible benefit from the first-year experience course and all programs and resources available. Your growth and development is the reason for this program's existence. In addition, it is clear that the coaches, administration, and the entire institution benefit from your flourishing and prospering as you grow, mature, and make your way to graduation and a successful career.

**THE PROGRAM'S FOUNDATION**

The mission of the NCAA is to maintain intercollegiate athletics as an integral part of the campus educational program and the student-athlete as an integral part of the student body. With this in mind, the Student-Athlete Development Program was created to support the student development initiatives of member institutions and to
enhance the quality of the student-athlete experience within the university setting.

In the process of achieving this mission, the Student-Athlete Development Program will:

• Support efforts of every student-athlete toward intellectual development and graduation;
• Use athletics as preparation for success in life;
• Meet the changing needs of the student-athlete;
• Promote respect for diversity among all students and staff;
• Enhance student-athletes' interpersonal relationships;
• Assist student-athletes in building positive self-esteem;
• Support student-athletes to make meaningful contributions to their communities;
• Promote academic, athletic, personal and social responsibilities of student-athletes; and
• Encourage the development of leadership.

FIRST-YEAR EXPERIENCE COURSE

This First-Year Experience course is mandatory for all first-year student-athletes. This seminar course consists of a lecture with a discussion section that will address topics that will directly affect student-athletes. Student-athletes will be able to interact with their peers in a fun learning environment. This class focuses on first-year transition issues such as time management, sexual responsibility, financial management, alcohol, and many others.

CAREER SERVICES

From the beginning of your University experience, career planning and life planning will be important to you. The Student-Athlete Development Program provides an array of services and resources to assist you in preparing for graduate school and the world of work after graduation. The following is a year-by-year approach that will assist you in your "career game plan":

• Freshman year: first-year experience course, exploration and self-awareness; initial resume writing; locate Career Centers on campus.
• Sophomore year: identification of academic and career alternatives; focus on summer jobs/ internships.
• Junior year: gain insight into academic and career demands; internships and co-op experiences, as well as update resume for job and internship search.
• Senior year: implementation of career goals; update cover letter and resume. The Student-Athlete Development Program encourages student-athletes to develop, pursue careers and life goals.

The following services are available:

• Job and Internship Fair – partnering with the Career Centers in each college
• Pro Day – Golden Gopher Athletics Career and Internship Fair
• Internship/summer jobs search assistance
• Resume writing
• Cover letter writing
Career development should be a thoughtful, four-year process of considering what you want out of your education and life.

LEADERSHIP PROGRAMS

The Student-Athlete Advisory Committee (SAAC) is the governing group of student-athletes who meet monthly to discuss issues that are pertinent to them during their athletic experience. They also act as a liaison to the athletic administration, their teammates and coaches as well as the Big Ten/ NCAA conferences. This group offers input on rules, regulations, and policies that directly affect the lives of student-athletes. Our committee consists of five members of the Executive Committee and at least two representatives from each team, generally an upper and underclass student-athlete. If you are interested in being a part of this group, please talk to your coach or your current SAAC representative.

COMMUNITY SERVICE

As a student-athlete you are an important member of both the campus and Twin Cities community. Involvement in community service is an excellent way to give back while developing social, civic, and other “life skills” essential for your future success. Please make sure to watch for the weekly e-mail with opportunities to volunteer.

M.A.G.I.C. (MAROON AND GOLD IMPACTING THE COMMUNITY) is the name of our outreach program. The mission of the M.A.G.I.C. program is to provide student-athletes with quality volunteer opportunities so that they may give back to the Twin Cities community. M.A.G.I.C. volunteers will represent their teams, the athletic departments, and the University of Minnesota. As a participant, student-athletes will gain leadership skills through service, while providing a positive influence in the community. Service opportunities are available through a number of programs including: "You Read, You Win" the elementary school's reading programs, the "Tobacco Free is the Way to Be!" anti-tobacco campaign, "Eat Smart, Play Hard" healthy eating campaign, "Exercise Your Heart and Mind" outreach effort to promote math and science, HopeKids (children with cancer or other life threatening illnesses) events, tutoring elementary school children, speaking programs, team autograph/photo sessions, visiting children at hospitals, helping at charity events and many other opportunities. Gopher teams are encouraged to identify independent projects for annual or ongoing commitments of community service.

UNLIMITED DANCE MARATHON

The Unlimited Dance Marathon is a 12-hour dancing event hosted by the University of Minnesota students on the Twin Cities campus. It is the last event of a culmination of year-long fundraising efforts to benefit children and family members of the University of Minnesota Masonic Children’s Hospital. Student-athletes have been participating in the planning and running of the organization since its inception in 2012.
I. CONDUCT POLICY STATEMENT

Student-athletes at the University of Minnesota are expected to represent themselves, their team and the University with honesty, integrity, and character whether it be academically, athletically or socially. Participation on an intercollegiate team is a privilege and should be treated as such. It has many benefits and brings with it a responsibility to be positive and effective members of the team, department, campus and broader communities.

The athletics department is a window to the University and student-athletes often are in the spotlight. For better or worse, their behavior is subject to scrutiny by many including peers, campus, local and national communities and media. The actions of one student-athlete may result in a generalization to all student-athletes and reflects on the individual, team, department and University. It is expected that all student-athletes abide by team, department and University policies. Team guidelines and the Intercollegiate Athletics student-athlete code of conduct will be available to all student-athletes.

Student-athletes who do not conform to this code may be subject to consequences for their actions that may include but are not limited to: a warning, dismissal from the team, reduction or withdrawal of athletically related financial aid, and dismissal from the University. In addition to all University policies, student-athletes are responsible for following the standards in the NCAA student-athlete behavior statement and the Big Ten sports-like conduct statement as well as all city, state and federal laws.

II. CONDUCT GUIDELINES

A. Student-Athletes Are Expected To:

1. Be respectful of all others and to treat people as they would want to be treated.
2. Communicate with their teammates, coaches, faculty, and other members of the campus community with honesty and timeliness.
3. Follow all Team, Intercollegiate Athletics, University, Big Ten, WCHA and NCAA rules and guidelines.
4. Attend all classes as scheduled unless absences are approved.
5. Complete their academic coursework in a timely fashion and make progress towards a degree each semester.
6. Give their best effort academically, athletically and in life.

B. Alcohol/Drug Consumption

The use of alcohol or drugs by student-athletes while involved in any team-related practices, competitions, banquets, travel or other activities is prohibited, regardless of age. Student-athletes under the legal age to consume (21 years of age) in Minnesota are expected to abide by city, state and federal laws. Consequences for violating this policy may include treating the incident as a first positive drug test under the University of Minnesota athletics department Alcohol and Drug Education policy. Additional consequences may include, but are not limited to, the following:

1. Verbal and written warning.
2. Participation in educational sessions.
3. Required chemical dependency assessment and/or treatment.
4. Suspension from the team.
5. Loss of eligibility and dismissal from the team.
6. Loss of athletics related scholarship aid
7. Dismissal from the University.

Additionally, it is expected that the consumption of alcohol by student-athletes who are of legal age will be within the parameters of team, department and University policies and will be handled responsibly. Consequences for underage alcohol use, inappropriate alcohol use by student-athletes of legal age to consume, or illegal drug use will be determined on a case by case basis. The head coach, Alcohol and Drug Education Review Board and the Athletics Director (or his/her designee) may be involved in determining the sanctions for violating this policy. The Athletics Director has final approval for all decisions.

See the Intercollegiate Athletics Alcohol and Drug Education policy for more specific and complete guidelines.

C. Local, State and Federal Laws

Student-athletes who are alleged (including arrested or charged) to have broken local, state and federal laws will be subject to team and department sanctions upon a case by case review. Violations involving physical and/or sexual violence, use of illegal weapons, or driving while under the influence will be subject to immediate suspension from team activity pending further investigation. The head coach, in consultation with the athletics director (or his/her designee), will impose sanctions.

Team or Athletics Department disciplinary sanctions may be imposed in advance of any campus disciplinary and/or criminal actions. Disciplinary sanctions may include, but are not limited to: verbal or written reprimand; suspension from the team; reduction, cancellation or non-renewal of athletics scholarship aid; and dismissal from the team.

Additional sanctions may be imposed by the broader University, including probation, suspension from school, or expulsion.

For the purposes of this code of conduct, suspension from the team means that student-athletes may not practice, compete or travel with any University of Minnesota Intercollegiate Athletics team. However, suspended student-athletes may, with the approval of the coach and designated sport administrator, attend team meetings and retain privileges to access training table, the athletic training room, academic support services and individual use of weight training. Exceptions to any of these terms may be made by the Athletics Director or his/her designee.

D. Sexual Harassment Policy

The Athletics Department is committed to providing a safe and healthy environment for all of its student-athletes. Sexual harassment is unethical and unlawful and may result in department, University and legal sanctions. Sexual harassment includes unwelcome sexual advances, sex-based conduct that is intimidating, hostile or offensive, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature that is prohibited by the University. Complaints of sexual harassment by a student-athlete will be promptly addressed and should be reported to the Office for Student Conduct and Academic Integrity.
**CODE OF CONDUCT**

Consequences for harassment may include:

1. Verbal and written warning and participation in educational sessions.
2. Suspension from the team.
3. Loss of eligibility and dismissal from the team.
4. Loss of athletics related scholarship aid.
5. Dismissal from the University.

Examples of prohibited conduct:

a. Unwelcome sexual flirtation, advances or propositions.

b. Continued or repeated verbal abuse of a sexual nature.

c. Sexually degrading language to describe an individual.

d. Unwelcome remarks of a sexual nature to describe a person's body or clothing.

e. Display of sexually demeaning objects or pictures.

f. Offensive physical contact, such as unwelcome touching.

g. Coerced sexual intercourse.

h. Sexual assault.

i. Rape, date or acquaintance rape, or other sex offenses either forcible or non-forcible.

**E. Hazing Policy**

Hazing by any member of the University community is prohibited at the University of Minnesota. Hazing is prohibited whenever it occurs on University premises or in connection with any University-affiliated group or activity. Student-athletes who violate the prohibition against hazing are subject to discipline. Any criminal complaints will be reported to law enforcement.

Hazing is an act that endangers the mental or physical health or safety of an individual (including, without limitation, an act intended to cause personal degradation or humiliation), or that destroys or removes public or private property, for the purpose of initiation in, admission to, affiliation with, or as a condition for continued membership in a group or organization.

Such activities and situations include but are not limited to:

1. Physical punishment, contact, exercise, or sleep deprivation that causes excessive fatigue and/or physical or psychological shock;

2. Forced or coerced consumption of food, drink, alcohol, tobacco, and/or illegal drugs;

3. Forced or coerced transportation of individuals;

4. Public humiliation, ridicule, indecent exposure or ordeal;

5. Coercing or forcing illegal acts;

6. Coercing or forcing acts that are immoral or unethical;

7. Blocking an individual's academic, athletic, health or personal success;

8. Personal servitude;
9. Mental harassment;
10. Sexual harassment;
11. Deception;
12. Threat of social exclusion;
13. Any activity that involves the use of alcohol or any controlled substance;
14. Any activity that is not in accordance with the University’s established policies.

A person commits a hazing offense if the person:

1. Engages in hazing;
2. Solicits, encourages, directs, aids, or attempts to aid another in hazing activities;
3. Intentionally, knowingly, or recklessly permits hazing to occur;
4. Has firsthand knowledge of the planning of a specific hazing incident involving a student and fails to report the plan to the athletics department to prevent the hazing;
5. Has firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report it to the Athletics Director or other appropriate official of the institution.

Typically, hazing has occurred in connection with initiation activities. Even if an initiation activity is optional, an individual may not feel empowered to refuse participation. Individuals involved in any form of hazing (including prospects on campus for an official visit) will be held accountable for their actions and will be subject to disciplinary action by the Athletics Department as well as the University. Disciplinary action may include immediate suspension from the team, withdrawal or cancellation of financial aid, permanent dismissal from the team, or dismissal from the University.

If a student-athlete chooses to file a hazing grievance against an individual or group, it should be reported to the Athletics Director or a sport administrator. If requested, every effort will be made to protect the identity of the person reporting the grievance, where permissible under the law. It is possible that a student-athlete may initially voluntarily agree to participate in an initiation activity, and that he or she may later decide within a reasonable period of time that it was an unacceptable hazing activity. A grievance need not be filed for a disciplinary action to occur.

F. Gambling Policy
Student-athletes are expected to abide by the NCAA rule (Bylaw 10.3) which prohibits student-athletes from knowingly:

a. Providing information to individuals involved in organized gambling activities concerning intercollegiate athletics competition;
b. Soliciting a bet on any intercollegiate team;
c. Accepting a bet on any team representing the institution;
d. Soliciting or accepting a bet on any intercollegiate competition for any item (e.g., cash, shirt, dinner) that has tangible value; or
e. Participating in any gambling activity that involves intercollegiate athletics or professional athletics, through a bookmaker, a parlay card or any other method employed by organized gambling.
Furthermore, a student-athlete who is involved in any activity designed to influence the outcome of an intercollegiate contest or participates in a wager involving a University of Minnesota contest, the student-athlete shall lose all remaining regular and postseason eligibility in all sports.

III. STUDENT HEARING & APPEAL PROCESS

The Athletics Director has final approval regarding a student-athlete’s dismissal from the team. This decision is not appealable.

Student-athletes may appeal department decisions in the following areas:

1. reduction or cancellation of aid during the period of the award;
2. non-renewal of financial aid;
3. denial of permission to contact for transfer;
4. denial of one-time transfer exception.

A student-athlete may appeal the decisions related to #’s 1-4 above and is entitled to a review by a hearing panel. The three-member panel is composed of the following individuals: 1) the respective NCAA Faculty Representative (will serve as Chair), 2) a member of the Faculty Oversight Committee and/or Advisory Committee on Intercollegiate Athletics, and 3) a representative from the Office of the President. The decision of the hearing panel is final.

The procedures for the hearings in items # 1 through 4 above are available through the Athletics Compliance Office, but will basically follow this timeline:

1. The athletics department makes the decision that is going to be appealed.
2. The athletics department issues a letter of such decision to the student-athlete.
3. The letter notifies the student-athlete that s/he has a right to a hearing on the decision and must make such a request within two weeks.
4. Upon receipt of a request for a hearing, a hearing panel will be appointed and a hearing convened as soon as possible.
5. The hearing panel will issue a written decision within two weeks of the hearing.

IV. BIG TEN CONFERENCE SPORTS LIKE CONDUCT POLICY AND STATEMENT

Student-athletes are expected to:

1. Treat opponents with respect.
2. Play hard but within the rules.
3. Exercise self-control at all times setting the example for others to follow.
4. Respect officials and accept their decisions without gesture or argument.
5. Win without boasting, lose without excuses and never quit.
6. Always remember that it is a privilege to represent the school and community.

Acts of unsportslike conduct shall include, but not be limited to:

1. Striking or attempting to strike or otherwise physically abusing an official, opposing coach, spectator or athlete. Any person committing such an act shall
be subject to a public reprimand and suspended for up to 50% of the scheduled contests in the sport as deemed appropriate for the first offense, and publicly reprimanded and suspended for such number of additional contests as deemed appropriate for an additional similar offense.

2. Intentionally, or with careless disregard for one's conduct, inciting participants or spectators to violent or abusive action. Violators shall be subject to a public reprimand and a suspension for up to 20% of the scheduled contests in the sport for the first offense, and a public reprimand and a suspension for such number of additional contests as deemed appropriate for an additional similar offense.

3. Using obscene gestures or profane or unduly provocative language or action toward an official, student, coach or spectator. Violators shall be subject to a public reprimand for the first offense, and a public reprimand and a suspension for up to 20% of the scheduled contests for an additional similar offense.

V. RULES VIOLATION REPORTING POLICY

The University of Minnesota is committed to operating its athletics programs in a manner consistent with the letter and the spirit of NCAA, Big Ten Conference, WCHA and University rules and regulations. Toward that end, our compliance program combines the training and education of coaches, staff and students; the review and modification of athletics department and University operating procedures to ensure compliance with those rules; and prompt institutional response when rule violations do occur.

Our goals are to educate coaches, staff and students in their responsibilities under the rules, to develop operating systems within the Athletics Department and the University that guide staff and students in their efforts to work within the rules, and to respond to each rule violation so that we can correct the situation that led to the problem.

We affirm that staff members and student-athletes of the University of Minnesota Athletics Department have an obligation to report any violations or potential violations of NCAA or Big Ten Conference rules of which they are aware.


The Intercollegiate Athletics Student-Athlete Code of Conduct is in addition to, and does not replace, the Student Conduct Code of the University of Minnesota. It is applicable to all student-athletes on the current team squad list for actions that occur while matriculated at the University of Minnesota or that are prosecuted while enrolled as a student-athlete at the University.

Updated 8/02/07
ACADEMIC & ATHLETIC ELIGIBILITY

Initial Eligibility
1. To be eligible for practice and competition during your initial term of enrollment, you must have completed a core curriculum of at least sixteen academic courses, as well as presented a minimum high school grade point average and SAT or ACT score that satisfies the NCAA Initial-Eligibility Index as certified by the NCAA Eligibility Center.
2. The NCAA Eligibility Center will also certify all incoming student-athlete's amateur status.

ELIGIBILITY BASICS
To be eligible to compete, a student-athlete must:
1. Be enrolled full time (no less than 12 credits).
2. Pass a minimum of 6 credit hours per semester (Fall/Spring) to be eligible for the next semester.
   • All Football student-athletes must pass nine (9) credits each fall semester to be eligible to compete during the following fall semester.
3. Maintain a 2.0 Big Ten cumulative GPA.
4. Pass:
   • Twenty-four degree credits at the U of M going into the second year.
   • Have forty percent of degree completed by start of third year.
   • Have sixty percent by start of fourth year.
   • Have eighty percent by start of fifth year.
5. Pass eighteen degree credits during the academic year (fall and spring – summer may not be used to meet this requirement).
6. Declare a major by the first day of classes of your third year (or fifth semester).

FULL-TIME STATUS REQUIRED FOR COMPETITION AND PRACTICE
1. The NCAA requires that, as a student-athlete, you must be enrolled as a full-time undergraduate student registered for a minimum of twelve credits during each semester in which you practice and/or compete. If you drop below twelve credits during any semester, you are immediately ineligible for practice and competition. On-line distance learning courses may not always be used to meet the twelve credits, full-time student requirement. There is an exception to this twelve credit requirement if you are in your final semester and you are carrying enough credits to graduate.
2. You must go through your Academic Counselor to drop and/or add courses, even if you are not dropping below twelve credits.
3. Under Big Ten Conference rules, if you are a freshman and do not carry twelve credits to completion during fall semester of your first year, you will be ineligible for competition spring semester.
PROGRESS TOWARD EARNING A BACCALAUREATE DEGREE

1. Changes in curriculum (e.g., changing colleges or majors) will affect your eligibility if courses are no longer applicable. Be sure that you are aware of the eligibility implications of any change before making it. Check with your Academic Counselor.

2. All credits used for meeting eligibility requirements must be applicable toward your baccalaureate degree and certified as such by your college. Courses that apply toward graduation in one college may not apply in another college.

3. Your academic standing in your college may affect your athletic eligibility. Good academic standing will be determined by your college based on your academic performance according to college standards for degree progress. Each college has different rules on when you must be admitted to upper division and the types of grades required, especially in your major, to ensure good standing. Being suspended from your college will automatically disqualify you from athletic competition. It is your responsibility to be familiar with good academic standing requirements in your college.

4. First year student-athletes who take non-degree credit courses, may count those credits toward eligibility requirements only during the first two semesters of residency (NCAA 14.4.3.5.3). Student-athletes who take these courses after their freshman year may not use them to meet quantitative credit requirements.

5. If you repeat a course to get a better grade, both courses are listed on your transcript, but only the most recent grade is used in calculating the GPA. The first grade is always "bracketed" even if you had a better grade the first time taking the course.

6. Summer school credit from another institution may be used to satisfy eligibility requirements only if the course is applicable to your degree program and only with prior written approval by appropriate academic officials at the University of Minnesota. You may not use transfer credits to improve your grade point average or to satisfy the twenty-four credit requirement to compete during your second year. See your Academic Counselor for more specifics.

7. The University of Minnesota will accept credits from other accredited institutions (junior college transfer, four-year transfer, etc.). The grades earned in those courses for which the institutions accept transfer credits are not, however, included in the University of Minnesota grade point average. In other words, the transfer student-athlete's grade point average is determined by grades awarded in courses taken only at the University of Minnesota-Twin Cities campus or at any coordinate campus of the University of Minnesota.

GPA REQUIREMENTS

Deadlines and GPA Calculations

1. You must meet the following eligibility requirements by the first competition for your sport or the first day of classes, whichever comes first. Your eligibility must be certified to the Big Ten Conference Office by the Registrar at the University of Minnesota prior to the deadline.

2. For purposes of determining athletic eligibility, grade point averages will be calculated as follows:
   - S-N Courses = N does not count.
ACADEMIC & ATHLETIC ELIGIBILITY

• Incomplete = In A-F course, counts as F in semester in which it was received until completed.
• Grades in all of your coursework will be included in the GPA calculation, including courses that do not apply toward your degree. Students are encouraged to take all coursework A-F. No student-athlete should drop a course or take an incomplete without first discussing the eligibility implications with your athletic Academic Counselor.

ELIGIBILITY FOR TRANSFER STUDENTS

1. Eligibility requirements for transfer students are very complicated. NCAA rules govern basic requirements, but University of Minnesota GPA requirements for the year of residence also apply. Questions should be directed to your Academic Counselor.

2. In general, four-year college transfers must spend a year in residence here without competing. They may, however, practice during that year. Additionally, they must be registered for at least twelve credits in each of the two semesters during their residency year. They must also meet credit and GPA requirements for the year of residence if they wish to be eligible the following year. There are some very specific exceptions to the basic rule, which may allow a student to become immediately eligible to compete without sitting out a year.

3. Courses that are transferable to any degree-granting college within the University of Minnesota may be used for eligibility; however, only credits that are applicable to that student’s particular degree program may be used in meeting NCAA percentage of degree requirements. Any loss in credits below eligibility requirements must be made up the following year in addition to earning sufficient credits to make normal progress. If you are a transfer student, you should meet with your Academic Counselor so that you can plan your schedule accordingly.

4. The grades you earned in courses taken at institutions other than those within the University of Minnesota system are not included in your University of Minnesota - Twin Cities grade point average.

NCAA AMATEUR STATUS

As a student-athlete you must maintain your amateur status under NCAA rules. Note that NCAA rules may differ from those of the amateur governing body for your sport.

The following is a general summary of the NCAA amateurism rules:

1. In all sports, an individual may accept prize money based on his or her place finish or performance in an athletics event. Such prize money may not exceed actual and necessary expenses and may be provided only by the sponsor of the event. The calculation of actual and necessary expenses shall not include the expenses or fees of anyone other than the individual (e.g., coach’s fees or expenses, parent’s expenses).

2. A student-athlete may not accept payment for or permit the use of his or her appearance, name, or picture to directly or indirectly advertise, recommend, or promote the sale or use of a commercial product or service of any kind. This rule prohibits athletes from such activities as modeling clothes, appearing in commercials, signing autographs at a place of business, or endorsing a local radio
station, regardless of whether payment is received.

3. Student-athletes or their parents may not:
   • Agree (orally or in writing) to be represented by a sports agent
   • Accept any benefits from an agent including but not limited to transportation, food, beverages, loans, or cash.

OUTSIDE COMPETITION RESTRICTIONS

NCAA legislation prohibits student-athletes from participating on any outside team in any non-collegiate, amateur competition in their sport during the academic year with only limited exceptions. The academic year runs from the first day of class in the fall through the last day of the student-athlete's final examination period in the spring. The penalty for violating this rule is the loss of eligibility for the remainder of the year plus the next academic year.

In addition, basketball players are not allowed to participate in any organized basketball competition, except while representing the University of Minnesota in intercollegiate competition. Summer competition for basketball players in NCAA approved leagues must be approved in advance by the Athletics Director or sport administrator.

Any and all outside competition must be approved by the Compliance Office prior to the competition.

https://www.macdata.umn.edu/athleticforms/unattached_comp.php

There are very specific exceptions to this outside competition rule for all sports and all outside competitions must be approved in advance by the Compliance Office and Faculty Athletics Representative. See your coach or the Compliance Office for details. This rule does not apply to intramural competition at the U of M in a sport other than your own.

ELIGIBILITY WAIVERS (REDSHIRTING)

Your playing years may be interrupted by what is often called a "redshirt" year. This redshirt year extends your eligibility for competition by one year. The two types of redshirt years are as follows:

Redshirting

In a "redshirt" year the process begins with the student-athlete discussing with the coach the rationale, purpose and goals for the student-athlete and the program.

A "redshirt" year is when a student-athlete does not participate in any contests for the University of Minnesota during the entire year. They may, however, participate "unattached" and still be eligible for a redshirt year. There are specific exceptions to this rule. Please see the Athletic Compliance Office for details.

NCAA Medical Hardship Waiver

A student-athlete may be granted an additional year of competition based on incapacity due to medical hardship.

A hardship must include:
   • Incapacitating injury or illness during one of the four seasons of intercollegiate competition;
ACADEMIC & ATHLETIC ELIGIBILITY

- an injury or illness occurring prior to the completion of the first half of the traditional playing season in that sport, and results in incapacity for the remainder of the season; and

- an injury or illness occurring when the student-athlete has not participated in more than three events or 30 percent of the institution’s completed events in that sport. (Whichever is greater)

Procedures for obtaining a medical hardship from the Big Ten Conference are initiated by the head athletic trainer in consultation with the head coach, the medical director and the Athletic Compliance office.

NCAA & BIG TEN ELIGIBILITY AND FINANCIAL AID REQUIREMENTS

You must complete the following NCAA and Big Ten forms prior to your first competition of the year:
1. NCAA Drug Testing Consent form
2. NCAA Student-Athlete Statement
3. Big Ten Drug Testing Consent Form

STUDENT-ATHLETE TRANSFERS

1. A student-athlete interested in transferring must first indicate this desire to the head coach of his/her sport.

2. The Compliance Office will provide information of current department, Big Ten and NCAA transfer rules, permission to contact requirement, and Big Ten rules regarding intra-conference transfer.

3. Until a student-athlete formally requests a permission to contact release they will retain access to all student-athlete services and benefits (e.g., academic support services, athletic medicine) unless they are indicating that they are quitting the team.

4. The student-athlete must consult with head coach and the Athletic Compliance Office to request permission to contact other institutions. The decision whether to grant or deny the student-athlete’s request is made on a case-by-case basis by their head coach and the Athletic Director.

5. Once a student-athlete formally requests a permission to contact release, access to all student-athlete services and benefits (e.g., academic support services, athletic medicine) will be determined on a case-by-case basis by athletic administration.

6. The decision to deny a student-athlete’s request may be appealed. Student-athletes wishing to appeal should contact the Director of Compliance for information regarding the appeal process.
INTERNATIONAL STUDENT-ATHLETE ISSUES

International student-athletes should be concerned with the following situations:

Work and Need Based Financial Aid

Most I-20s do not permit international students to work during their first year in the U.S., which is consistent with the requirement that students enter the country with one full year of financial support. After the first year, international students may request permission to work on-campus.

Tax Identification Form

You must have a tax I.D. number in order for the University Payroll Office to process your scholarship request if a tax treaty exists between the student’s home country and the United States.

Federal tax law governing international students requires that the room and board portion of the international student’s scholarship be subject to a 14% withholding tax if the student’s country does not have a tax treaty with the U.S.

W8-BEN form must be completed if a U.S. tax treaty exists with your home country.

Immunizations

Minnesota law requires current immunization against measles, mumps, rubella, diphtheria, and tetanus for students born after December 31, 1956.

International students should bring an International Certificate of Vaccination showing their current status of immunizations. If the student does not fulfill their immunization requirements and submit the Student Immunization Form, then a hold will be placed on their record preventing registration.

More information is available at: www.bhs.umn.edu/immunization-requirements.htm
If you are a tendered student-athlete, you must:

- Return a signed tender by the first day of the term.
- Be academically eligible on the first day of the term in which the scholarship is activated.
- Be enrolled for at least 12 credits per term based on NCAA rules; however, you must be enrolled in 13 credits based on University of Minnesota policies.

**FEDERAL, STATE & OTHER INSTITUTIONAL FINANCIAL AID**

For information on qualifying for Federal Pell Grants, Minnesota State Grants, and other federal and institutional financial aid programs, please see the financial aid coordinator. Apply as soon as possible for funding using the Free Application for Federal Student Aid (FAFSA). You must apply each year at www.fafsa.gov. The U of MN school code is 003969.

**OUTSIDE & UNIVERSITY SCHOLARSHIPS**

You must report the receipt of all scholarships or grants to the financial aid coordinator. The terms and conditions of the award, as well as individual and team limits, must be reviewed to determine if you can receive the scholarship/grant under NCAA rules. NCAA rules require that any scholarship funding from a source outside the University must be disbursed through the University.

See the financial aid coordinator with questions or to submit a scholarship payment.

**TUITION RECIPROCITY**

If your state residence is North Dakota, South Dakota, Wisconsin, or Manitoba, Canada, you are required to apply for tuition reciprocity. Applications can be obtained online from your home state.

**FOR QUESTIONS**

Student-Athletes who have questions and concerns about any aspects of financial aid and/or their athletic scholarship should arrange to meet with the financial aid coordinator or the scholarship coordinator:

Molly Nelson  
230 Bierman  
(612) 625 - 5357

Jim Praska  
230 Bierman  
(612) 626-7117

**COMMONLY ASKED QUESTIONS REGARDING FINANCIAL AID**

**Q: What is an athletic grant?**

A: A financial award that is given to a student-athlete based on athletic ability or sports performance is considered an athletic grant.

**Q: Who may receive an athletic grant or financial award?**

A: A qualifying student-athlete may receive an athletic grant upon recommendation of the coach with approval from the athletics director or designee. An offer of a financial award is contingent upon admittance to the University of Minnesota-Twin Cities and the student-athlete's academic standing. Returning student-athletes must be academically eligible and making normal progress toward a degree to be eligible for an award.
Q: What educational expenses will an athletic grant cover?
A: Presently, an athletic scholarship can cover up to full cost of attendance which includes tuition and fees, books, room, board, travel, and personal/miscellaneous expenses.

Q: What if I receive textbooks as part of my scholarship?
A: You must "check out" your textbooks at the start of the term from the scholarship desk at the University of Minnesota Bookstore.

Q: For what period of time is an athletic grant awarded?
A: An athletic grant is issued for as little as one term and a maximum of five years.

Q: May an athletic grant be renewed?
A: Yes, it may, if the student-athlete maintains academic eligibility and makes normal progress toward a degree as defined by the sport season, and continues to participate on the intercollegiate team in which the award was issued.

ATHLETIC SCHOLARSHIP POLICY

1. The total amount of financial aid (excluding bona fide loans and aid from family) for student-athletes receiving athletic grants or other University designated financial aid or University of Minnesota Scholarships or grants may not exceed the value of cost of attendance. One exception to this requirement is that a student-athlete may receive a Federal Pell Grant above a full athletic scholarship for miscellaneous expenses as permitted under the Pell Grant program.

2. A student-athlete who fails to meet academic eligibility and normal progress requirements relative to the athlete's sport season by the first competition or the first day of classes, whichever comes first, may have their athletic aid canceled. The University is under no obligation to renew the student-athlete's aid for subsequent terms. In any event, aid for subsequent terms cannot be awarded unless the athlete has met eligibility requirements.

3. Student-athletes who are recruited, non-qualifiers from high school (i.e. do not have an overall high school grade point average and test score that meets the NCAA Initial-Eligibility Index, or fail to meet core curriculum requirements) may not receive institutional aid during their first year and will be charged with the loss of a year of eligibility. Such student-athletes may earn a fourth year of eligibility by completing 80% of their degree requirements prior to their 5th year of full-time enrollment.

4. If a student-athlete is injured during practice, competition or University-sponsored travel to or from competition under Intercollegiate Athletics auspices, that student-athlete's athletic grant may be continued until the student-athlete receives a baccalaureate degree or through the student-athlete's fourth year of enrollment, whichever comes first. During the student-athlete's enrollment at the University, approved medical expenses will be covered under this policy. The University's obligation to provide medical care and financial aid under this policy will terminate immediately if appropriate University medical staff certify that an injured student-athlete has recovered sufficiently to permit competition and the student-athlete voluntarily chooses...
not to participate in athletics. For specific provisions and limitations of this policy, see the "University's Responsibility to Injured Athletes" in the Athletic Medicine section.

5. An athletic grant may be withdrawn during the period of the athletic tender if the student-athlete:
   - Fails to meet academic eligibility and requirements as defined.
   - Voluntarily quits the team.
   - Fraudulently misrepresents any information on an application, letter of intent or tender.
   - Engages in serious misconduct warranting substantial disciplinary penalty.

6. An athletic grant may also be reduced or canceled under the following circumstances:
   - An athletic aid award listed under "Conditions of Financial Aid" will be reduced by any aid amount which would exceed full cost of attendance except the Pell Grant.
   - Athletically related financial aid may be reduced or canceled during the academic year, or non-renewed for the following academic year if you fail to follow the non-athletic stipulations documented in these published manuals: University of Minnesota Student-Athlete Code of Conduct, University of Minnesota Athletic Department Drug and Alcohol Policy or Team Rules.
   - Per NCAA rules, your acceptance of an athletic scholarship award may impact your ability to accept and receive other financial aid scholarships and grants both from the University of Minnesota and from other outside sources. You may not be able to accept all grant and scholarship funding from all sources; however, your overall total grant and scholarship funding from all sources will be no less than the terms listed in your award.
   - The decision to renew an athletic scholarship will be determined by the head coach and approved by the athletics director or designee. The renewal of an athletic grant will be made on or before July 1 prior to the academic year in which it is to be effective.
   - If a student-athlete's grant is decreased or not renewed, the student-athlete has a right to appeal to a non-athletics review panel.
   - The 1986 Tax Reform Act may affect the amount of the gross income that should be reported to the Internal Revenue Service. Please consult an Internal Revenue expert for further advice. The 1986 Tax Reform Act requires the institution to withhold 14 percent of the board/room portion of a scholarship for international students from non-tax treaty countries. Therefore, it is necessary for tendered international students to apply for a Tax I.D. Number when they arrive on the University of Minnesota-Twin Cities campus or when filing a tax return.
   - Participation in a study abroad program that costs more than attending regular classes on campus may be funded only to the maximum dollar amount you would have received for attending regular classes on campus.
BOOK SCHOLARSHIP POLICY

If you are on a book scholarship, you should go to the scholarship desk at the bookstore to check out your books. If you need a packet from Paradigm Copies, you should see Jim Praska first to receive an authorization before going to Paradigm. If you need a packet or book that is not available at the bookstore or Paradigm and is required for the course, then purchase the item and bring the receipt, along with your course syllabus, to Jim Praska who will request a reimbursement. If a book is stolen, you must file a police report and bring the police report number to Jim Praska in order to receive a duplicate copy of the stolen text.

SUMMER SCHOOL FINANCIAL ASSISTANCE

A limited amount of financial aid is available for summer school to tendered student-athletes.

Eligibility Criteria

To be eligible for summer school grant-in-aid, the student-athlete must have:

- Received an athletic scholarship during the preceding academic year,
- Attended the University of Minnesota-Twin Cities during the preceding spring semester,
- Or, will receive an athletic scholarship during the ensuing fall term.

Tutorial assistance for summer school requires the recommendations of the head coach with the approval of the Athletic Director.

Financial aid approved for summer school will be rescinded immediately for individuals with eligibility remaining who decide not to participate in their sport program in subsequent academic terms.

Summer aid is typically awarded in an amount equivalent to the percentage of athletic grant you received during the previous academic year. Remember that aid received during the summer may reduce the amount of your fifth year aid. All summer athletic aid awards are approved by Intercollegiate Athletics. Meeting the eligibility criteria for summer aid does not guarantee that your summer aid request will be approved.

FIFTH-YEAR/EXHAUSTED ELIGIBILITY FINANCIAL ASSISTANCE

Fifth-year/exhausted eligibility financial assistance is available to tendered student-athletes who complete their eligibility in four years.

Eligibility Criteria

To be eligible for a grant-in-aid in the fifth year following the completion of eligibility for collegiate competition, the student-athlete must meet NCAA & Big Ten rules as follows:

- Must have completed four years of athletic eligibility.
- Must be enrolled as a full-time student with 12 or more credits each semester of the fifth year aid award. NCAA rules require that you carry a full-time load, except in your final semester of graduation in which you may carry whatever credit total necessary to complete your degree.
- Must be certified by your college adviser or the Office of the Registrar that the course work listed on your graduation plan is needed to graduate.
- Must have not agreed (orally or in writing) to be represented by an agent for
FINANCIAL AID

professional sports negotiations.

- Must not be under contract to or currently receiving compensation from a professional sports organization.

In addition to meeting the above, the University of Minnesota has several other criteria to receive fifth-year aid. The student-athlete must:

- Have maintained a cumulative Big Ten G.P.A of at least 2.00 prior to the first day of each semester.
- Be a team member in good standing relative to team rules, personal conduct, and general good citizenship.

Remember that:

Aid received during any summer may reduce the amount of your fifth-year aid award. Participation in a program that is costlier than attending regular classes may be funded only to the maximum dollar amount you would have received for attending regular classes on campus.

VOLUNTARILY LEAVING THE TEAM

Quitting the team is a very serious decision. If a student-athlete quits the team, this could result in the loss of any athletic scholarship for the following semester or the remainder of the semester. The student-athlete has a responsibility to discuss the consequences with his/her coach before taking action.

Tendered student-athletes who voluntarily decide not to continue to participate on the sport team that authorized their tender will be asked to relinquish their athletic aid.

DECREASE/CANCELLATION OF AID DURING PERIOD OF AWARD

NCAA Bylaw 15.3.4 does not permit reduction or cancellation of aid for any reason whatsoever during the period of the award or at any time after the period of the award up until the student-athlete has exhausted eligibility.

Reduction or cancellation during the period of the award is allowed, per 15.3.4.1, under the following circumstances:

- The student-athlete becomes ineligible for intercollegiate competition.
- The student-athlete causes a fraudulent misrepresentation to appear on any application, letter of intent, or financial aid agreement.
- The student-athlete engages in serious misconduct warranting substantial disciplinary penalty, or voluntarily withdraws from the sport for personal reasons. If that person withdraws after the first competition, the gradation or cancellation must wait until the beginning of the next term.

Further, any reduction or cancellation during the period of the award is permissible only if such action is taken for proper cause by a regular disciplinary or financial aid authority of the institution, and the student-athlete has had an opportunity for a hearing. (NCAA Bylaw 15.3.4.1.3)

In the event a situation arises where cancellation or non-renewal of a financial aid award during the period of the award is considered or recommended, the following procedure should be followed:

- Athletics Department decides to decrease, cancel, or non-renew a student-
athletes financial aid under NCAA Bylaws 15.3.4 or 15.3.5.

- That written recommendation and the reasons therefore shall be submitted to
  the Financial Aid Coordinator.
- The Financial Aid Office issues letter of cancellation or reduction to student-
  athlete with a copy to Athletics Department, head coach, and Compliance
  Office.
- The student-athlete will be notified in such letter that they will have 14 days
  from the date of the letter to appeal the decision to a hearing panel. The
  student-athlete has the right at the hearing to present pertinent information
  and offer testimony of witnesses. The request should be made to the
  Compliance Office.
The Faculty Athletics Representatives (FARs) play an important role in your institution's athletics success. While most individuals on campus serve in either an academic or athletics capacity, the FARs are among the few individuals who serve both roles. As members of your institution's faculty, the FARs, in addition to maintaining most of their regular faculty or administrative activities, contribute a faculty perspective in athletics administration by serving in an advisory and oversight capacity. The FARs work with the school's CEO and the Athletic Director. They work with university administration and faculty governance to support a campus environment where athletics is maintained as a vital component of the educational program and student-athletes constitute an integral part of the student body.

In order to enhance academic integrity, ensure institutional control of the athletics program, and promote student-athlete welfare, the FARs serve as:

1. Principal advisers to the CEO on all matters related to intercollegiate athletics.
2. Institutional representatives to the NCAA and the Big Ten conference.
3. Members of NCAA (or conference) committees or as an officer in these organizations.
4. Interpreters of NCAA (or conference) legislation.
5. Monitors of the coordination of compliance efforts and rules education among campus entities outside the athletics department.
6. Advisers to the Director of Athletics and Chief Compliance Officer in monitoring NCAA rules education and compliance programs inside the athletics department.
7. Monitors of the academic preparation and performance of the student-athlete on each sports team. As such, the FARs are involved in reporting this information to the CEO, the director of athletics, and the athletics board or committee.
8. Facilitators and supporters of the development of a student athlete advisory committee (SAAC) to ensure the involvement of student athletes in decisions which affect their lives.
9. Assistants to the CEO and the Director of Athletics in determining institutional positions on proposed NCAA and conference legislation.

In addition, the FARs can serve as a source of assistance to student-athletes in many ways, including but not limited to:

• Obtaining post-graduate scholarships.
• Writing letters of recommendation.
• Writing letters to professors regarding the balance needed between academic and athletic commitments.
• Discussing career choices.
• Discussing major selection.
• Assisting in personal and academic problems and/or areas of concern.

Please do not hesitate to contact your FARs if you have questions, comments or concerns about any of the information listed above.

The University of Minnesota FARs are listed below:

Dr. Emily Hoover, Professor
Horticulture Science
305 Alderman Hall
1970 Folwell Ave.
St. Paul, MN 55108
(612) 624-6220
hoove001@umn.edu

Dr. Perry Leo, Professor
Aerospace Engineering and Mechanics
110 Union St. SE
Minneapolis, MN 55455
(612) 625-0535
phleo@umn.edu
ATHLETIC COMMUNICATIONS

The media relations, gophersports.com and social media units are housed in this support services area, under the supervision of the Athletic Communications Director.

ATHLETIC COMMUNICATIONS STAFF

The Athletic Communications Staff serves as liaison between the student-athlete and national, local, and/or hometown media. The forms you fill out at the beginning of each season are used to keep track of your contact information, background, awards and activities. If your contact information (address, phone number, etc.) ever changes, please contact the Athletic Communications Office immediately with the change.

MEDIA CONTACT GUIDELINES

All student-athletes, including those at the University of Minnesota, must understand their responsibilities, their obligations, and their need to reflect credit upon themselves, their teams, and the University of Minnesota. Always remember that the primary rule to follow is that when you have a doubt about any situation involving the media, consult with your coach or a representative of the Athletic Communications Office. We are here to assist you in your dealings with the public and with the media. In addition, the Athletic Communications Staff coordinates all interviews between you and the media.

The following list of suggested guidelines is provided in an attempt to offer assistance in:

- You should never be contacted directly by the media. All requests for interviews, either in person or over the phone, must go through the Athletic Communications Office. If you are contacted by a member of the media, refer them to the Athletic Communications Office.
- Remember that you always are in control of the interview. You can dictate the direction the interview goes by the answers you give.
- If you ever become uncomfortable with the general direction of an interview, tell the interviewer that you are not comfortable discussing that topic and immediately discuss the matter with your head coach or the Athletic Communications Staff representative.
- Your integrity, as well as that of your team, the athletic program, and the University, relies on the public impression you make. Your interviews and what you say portray an image you are trying to present. Always be courteous with reporters and always speak in a positive manner about the subject at hand.
- Everything you say in the presence of a reporter or on social media sites is "on the record." Your social media postings are a direct reflection of you and in turn represent the university. Always keep that in mind before you post on one of your accounts. How do you want to be perceived?
- It is okay to not answer a question that is uncomfortable for you, but never reply with the term "No Comment." The term "No Comment" sounds like you are trying to hide something. Instead, simply say "I feel uncomfortable discussing that with you" or "I prefer not to discuss that."
- Always be on time for interviews. If you are unable to make a scheduled interview, please call the Athletic Communications Office at (612) 625-4090.
MARKETING & PROMOTIONS

The Assistant Athletics Director oversees the marketing and promotions unit. The marketing and promotions assistant director and full-time intern are responsible for increasing attendance, awareness and support for our sports programs as well as the fan experience at athletic events. The assistant directors are assisted by student workers and interns who are interested in gaining experience in athletic marketing promotions.

The marketing unit works in collaboration with the Sales & Service unit to coordinate and implement single game and season ticket sales strategies, including product offerings and packages, communications, advertising and branding. The marketing unit works in collaboration with several units to maximize the game day and fan experience through in-game entertainment, video board content, student engagement, sponsorships, music, band, etc.

You, as a student-athlete, can assist greatly in spreading the word about the spirited competition and skill in athletics here at the University of Minnesota.

TICKET OFFICE

Student Tickets:

Student-athletes receive free admission to all regular season home events. For all sports besides football, men's basketball and men's hockey, student-athletes can simply present their U Card at the door to gain access to the event. For football, men's basketball and men's hockey, there is a dedicated check-in area for student-athletes.

- Football: Lincoln County entrance (near gate C)—open 90 minutes prior to kickoff.
- Men's Basketball: University Ave box office—open 1 hour prior to tipoff.
- Men's Hockey: Main Box Office—Open 1 hour prior to puck drop

All seating in the student section is general admission.

Complimentary Tickets

Student-athletes receive four (4) complimentary tickets to any regular season event in which the individual participates. Guests must be approved by the compliance office before they can receive tickets. Any guest receiving complimentary tickets must bring photo ID and provide a signature at venue on game day. Guests are not permitted to receive their tickets in advance of event.

To submit your guests for approval, visit www.college.jumpforward.com. Once your guest is approved, you can assign them to any remaining regular season events. If you have questions on submitted your guests, please contact your team’s Director of Operations or Administrative Assistant.

If you have questions about tickets for any Gopher athletic event, please contact the Ticket Office at 612-624-8080 or fans@gopherfanrelations.com.
STRENGTH & CONDITIONING

STRENGTH AND CONDITIONING PROGRAM

The Strength and Conditioning Program is recognized by coaches and administrators as a crucial element in the development of the total student-athlete. The two primary focal points in training are performance enhancement and injury prevention. Staff members design and implement training programs based upon the needs of the sport as well as the individual. By employing Olympic and free weight lifts, plyometrics, anaerobic and aerobic conditioning, as well as medicine ball work, each student-athlete receives a comprehensive program to help with performance at the highest level.

The Strength and Conditioning unit at the University of Minnesota has three facilities that handle all the training needs for the 25 varsity athletics teams. The strength and conditioning facilities are located in Bierman Building, Mariucci Arena, and Ridder Arena. The state-of-the-art facilities are used exclusively by the student-athletes, coaches, and department personnel within the University of Minnesota's Athletics Department.

EQUIPMENT ROOMS

University of Minnesota athletic equipment or clothing may only be used while representing the University of Minnesota as a member of an intercollegiate team. Use during any other type of competition may result in loss of athletic eligibility, among other consequences.

The guidelines are as follows:

- In order to receive equipment, a player not on the original team list must present a walk-on tracking form that has been signed by the coach, equipment manager, the compliance coordinator, trainer, and the student’s athletic academic counselor.
- Student-athletes are responsible for all clothing, shoes, and equipment issued. It is their responsibility to return all equipment (regardless of condition) to the equipment room on the date established by the equipment manager. All competitive clothing and equipment must be returned to the equipment room immediately following the final competitive event of the season. If equipment is not returned to the equipment room, the equipment room will place a hold on the student-athlete’s records. The student-athlete is required to reimburse the department for any missing equipment.
- Any personal gear left in lockers after release from the team, voluntarily withdrawing from the team, or at the end of the academic year (whichever occurs first) will be kept for 30 days, or as instructed, and then disposed of.
- Student-athletes are to wear athletic equipment for practice and competition only. It is not intended for daily use.
- All athletic equipment, uniforms, and shoes are to be issued by the equipment room personnel.
- Use of NCAA permissible clothing and/or equipment during the summer must be arranged with the equipment manager.
OUTSTANDING ACADEMIC TEAM AWARD
This award is presented to the men and women's teams representing both large and small team categories. Large teams are made up of 22 members or more, and small teams are made up of 21 members or less. Winning teams are determined by averaging spring team cumulative GPA's with their fall team cumulative GPA's and awarding to the highest cumulative GPA's for the award year.

RICHARD "PINKY" MCNAMARA STUDENT-ATHLETE ACHIEVEMENT AWARD
This award is given to a student-athlete who has inspired all by making an extraordinary effort to succeed despite difficult circumstances, persevering during a time of tremendous adversity and/or overcoming a great challenge.

TOM H. SWAIN CAMPUS RECOGNITION AWARD
This is an annual award given to an individual on campus who has gone above and beyond the call of duty through his/her collaboration with the McNamara Academic Center.

OUTSTANDING STUDENT-ATHLETE ACHIEVEMENT AWARD
This award is presented to one male and one female student-athlete who are accomplished in both academics and athletics.

OUTSTANDING ACHIEVEMENT AWARD IN LEADERSHIP AND SERVICE
This award is presented to one male and one female student-athlete who are accomplished in both leadership and volunteering.

TOP-FIVE SCHOLAR ATHLETES
To qualify for the Top-Five Award, a student-athlete must have three continuous seasons of training as a member of a University of Minnesota athletic team, have trained the current year, be an undergraduate student and have earned one of the highest cumulative GPA's.

4.0 SEMESTER GPA AWARDS
This award is in recognition of all our student-athletes who earned a 4.0 semester GPA in either the previous spring and/or current fall semester.

3.0 GOLD HONOR ROLL AWARD
This award recognizes the outstanding achievement of maintaining a cumulative GPA of 3.0 or higher, while participating in intercollegiate athletics at the University of Minnesota during the previous spring semester and/or current fall semester of the banquet year. The award is presented to students who have been of U of M student-athlete a minimum of one year.

3.0 MAROON HONOR ROLL AWARD
This award recognizes the outstanding academic achievement of earning a term GPA of 3.0 or higher, while participating in intercollegiate athletics at the University of Minnesota the previous spring semester and/or current fall semester of the banquet year. This includes all first-year student-athletes.
“M” CLUB

The "M" Club is the University of Minnesota Division I varsity club. All athletes who were awarded varsity letters are considered members of the "M" Club. The "active member" distinction is for those who have paid annual or lifetime dues. The "M" Club has been a program within the athletics department since August of 2006. Prior to that, the club was organized as a non-profit organization run by volunteers who were former U of M athletes. The "M" Club is responsible for events and promotions that facilitate the connection to former athletes. This connection serves to sustain University of Minnesota loyalty, community ambassadorship, and community adherence to the traditions of excellence in academics, athletics, and professional development. Events and promotions include annual reunions, championship anniversary celebrations, "friend raisers", golf events, various social gatherings, and the marquee of the "M" Club, the University of Minnesota Athletics Hall of Fame. The "M" Club website is www.gophermclub.org

University of Minnesota "M" Club
George Adzick, Director
259 Bierman Field Athletic Building
516 15th Avenue SE
Minneapolis, MN 55455
Phone: 612-626-7305
Fax: 612-626-7859
Web: www.gophermclub.org
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<td>DEGREE PROGRAM</td>
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<td>Curtis L. Carlson School of Management</td>
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<tr>
<td>Recreation, Park and Leisure Studies</td>
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<td>College of Design</td>
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<td>College of Science and Engineering</td>
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<td>Studies in Cinema and Media Culture</td>
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<td>Supply Chain and Operations Management</td>
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<tr>
<td>Youth Studies</td>
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</tr>
</tbody>
</table>
September 2015

- **Team Meetings**: Compliance, Athletic Medicine, Student-Athlete Development where student-athlete code of conduct was covered hazing, sexual assault, and sexual harassment education (9/8/15)

- **Team Meetings**: Compliance, Athletic Medicine, Student-Athlete Development where student-athlete code of conduct was covered hazing, sexual assault, and sexual harassment education (9/9/15)

- **Team Meetings**: Compliance, Athletic Medicine, Student-Athlete Development where student-athlete code of conduct was covered hazing, sexual assault, and sexual harassment education (9/10/15)

November 2015

- **Football** has an educational session 11/5/15 (utilizing the attached slides)
- PowerPoint Presentation: Core Slides for Student-Athlete Development and our Code of Conduct which have slides specific 4 - 8 are specific to Sexual Harassment and our Code of Conduct (see attached power point)
- Definitions and Examples of both Sexual Assault and Sexual Harassment (see attached sheet)
- The Aurora Centers Website ([aurora.umn.edu](http://aurora.umn.edu))
- Aurora Centers section on Affirmative Consent: Policy Link (clicked on and reviewed)
- Aurora Centers section on Affirmative Consent: How You Get Consent Link (clicked on and reviewed this visual - it is stop light and excellent graphic for education)
- Consent Tea Video (we watched the full length video on you tube which has over 3 million views)

December 2015

- **WTF/CC**: Step Up: Bystander Education & Intervention (12/14/15)

January 2016

- **Football** Completes Step Up: Bystander Education & Intervention (1/20/16)
- **MGYM**: Step Up: Bystander Education & Intervention (1/5/16)
- **WGYM**: Step Up: Bystander Education & Intervention (1/14/16)
- **Baseball**: Step Up: Bystander Education & Intervention (1/19/16)
February 2016

- **All student-athletes** attend Elaine Pasqua (National Speaker): Unheard Voice addressing alcohol abuse, sexual health, and sexual assault prevention - visit the following link to see video [https://www.youtube.com/watch?v=jIIRUWXbFgU&feature=youtu.be](https://www.youtube.com/watch?v=jIIRUWXbFgU&feature=youtu.be)

- **Softball**: Step Up: Bystander Education & Intervention (2/3/16)

- **Volleyball**: Step Up: Bystander Education & Intervention (2/22/16)

March 2016

- **Men’s TF/CC**: Step Up: Bystander Education & Intervention (3/1/16)

- **MTEN**: Step Up: Bystander Education & Intervention (3/8/16)

- **MBB**: Step Up: Bystander Education & Intervention (3/21/16)

- **WR**: Step Up: Bystander Education & Intervention (3/30/16)

April 2016

- **M&W SW/D**: Step Up: Bystander Education & Intervention (4/7/16)

- **WTEN**: Step Up: Bystander Education & Intervention (4/8/16)

- **MHOC**: Step Up: Bystander Education & Intervention (4/21/16)

- **WBB**: Step Up: Bystander Education & Intervention (4/22/16)

- **WHOC**: Step Up: Bystander Education & Intervention (4/26/16)

- **MGOLF**: Step Up: Bystander Education & Intervention (4/27/16)

- **WSOC**: Step Up: Bystander Education & Intervention (4/28/16)
June 2016

- **Football** has an educational session 6/13/16 (utilizing the attached slides)
- PowerPoint Presentation: Core Slides for Student-Athlete Development and our Code of Conduct which have slides specific 4 - 8 are specific to Sexual Harassment and our Code of Conduct (see attached power point)
- Definitions and Examples of both Sexual Assault and Sexual Harassment (see attached sheet)
- The Aurora Centers Website (aurora.umn.edu)
- Aurora Centers section on Affirmative Consent: Policy Link (clicked on and reviewed)
- Aurora Centers section on Affirmative Consent: How You Get Consent Link (clicked on and reviewed this visual - it is stop light and excellent graphic for education)
- Consent Tea Video (we watched the full length video on you tube which has over 3 million views)

- **Football:** Sandra McDonald (National Speaker see her bio attached) - 6/29/16
- **MBB:** Sandra McDonald (National Speaker see her bio attached) - 6/29/16

August 2016

- **Student-Athlete Handbook/Planner** available for student-athletes in hardcopy which includes information on the Student-Athlete Code of Conduct, Academic Integrity, Academic Reputation (8/31/16) - see attachment

September 2016

- **Team Meetings:** Compliance, Athletic Medicine, Student-Athlete Development where student-athlete code of conduct was covered hazing, sexual assault, and sexual harassment education (9/6/16)

- **Team Meetings:** Compliance, Athletic Medicine, Student-Athlete Development where student-athlete code of conduct was covered hazing, sexual assault, and sexual harassment education (9/7/16)

- **Team Meetings:** Compliance, Athletic Medicine, Student-Athlete Development where student-athlete code of conduct was covered hazing, sexual assault, and sexual harassment education (9/8/16)

November 2016

- **Sexual Harassment Training:** (11/2/16) - Effectively and promptly responding to sexual harassment concerns is an important responsibility of our athletic department. This
training will help athletic department employees identify and respond to sexually harassing conduct that they experience or learn about. This training will also cover employees’ obligations to report sexual harassment and other forms of sexual misconduct to their supervisor, the Director of Human Resources and/or the Office of Equal Opportunity and Affirmative Action. All full-time staff are required to attend one of the sexual harassment training sessions.

February 2017

- **All Student-Athletes**: Keith Labelle, National Speaker
- Topic: Relationship Violence/Sexual Assault
- Items Covered: Bystander Education & Intervention, Consent, Sexual Assault, Domestic Violence
- Video Link: [https://youtu.be/Ddc7WTTu4jk](https://youtu.be/Ddc7WTTu4jk)

May 2017

- **Coaches, Sport Support Staff, & Administration (5/10/17)**
- Kathryn Nash, Attorney (TrainEd)
- Topic: Title IX
- Covered: Sexual Violence Stats, Legal Overview, Responsibilities of the Title IX Team, Roles of Coaches, Support Staff, & Administration, Risks, and Best Practices

- **Dan Beebe Group** (Late May/Early June)
  
  The Dan Beebe Group delivers independent assessment and training services to enhance and support the university’s internal policies, procedures and practices. We work closely with a client’s human resources, student affairs, Title IX and legal personnel to protect the institution and everyone connected to it. Our professionals have backgrounds in higher education, athletics, law, human resources, risk management, investigations, and leading complex organizations. Although an institution may have professionals with such backgrounds, we provide the non-conflicted, third-party protection that internal personnel and outside legal counsel cannot. Our work is to address all forms of misconduct, and is not just limited to one or two areas, an important distinction between our service and others who may only address one type of problem. This helps institutions obtain information early so prompt action can be taken to stop all forms misconduct and prevent future occurrences. In addition, if there are problems, it is more credible to have outside experts validate the measures taken by the university to protect everyone.

June 2017 - August 2017

- **OUE 1087 - Freshmen First Year Experience Course**: Aurora Center attending the course to address incoming freshmen as to resources, affirmative consent, and more (date within this Summer School window to be determined)
June 2017 - November 2017

- **Individual Team meetings with both EOAA & OSCAI** (two separate meetings with each office for each program)
- Dates TBD
- Addressing policy and procedures via dialogue and scenarios for interpretation and interaction

August 2017

- **Student-Athlete Handbook/Planner** available for student-athletes in hard copy which includes information on the Student-Athlete Code of Conduct, Academic Integrity, Academic Reputation - see attachment for 2016

September 2017

- **Team Meetings**: Compliance, Athletic Medicine, Student-Athlete Development where student-athlete code of conduct was covered hazing, sexual assault, and sexual harassment education (Dates to be determined)

- **OUE 1086 - Freshmen First Year Experience Course**: Aurora Center attending the course to address incoming freshmen as to resources, affirmative consent, and more (date within Fall Curriculum window to be determined)
Student-Athlete Development

The University of Minnesota's Student-Athlete Development program encourages and supports service, leadership, personal and professional development for the overall well-being of the intercollegiate student-athlete. We strive to build success through creative problem solving, personalized educational sessions, trainings and meaningful partnerships with campus and community stakeholders.

"Develop the skills. Start your journey."
VISION

To serve as the premier provider of services and resources in the enhancement of the student-athlete experience through empowerment and leadership development.

PILLARS OF EXCELLENCE

1. Individual
2. Team
3. Department
COMMITMENTS

Academic Excellence
- Utilize resources to shape and build upon intellectual capacity in the pursuit of scholastic achievement.

Athletic Excellence & Leadership
- Empower a continued commitment to honoring our athletic mission guided by leadership, integrity and pride.

Personal Development
- Coordinate educational programs, developmental initiatives and assessment tools to increase awareness through identity exploration and enhancement.

Professional Development
- Provide programming to encourage career progression and enhanced professional competence.

Service
- Promote a shared belief in making a difference in the lives of others by being an active and engaged member of our campus and surrounding community.

- Empower a continued commitment to honoring our athletic mission guided by leadership, integrity and pride.

- Utilize resources to shape and build upon intellectual capacity in the pursuit of academic excellence.

COMMITMENTS
Student-athletes at the University of Minnesota are expected to represent themselves, their team, and the University with honesty, integrity, and character, whether it be academically, athletically, or socially. Participation on an intercollegiate team is a privilege and should be treated as such. It has many benefits and brings with it a responsibility to be positive and effective members of the team, department, campus, and broader communities.

Student-athletes who do not conform to this code may be subject to consequences for their actions that may include but are not limited to: a warning, dismissal from the team, reduction or withdrawal of athletically related financial aid, and dismissal from the University. In addition to all University policies, student-athletes are responsible for following the standards in the NCAA student-athlete behavior statement and the Big Ten sports-like conduct statement as well as all city, state, and federal laws.
Student-Athlete Conduct Guidelines

A. Student-Athletes Are Expected To:

1. Be respectful of all others and to treat people as they would want to be treated.

2. Communicate with their teammates, coaches, faculty, and other members of the campus community with honesty and timeliness.

3. Follow all Team, Intercollegiate Athletics, University, Big Ten, WCHA and NCAA rules and guidelines.

4. Attend all classes as scheduled unless absences are approved.

5. Complete their academic coursework in a timely fashion and make progress towards a degree each semester.

6. Give their best effort academically, athletically and in life.
Sexual Harassment Policy

The Athletics Department is committed to providing a safe and healthy environment for all of its student-athletes. Sexual harassment is unethical and unlawful and may result in department, university, and legal sanctions. Sexual harassment is unethical and uninvited or unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature that is prohibited by the University. Complains of sexual harassment by a student-athlete will be promptly addressed and should be reported to the Office for Student Conduct and Academic Integrity.

Sexual Harassment Policy
Consequences for harassment may include:

1. Verbal and written warning and participation in educational sessions.
2. Suspension from the team.
3. Loss of eligibility and dismissal from the team.
4. Loss of athletics-related scholarship aid.
5. Dismissal from the University.
Sexual Harassment Policy

Examples of prohibited conduct:

1. Rape, date or acquaintance rape, or other sex offenses either forcible or non-forcible.
2. Sexual assault.
3. Coerced sexual intercourse.
4. Offensive physical contact, such as unwelcome touching.
5. Display of sexually demeaning objects or pictures.
6. Unwelcome remarks of a sexual nature to describe a person's body or clothing.
7. Sexually degrading language to describe an individual.
8. Continual or repeated verbal abuse of a sexual nature.
9. Unwelcome sexual flirtation, advances, or propositions.

Cont.
Hazing Policy

Hazing by any member of the University community is prohibited at the University of Minnesota. Hazing is prohibited whenever it occurs on University premises or in connection with any University-affiliated group or activity. Student-athletes who violate the prohibition against hazing are subject to discipline. Any criminal complaints will be reported to law enforcement.

Hazing is an act that endangers the mental or physical health or safety of an individual (including, without limitation, an act intended to cause personal degradation or humiliation), or that destroys or removes public or private property, for the purpose of initiation in, admission to, affiliation with, or as a condition for continued membership in a group or organization.
Hazing Policy

Cont.

Such activities and situations include but are not limited to:

1. Physical punishment, contact/exercise, or sleep deprivation that causes excessive fatigue and/or physical or psychological shock;
2. Forced or coerced consumption of food, drink, alcohol, tobacco, and/or illegal drugs;
3. Forced or coerced transportation of individuals;
4. Public humiliation, ridicule, indecent exposure or ordeal;
5. Coercing or forcing illegal acts;
6. Coercing or forcing acts that are immoral or unethical;
7. Blocking an individual's academic, athletic, health or personal success;
Such activities and situations include but are not limited to:

8. Personal servitude;
9. Mental harassment;
10. Sexual harassment;
11. Deception;
12. Threat of social exclusion;
13. Any activity that involves the use of alcohol or any controlled substance;
14. Any activity that is not in accordance with the University’s established policies.

Cont.

Hazing Policy
A person commits a hazing offense if the person:

1. Engages in hazing;
2. Solicits, encourages, directs, aids, or attempts to aid another in hazing activities;
3. Intentionally, knowingly, or recklessly permits hazing to occur;
4. Has firsthand knowledge of the planning of a specific hazing incident involving a student and fails to report the plan to the athletics department to prevent the hazing;
5. Has firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report it to the Athletics Director or other appropriate official of the institution.
Hazing Policy Cont.

Typically, hazing has occurred in connection with initiation activities. Even if an initiation activity is optional, an individual may not feel empowered to refuse participation. Individuals involved in any form of hazing, including prospects on campus for an official visit, will be held accountable for their actions and will be subject to disciplinary action by the Athletics Department as well as the University. Disciplinary action may include immediate suspension from the team, withdrawal or cancellation of financial aid, permanent dismissal from the team, or dismissal from the University.
If a student-athlete chooses to file a hazing grievance against an individual or group, it should be reported to the Athletics Director or a sport administrator. If a student-athlete chooses to file a hazing grievance against an individual or group, it should be reported to the Athletics Director or a sport administrator. It is possible that a student-athlete may initially voluntarily agree to participate in an initiation activity, and that he or she may later decide within a reasonable period of time that it was an unacceptable hazing activity. A grievance need not be filed for a disciplinary action to occur.
Staff

Robert08@umn.edu
612.626.7877
Director of Campus and Community Partnerships
Linda Roberts

mever14@umn.edu
612.625.1544
Director of Student-Athlete Development
Anissa M. Lighthart

owens14@umn.edu
612.624.5834
Development/Inclusion
Assistant AD, Student-Athlete
Peyton N. Owens III
Sexual Harassment & Sexual Assault Awareness

What is Sexual Harassment

• Sexual Harassment is defined as any unwelcomed sexual comments, advances, or requests for sexual favors that humiliate, threaten, or embarrass the victim. Sexual harassment is a continuous pattern of harassment ranging from uninvited touching, sexist remarks and/or jokes, and "verbal, visual, or physical conduct of a sexual nature."

Examples of Sexual Harassment

Sexual harassment occurs when females harass males, males harass females, males harass other males, or females harass other females. Some types of sexual harassment include:

1. gender harassment - sexist comments about women
2. seductive behavior - repeated and unwanted sexual invitations
3. sexual bribery - solicitations of sexual conduct in the promise of a reward
4. sexual coercion - threat of punishment
5. sexual imposition - forceful touching

Other examples of sexual harassment include sending email messages or leaving repeated phone messages for someone who has clearly indicated no interest. Making regular sexually suggestive remarks to an individual who has not displayed interest and requested that you stop the behavior is considered sexual harassment. Finally, sending unsolicited pornographic material and/or obscene messages to someone is considered sexual harassment.

What is sexual assault?

Sexual assault and abuse is any type of sexual activity that you do not agree to, including:

• Inappropriate touching
• Vaginal, anal, or oral penetration
• Sexual intercourse that you say no to
• Rape
• Attempted rape
• Child molestation

Sexual assault can be verbal, visual, or anything that forces a person to join in unwanted sexual contact or attention. Examples of this are voyeurism (when someone watches private sexual acts), exhibitionism (when someone exposes him/herself in public), incest (sexual contact between family members), and sexual harassment. It can happen in different situations: in the home by someone you know, on a date, or by a stranger in an isolated place.
STEP UP Home

Have you ever been concerned about a situation and wanted to help, but couldn’t?

YOU’RE NOT ALONE!

The situation is more common than you think, and it is called the Bystander Effect.

Step Up is a prosocial behavior/bystander intervention program that features:

- The 5-Decision Making Steps
- Factors that affect a person who wants to Step Up
- Strategies to effectively Step Up
- Scenarios to Step Up
THE AURORA CENTER AND HOUSING & RESIDENTIAL LIFE PRESENT

SEXUAL ASSAULT AWARENESS MONTH DISCUSSION SERIES

COMMUNICATING CONSENT
17TH AVE FIREPLACE LOUNGE
FOOD FROM PIZZA LUCE
8pm tues. april 4

MIDDLEBROOK TERRACE ROOM
FOOD FROM MAYA CUISINE

HEALTHY RELATIONSHIPS
CENTEN GOPHER HOLE
FOOD FROM BRASA
8pm wed. april 12

ALCOHOL, INTIMACY & CONSENT
SPECIAL PERFORMANCE BY GUANTE
8pm wed. april 19

BAILEY UPPER LOBBY
FOOD FROM ZAKIA DELI

SUPPORT, REPORT & STEP UP
8pm tues. april 25

EXHIBIT 23
ALCOHOL, INTIMACY,
And
CONSENT

workshop + discussion
WITH GUANTE
WEDNESDAY, APRIL 19
8PM CENTENNIAL Gopher Hole

WITH FOOD FROM
TAC
BRASA
### Examples of EOAA’s Sexual Misconduct Education Efforts

<table>
<thead>
<tr>
<th>UMN Prevention/Response Effort</th>
<th>Responsible Unit</th>
<th>Target Audience</th>
<th>Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Training of student orientation leaders</td>
<td>EOAA</td>
<td>Student orientation leaders</td>
<td>Annually</td>
</tr>
<tr>
<td>Campus email about Title IX and reporting</td>
<td>EOAA</td>
<td>Campus</td>
<td>Fall semester</td>
</tr>
<tr>
<td>Online and in-person employee trainings about sexual harassment, sexual misconduct and reporting</td>
<td>EOAA</td>
<td>UMN Employees</td>
<td>At regular intervals and on-demand</td>
</tr>
<tr>
<td>In person training for Athletics staff</td>
<td>EOAA</td>
<td>Employees</td>
<td>Annually</td>
</tr>
<tr>
<td>In person training for all athletics teams, including staff and students</td>
<td>EOAA</td>
<td>Athletics teams</td>
<td>Annually, beginning fall 2017</td>
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<tr>
<td>In person training for residence hall advisors</td>
<td>EOAA</td>
<td>Residence hall advisors</td>
<td>Annually, beginning fall 2017</td>
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<tr>
<td>In person training for leaders of Greek life</td>
<td>EOAA</td>
<td>Student Greek life members</td>
<td>Annually, beginning fall 2017</td>
</tr>
<tr>
<td>Training of the Student Sexual Misconduct Subcommittee of the CCSB</td>
<td>EOAA, OGC, Aurora, OSCAI, SCRC</td>
<td>Panel members</td>
<td>Annually</td>
</tr>
<tr>
<td>Presentations at graduate student orientation in various departments</td>
<td>EOAA</td>
<td>Incoming graduate students</td>
<td>Annually</td>
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<tr>
<td>Nine Welcome Week engagement sessions</td>
<td>EOAA</td>
<td>Incoming undergraduate students</td>
<td>Annually, beginning fall 2017</td>
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<tr>
<td>Orientation Written Materials; Gold Book</td>
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<tr>
<td>Farget Audience</td>
<td>Orientation &amp; First Year Programs (OFYP) Incoming 1st year students</td>
<td></td>
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</tbody>
</table>

- **Orientation: Pieces of the Puzzle**
- **Vignettes**
- **OPi’P**
- **Student Staff Training about Sexual Assault**
- **Haven: Required Online Sexual Misconduct Module**
- **Tabling Student & Employee Orientation Fairs & Events**
- **Welcome Week Presentations /Respect U Day**
- **Employee Trainings Online or in person:**
  1. Supervisors’ EOAA Toolkit;
  2. Sexual Harassment Awareness, Prevention, & Response;
  3. Responding to Sexual Misconduct & Sexual Assault;
  4. Speak Up: Understanding and Preventing Sexual Violence
- **40-hr Sexual Assault Crisis Counselor Training**
- **Sexual Assault Residential Life Curriculum**
- **Peer-led Prevention Presentations:**
  1. Got Consent;
  2. Healthy Relationships;
  3. Bystander Intention;
  4. Healthy Masculinity
- **Employee Presentations/Workshops:**
  1. Title IX:
  2. Crisis Intention & Responding to Disclosures;
  3. Neurobiology of Trauma & Victim Centered Practices

**Implementation**

- **June/July Orientation**
- **Summer**
- **Yearly**
- **Fall Semester**
- **Student Staff**
  - In-person trainings held at regular intervals and by request.
- **Residence Hall residents**
  - Academic year
- **First Year Students**
- **Greek Life, HRL, ISSS, General student population, classes**
  - Each semester and by request
- **Separate Employees**
  - By request
- **Student’s Office & OSA**
  - As needed

**Coordinated Messaging**

- **Via Email about Title IX and Reporting**
- **Coordinated Messaging about sexual assault as needed**

**Contact Information**

- **Office of Student Affairs (OSA)**
- **Employee Relations**
- **EOAA**
- **HRL**
- **Aurora, OFYP, Housing & Residential Life (HRL), Security Monitor Program: (SMP)**
- **Y2Y**
- **FIRC**
- **Volunteer Applicants**
- **Incoming 2nd year students**
- **Incoming Graduate and Professional Students**
- **Incoming Transfer Students**
- **Incoming Students by Request**

**Specific Messages**

- **Specific messages via Bathroom readers and Bulletin boards.**

**Contact A**

- **Contact Prevention & Response Team**
- **Contact Student Affairs**
- **Contact Campus Security**
- **Contact OSA**
- **Contact EOAA**
- **Contact HRL**
- **Contact SMP**
- **Contact FIRC**
- **Contact Y2Y**
- **Contact Volunteer Applicants**
- **Contact Incoming Students**
- **Contact Incoming Students by Request**
- **Contact Incoming 2nd Year Students**
- **Contact Incoming Graduate and Professional Students**
- **Contact Incoming Transfer Students**
- **Contact Incoming Students by Request**

**Target Audience**

- **All students**
- **All employees**
- **All incoming students**
- **All incoming freshmen**
- **All incoming transfer students**
- **All incoming graduate and professional students**
- **All incoming students by request**

**Venue**

- **Presidential Office & OSA**
- **Campus Police**
- **EOAA**
- **HRL**
- **Aurora, OFYP, Housing & Residential Life (HRL), Security Monitor Program: (SMP)**
- **Y2Y**
- **FIRC**
- **Volunteer Applicants**
- **Incoming 2nd year students**
- **Incoming Graduate and Professional Students**
- **Incoming Transfer Students**
- **Incoming Students by Request**
### Domestic Violence Awareness Month & Sexual Assault Awareness Month Programming

<table>
<thead>
<tr>
<th>Event/Program</th>
<th>Location(s)</th>
<th>Target Audience</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Take Back the Night Rally</td>
<td>Aurora, Minnesota Public Research Interest Group (MPR1G) &amp; Aurora Fraternity &amp; Sorority Life</td>
<td>Everyone</td>
<td>Each semester</td>
</tr>
<tr>
<td>Greeks Against Sexual Assault Taskforce</td>
<td>Aurora, Minnesota Public Research Interest Group (MPR1G) &amp; Aurora Fraternity &amp; Sorority Life</td>
<td>Everyone</td>
<td>Each semester</td>
</tr>
<tr>
<td>Athletic Coordinated Sexual Assault Training &amp; Events</td>
<td>ROTC/Navy, University of Minnesota System, Athletics, ROTC/Navy recruiting, LAO students</td>
<td>Everyone</td>
<td>As needed</td>
</tr>
<tr>
<td>ROTC/Navy Sexual Harassment/Assault Prevention Program</td>
<td>ROTC/Navy, University of Minnesota System, Athletics, ROTC/Navy recruiting, LAO students</td>
<td>Everyone</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Learning Abroad Center Sexual Assault Response &amp; Prevention Program</td>
<td>Learning Abroad Center, related to consent and sexual misconduct</td>
<td>Everyone</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Learning Abroad Center Sexual Assault Program</td>
<td>Learning Abroad Center, related to consent and sexual misconduct</td>
<td>Everyone</td>
<td>Ongoing</td>
</tr>
<tr>
<td>SAFE: Sexual Assault Fundamentals Education Conference</td>
<td>University of Minnesota, related to consent and sexual misconduct</td>
<td>Everyone</td>
<td>March</td>
</tr>
<tr>
<td>Targeted Sexual Assault Programming/Events</td>
<td>University of Minnesota, related to consent and sexual misconduct</td>
<td>Everyone</td>
<td>March</td>
</tr>
<tr>
<td>Residence Hall Safety Week (Spring) &amp; Residence Hall Safety Week (Fall)</td>
<td>Residence Hall Students, Life with the Aurora</td>
<td>Everyone</td>
<td>Spring &amp; Fall</td>
</tr>
<tr>
<td>Residence Hall Safety Week (Spring)</td>
<td>Residence Hall Students, Life with the Aurora</td>
<td>Everyone</td>
<td>Spring &amp; Fall</td>
</tr>
<tr>
<td>Residence Hall Safety Week (Fall)</td>
<td>Residence Hall Students, Life with the Aurora</td>
<td>Everyone</td>
<td>Fall</td>
</tr>
<tr>
<td>Residence Hall Safety Week (Spring)</td>
<td>Residence Hall Students, Life with the Aurora</td>
<td>Everyone</td>
<td>As needed</td>
</tr>
<tr>
<td>Residence Hall Safety Week (Fall)</td>
<td>Residence Hall Students, Life with the Aurora</td>
<td>Everyone</td>
<td>Every few years</td>
</tr>
<tr>
<td>Residence Hall Safety Week (Spring)</td>
<td>Residence Hall Students, Life with the Aurora</td>
<td>Everyone</td>
<td>As needed</td>
</tr>
<tr>
<td>Residence Hall Safety Week (Fall)</td>
<td>Residence Hall Students, Life with the Aurora</td>
<td>Everyone</td>
<td>Every few years</td>
</tr>
<tr>
<td>Residence Hall Safety Week (Spring)</td>
<td>Residence Hall Students, Life with the Aurora</td>
<td>Everyone</td>
<td>As needed</td>
</tr>
<tr>
<td>Residence Hall Safety Week (Fall)</td>
<td>Residence Hall Students, Life with the Aurora</td>
<td>Everyone</td>
<td>Every few years</td>
</tr>
</tbody>
</table>

**Notes:**
- Programming details include implementation, social marketing awareness, bystander education, etc.
- Programming targets include Athletics, ROTC/Navy, Learning Abroad Center, Sexual Assault, etc.
- Frequency details include each semester, ongoing, every few years, as needed.
<table>
<thead>
<tr>
<th>Department employees</th>
<th>Housing &amp; Residential Life</th>
<th>All student employees</th>
<th>Typically during first semester of employment</th>
</tr>
</thead>
<tbody>
<tr>
<td>In-person training at Boynton Health</td>
<td>Clinical screening at Boynton Health</td>
<td>Boynton Health and SHADE Health advocates</td>
<td>Annual health history</td>
</tr>
<tr>
<td>Boynton Health &amp; Residential Life</td>
<td>Aurora/Boynton Health</td>
<td>All student employees</td>
<td>health history</td>
</tr>
<tr>
<td>Health advocates</td>
<td>de-stress patient population</td>
<td>Annual</td>
<td>Annual</td>
</tr>
<tr>
<td>Artistic Department employees</td>
<td>All student employees</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- Harassment Awareness Training - Student employees
- Victim Survivor response/awareness training
- Clinical screening at Boynton Health
- In-person training for Athletic Department employees
UMNTC Sexual Assault Prevention Milestones

- UMN Employee Mandatory Reporting Policy Implemented
- UMNTC Sexual Assault Response Protocol Finalized
- UMNNTC Victim Rights Created
- All Title IX investigations go to EOAA
- Staff Training Online Module Implemented
- Men's Engagement Coordinator Hired
- MN 135A.15 Enacted
- Haven Student Online Module Implemented
- PETI & Neurobiology Training
- Affirmative Consent Policy Implemented
- VAWA, Clery, Title IX Guidance provided
- Victim Appeal Rights Granted
- AAU Sexual Misconduct Campus Climate Survey
- SMSS Hearing Panel Implemented

Dear Colleague:

Letter - DoED

Step Up Bystander Training Active

VAWA, Clery, Title IX Guidance provided

Victim Appeal Rights Granted

Staff Training Online Module Implemented

AAU Sexual Misconduct Campus Climate Survey

SMSS Hearing Panel Implemented
MEMORANDUM OF UNDERSTANDING
Tubman Legal Assistance for Victims Collaboration

WHEREAS, Tubman (Tubman), Immigrant Law Center of Minnesota (ILCM), Casa de Esperanza (Casa) and The Aurora Center for Advocacy & Education at the University of Minnesota (U of M Aurora Center) have come together to collaborate and to apply for an Office on Violence Against Women Fiscal Year 2016 Legal Assistance for Victims Grant; and

WHEREAS, the partners herein have agreed to enter into a collaborative agreement in which Tubman will be the lead agency and named applicant and the other agencies will be partners; and

WHEREAS, the partners herein desire to enter into a Memorandum of Understanding (MOU) setting forth the services to be provided by the collaboration; and

WHEREAS, the application prepared and approved by the collaborative through its partners is to be submitted to the Office on Violence Against Women on or before February 8, 2016;

I. Description of Lead and Partner Agencies.
Tubman is a Minnesota nonprofit nongovernmental organization with 40 years of experience in the field of domestic violence intervention and prevention. Tubman opened the third battered women’s shelter in the US in 1976. With a strong focus on research and innovation, building efficiencies, and creating partnerships, Tubman is a trailblazer in best-practice and trauma-informed models of service, support and counseling. The agency was formed through mergers between Harriet Tubman Center, Family Violence Network, Chrysalis A Center for Women, and ElderCare Rights Alliance. Tubman’s mission is to promote safe and healthy individuals, families and communities through promising and best practices in education, intervention and prevention. Tubman’s service area is the Minneapolis/St. Paul Twin Cities metro area.

Tubman’s comprehensive services address physical, sexual, emotional, verbal, and financial violence and exploitation, including 20% of Minnesota emergency shelter beds for domestic violence victims. Services for victims include safe shelter and transitional housing; legal services including Orders for Protection; mental and chemical health assessment, treatment, and support; elder abuse prevention and intervention; parenting education and child care; youth programs and in-school violence prevention education; resource counseling, job readiness, and financial education; and community education and professional training.

At Tubman, victims from diverse communities have received legal advice in domestic violence, family law and related matters for 38 years; legal advocacy in protective orders and in criminal court for 30 years; attorney representation in protective orders for nearly 20 years; and attorney representation in family law for 9 years. 15 victim service providers across the Twin Cities metro partner with Tubman and refer clients. In addition to Casa, Tubman has well-established relationships with Asian Women United of Minnesota, Brian Coyle Center (serving African immigrants), Division of Indian Work, OutFront Minnesota, and Voices of East African Women. Other providers also refer ethnic minorities and immigrants. 88% of victims seek Tubman legal services due primarily to domestic or dating violence, 6% sexual assault, and 5% stalking. Over half experience multiple forms of violence: 25% also report stalking and 18% sexual assault.
Immigrant Law Center of Minnesota was founded in 1976 as Oficina Legal, a program of Southern Minnesota Regional Legal Services and became a separate 501(c)(3) nonprofit in 1996. The mission of ILCM is to enhance opportunities for immigrants and refugees through legal representation for low-income individuals, and through education and advocacy with diverse communities. ILCM is the only nonprofit legal services agency serving immigrants and refugees of all nationalities throughout Minnesota. Legal services to immigrant victims comprise one of ILCM’s largest programs and are 20% of ILCM’s cases each year. ILCM has built two decades of trust in immigrant communities, and has maintained a strong program specifically serving victims; many former clients return to ILCM for family members’ legal needs or their own subsequent improvements in legal status. All legal staff are bilingual and attend regular staff trainings on working with immigrant and victim clients, facilitating strong, supportive communication. The vast majority of immigrant victims served by ILCM are victims of domestic violence, some of whom have also experienced sexual assault or stalking.

Casa de Esperanza is a non-profit 501(c)(3) leader in the domestic violence movement, an OVW national technical assistance provider, and a national resource center for organizations working with Latin@s in the United States. Based in St. Paul, Minnesota with a mission to “mobilize Latinas and Latino communities to end domestic violence”, Casa was founded in 1982 to provide emergency shelter for Latinas and other women and children experiencing domestic violence. Casa continues to offer critical and innovative services and support in the Twin Cities, ranging from family advocacy, shelter services, and legal advocacy to leadership development and community engagement opportunities for Latin@ youth, women and men. As a national organization, Casa is also home to the National Latin@ Network for Healthy Families and Communities, which provides training and technical assistance, engages in public policy initiatives, and conducts research on the intersections of domestic violence and Latin@ identity. Casa serves primarily victims of domestic violence, dating violence, and stalking. Most clients who are victims of sexual assault have also experienced domestic or dating violence.

The Aurora Center for Advocacy & Education at the University of Minnesota (U of M Aurora Center) is part of the University’s Office for Student Affairs and was created in 1986 to serve all victims, survivors, and concerned people of sexual assault, relationship violence, and stalking at the University of Minnesota. Established in 1851 in Minneapolis and St. Paul, the University is Minnesota's flagship land grant university. U of M Aurora Center offers students a safe and confidential place to report sexual assault, relationship violence, and stalking. Services include legal advocacy for victims in protective orders and criminal cases; assistance filing complaints with the University under Title IX; counseling, support groups, and assistance with medical, housing and academic concerns arising from violence. U of M Aurora Center also serves students at nearby Augsburg College, a private liberal arts college founded in 1869. 18% of University of Minnesota students and over 30% of Augsburg College students are people of color. Over the last 3 years, 47% of victims served by U of M Aurora Center have experienced sexual assault, 26% dating or domestic violence, and 27% stalking.

2. History of Collaborative Relationship. For many years Tubman and ILCM have referred victims to each other for services and worked together on collaborative projects to improve services and coordinated community responses to immigrant victims. Cross-referrals between Tubman and ILCM increased as Tubman saw an increase in immigrant victims needing
protective order or family law services as well as immigration legal services. Tubman criminal court advocates have worked with ILCM in obtaining information necessary for a victim’s U VISA or VAWA immigration petitions. Under Tubman’s FY12 LAV Grant, Tubman and ILCM signed an MOU and began a formal collaboration to provide legal services to victims and better serve immigrant victims through seamless referrals and coordinated services. Tubman receives requests for representation in protective order and family law matters from 60 to 80 immigrant victims each year and refers victims to ILCM and other agencies for representation in immigration matters. Because ILCM provides only immigration legal services, ILCM refers their clients who need family law services to Tubman and other agencies.

Tubman and Casa have collaborated for many years through cross-referrals and collaborations to improve victim services and coordinated community responses to family violence. In 2004, Casa became a partner on Tubman’s project to provide free legal representation in protective orders to low-income victims in Hennepin and Ramsey Counties. Casa and other victim service providers provide legal advocacy services and work jointly on cases with Tubman staff and trained volunteer attorneys who provide legal representation. Tubman and Casa signed formal MOUs to collaborate from 2005 through 2011 under Tubman’s FY05, FY07 and FY09 LAV Grants. In 2007 Tubman’s legal services expanded to include family law representation. Casa has continued to partner and refer clients to Tubman. Tubman has represented 157 victims referred by Casa. In recent years, the number of Latin@ clients seeking legal services at Tubman has increased.

ILCM and Casa have also worked jointly on cases, cross-referred, and participated in collaborative trainings since 1996. Casa entered into a formal MOU with ILCM in 2009 when ILCM launched its pro bono project providing immigration legal services to victims.

Tubman and U of M Aurora Center have collaborated for many years through cross-referrals and collaborations to improve coordinated community responses to relationship violence experienced by students. In 2000 Tubman and U of M Aurora Center began partnering on violence prevention trainings for college students and Tubman began training the Center’s volunteers on domestic violence. In 2003 and 2005, Tubman signed formal MOUs for U of M Aurora Center’s OVW Campus Grants, under which Tubman trained the Center’s legal advocate staff and volunteers and provided technical assistance on protective orders. In 2006, U of M Aurora Center began referring victims to Tubman’s project to provide free legal representation in protective orders. In 2007, Tubman signed another formal MOU with U of M Aurora Center in connection with a FY07 OVW Campus Grant, under which Tubman provided legal representation on protective orders, training and technical assistance. Since 2006, Tubman has represented all but 3 of the eligible clients referred by U of M Aurora Center. In 2009, Tubman expanded legal representation in protective orders for youth and young adult victims ages 13 to 24 under an OVW Youth Services Grant, enhancing our expertise in providing legal services to college students.

The current collaboration will serve the Twin Cities metro area, primarily Minneapolis, St. Paul and surrounding areas of Hennepin, Ramsey and Washington Counties. Our collaborative goal is to enhance safety and create opportunities for youth and adult victims and their families through high quality, culturally responsive legal services that address immediate needs and improve long-term outcomes. Victims will receive legal representation and advice in protective orders, family
law, immigration and other matters arising from domestic violence, dating violence, sexual assault, or stalking. Tubman and the Partners will continue serving victims living in poverty and will work to meet the growing legal needs of victims underserved in our community: (1) Latin@, African American and multi-ethnic communities, (2) immigrants and refugees (particularly Latin@, Southeast Asian, and East African), and (3) college students. We will increase outreach and access to college students and to Latin@, African American, Southeast Asian, East African, and multi-ethnic communities, including immigrants from those communities.

NOW, THEREFORE, it is hereby agreed by and among the partners as follows:

3. Roles and Responsibilities.

**Tubman** will provide legal services to victims of domestic violence, dating violence, sexual assault, and stalking, primarily in Hennepin, Ramsey and Washington Counties. Tubman will:

- Provide safety planning to victims receiving Tubman services.
- Conduct intake for protective orders and family law matters.
- Screen victims for immigration issues and refer them to ILCM for legal services.
- Provide legal representation, brief services, and advice in protective order and family law cases. Staff, contract, and trained volunteer attorneys will provide legal services. Tubman will prioritize clients referred by ILCM, Casa, and U of M Aurora Center.
- Provide legal advice on protective orders, family law, housing, non-defense criminal, consumer, government benefits, criminal expungement, and other issues arising out of violence to residents of Tubman’s shelters and transitional housing for victims. Staff attorneys will provided services onsite at the shelter and housing programs.
- Provide brief services and legal advice on protective orders, family law, non-defense criminal and other issues arising out of relationship violence to college students at the University of Minnesota and Augsburg College. Staff attorneys will provide services on campus.
- Recruit, train, and consult with volunteer attorneys to provide legal representation and brief services in protective order and family law cases.
- Increase access to services for victims with limited English proficiency by contracting with an attorney who is bilingual in English and Spanish and using LAV funds for telephone language lines and interpreters for victims receiving Tubman services.
- Coordinate and participate in outreach about project services to underserved communities.
- Provide technical assistance to ILCM, Casa, and U of M Aurora Center to enhance safety planning; screening for protective order, family law, and other legal needs of victims; and best practices in legal services to victims of domestic violence, dating violence, and stalking. Tubman will provide one training per year during a quarterly collaboration meeting.
- Act as the lead applicant for the FY16 LAV Grant, collect and maintain data to measure the effectiveness of project activities, and provide administrative and fiscal oversight.
- Prepare and submit quarterly financial reports and semi-annual progress reports under the LAV grant program, based on information provided by the partners.

**ILCM** will provide legal services to immigrant victims of domestic violence, dating violence, sexual assault, and stalking, primarily in Hennepin, Ramsey, and Washington Counties. It will:

- Provide safety planning for victims receiving ILCM services.
- Conduct intake for victims needing legal representation in immigration matters.
• Screen immigrant victims for protective order and family law issues and refer them to Tubman for legal services.
• Provide legal representation, brief services and advice to immigrant victims in VAWA self-petitions, U and T visas, U visa adjustments, I-751 petitions for removal of conditions on residence, work permits, and other immigration matters. Staff attorneys will provide services. ILCM will prioritize clients referred by Tubman and Casa.
• Provide services to victims with limited English proficiency through staff who speak second languages, currently Spanish and Hmong, and provide interpreters as needed.
• Participate in outreach about project services to immigrant victims.
• Provide technical assistance to Tubman, Casa, and U of M Aurora Center to enhance screening for immigration issues; strategies to increase options to obtain immigration status; and best practices in serving immigrants. ILCM will provide one training for project staff during the grant period.
• Provide to Tubman quarterly invoices and reports on grant-funded services and other information necessary to complete progress reports under the LAV grant program.

Casa will provide legal advocacy services to Latin@ victims of domestic violence, dating violence, sexual assault, and stalking in Hennepin and Ramsey Counties. Casa will:
• Provide safety planning for victims receiving Casa services.
• Conduct intake for Latin@ victims needing legal representation in protective orders and refer them to Tubman for legal services.
• Provide legal advocacy to Latin@ victims referred to and represented by Tubman in protective orders and work jointly with Tubman on individual cases.
• Screen Latin@ victims needing legal representation in family law matters and refer them to Tubman for legal services.
• Screen Latin@ victims for immigration issues and refer them to ILCM for legal services.
• Provide services to Latin@ victims with limited English proficiency through staff who speak Spanish.
• Participate in outreach about project services to Latin@ victims, including immigrants.
• Provide technical assistance to Tubman, ILCM, and U of M Aurora Center to enhance safety planning and best practices in serving Latin@ victims. Casa will provide one training for project staff during the grant period and participate in three volunteer attorney trainings.
• Provide to Tubman quarterly invoices and reports on grant-funded services and other information necessary to complete progress reports under the LAV grant program.

U of M Aurora Center will provide legal advocacy to college students at the University of Minnesota and Augsburg College in Hennepin and Ramsey Counties who are victims of domestic violence, dating violence, sexual assault, and stalking. U of M Aurora Center will:
• Provide safety planning for victims receiving U of M Aurora Center services.
• Conduct intake for college students who are victims needing legal services.
• Refer college students needing legal representation in protective orders or family law matters to Tubman for legal services. Currently, students can receive immigration law services from the University’s Student Legal Services.
• Provide legal advocacy to college students referred to and represented by Tubman in protective orders and work jointly with Tubman on individual cases.
• Schedule college students for on-campus legal advice from Tubman on protective orders, family law, non-defense criminal issues and other issues arising from relationship violence.
• Provide services to college students with limited English proficiency through staff who speak second languages and provide interpreters as needed.
• Participate in outreach about project services to college students.
• Provide technical assistance to Tubman, ILCM, and Casa to enhance safety planning for victims of sexual assault; understanding of university administrative proceedings and Title IX; and best practices in serving college students and victims of sexual assault. U of M Aurora Center will provide one training for project staff and participate in three volunteer attorney trainings during the grant period.
• Provide to Tubman quarterly invoices and reports on grant-funded services and other information necessary to complete progress reports under the LAV grant program.

**Tubman, ILCM, Casa and U of M Aurora Center** each agree to:
• Regularly communicate about referrals and provide updates on the status of services and case outcomes. When more than one partner is serving an individual client and based on a client release, they will discuss client needs, share background information and coordinate legal strategies to achieve a positive outcome in each case.
• Participate in quarterly collaboration meetings to review grant requirements, discuss legal needs and barriers to accessing services, and evaluate project activities and procedures.
• Participate in OVW-sponsored trainings and technical assistance.
• Participate in collaborative groups working to improve victim services and coordinated community responses in Hennepin, Ramsey, and Washington Counties.

### 4. Resources Contributed by Each Partner.
**Tubman:** coordination of collaborative project; staff attorneys and legal services coordinators to provide legal services in protective orders, family law matters, and other legal issues arising from violence; contract attorney who is bilingual in Spanish and English; volunteer attorneys; training and supervision of employees, contract staff, and volunteers; interpreters for Tubman services; training and technical assistance for partner staff; office and meeting space, equipment, and supplies for collaboration meetings and its project activities; administrative and fiscal oversight.

**ILCM:** staff attorneys providing legal services in immigration matters; support staff; training and supervision of project staff; interpreters for ILCM services; training and technical assistance for partner staff; office space, equipment, and supplies for its project activities.

**Casa:** manager and advocates to provide referrals, legal advocacy and case coordination; training and supervision of project staff; training and technical assistance for partner staff; office and meeting space, equipment, and supplies for its project activities.

**U of M Aurora Center:** legal advocates to provide referrals, legal advocacy, case coordination, and scheduling of legal advice on campus; training and technical assistance for partner staff; office and meeting space, equipment, and supplies for its project activities.

### 5. Total FY15 and FY16 LAV Grant Compensation.
Tubman: $490,962; ILCM: $90,270; Casa: $18,447; U of M Aurora Center $1,521
6. Commitment to Partnership and Victim Safety. Tubman and the partners will continue working together to serve low-income victims who cannot afford legal services and to meet the growing needs of victims underserved in our community. Victims seeking help from one partner will be able to receive help on multiple legal issues through seamless referrals and case coordination among service providers. Victims will obtain legal relief that protects the safety of themselves and their children and provides economic relief that helps them live independently of their abuser. Tubman, ILCM, Casa, and U of M Aurora Center each conduct safety planning with victims receiving services and do not have policies, procedures, or practices that compromise victim safety and recovery as described on pages 5-6 of the FY16 LAV solicitation.

7. Commitment to Sustaining the Project. Tubman, ILCM, Casa, and U of M Aurora Center are each committed to continuing to collaborate once federal grant funds have expired. Each has ongoing funding from other sources—and expect this to continue. All have continued serving victims collaboratively during periods when federal funding has not been available. They each expect to sustain project activities in the future by seeking additional government, corporate and foundation grants; and conducting targeted fundraising campaigns with individual donors. Each agency is responsible to seek funds to sustain the legal services that agency provides; none is responsible for seeking funding for the others. If funds cannot be secured at the same level, each agency will work to sustain legal services by engaging more volunteers.

8. Planning and Development Team. * means staff participate in collaboration meetings, client needs assessment and evaluation. + means staff will provide training and technical assistance.

**Tubman**
- Nicky Gillett, Director of Legal Services, will oversee all Tubman legal services.
- Rachel Sibley,*+ Senior Staff Attorney, will supervise and train Tubman’s staff and contract attorneys and legal services coordinators; oversee project activities; and provide legal advice.
- Shiloh Bute,*+ Staff Attorney, and another Staff Attorney*+ to be hired will provide legal representation, brief services and advice; recruit, train, mentor, and consult with volunteer attorneys; and conduct outreach. They work closely with the coordinators and partners.
- Katy Drahos,* Kerrin Diem* and another Legal Services Coordinator* to be hired, will conduct client intake, gather case information, support staff and volunteer attorneys, conduct outreach, work with referral sources, help recruit and train volunteers, and maintain data.
- Diana Villella Larson,* Contract Attorney, will provide legal services to Latin@ victims.
- Deb Anderson, Director of Finance, will prepare and submit quarterly financial reports, manage drawdowns, and monitor financial requirements at Tubman and the partners.
- Mary Durand, Grants and Contracts Manager, will work with legal staff and partners on LAV progress reports and programmatic requirements under the grant.

**ILCM**
- Sheila Stuhlman,* Program Director, will supervise ILCM’s attorneys and oversee ILCM’s project activities.
- Lenore Millibergity,* Senior Attorney, will supervise ILCM’s attorneys with the Program Director and coordinate ILCM’s project activities.
- Melissa Pfeiffer, Associate Director, will manage ILCM’s financial requirements under the grant and provide to Tubman quarterly invoices and other information for reports.

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• Kathleen Klos,*+ and Bao Thao,*+ Staff Attorneys, will provide legal representation, brief services and advice in immigration matters, work jointly with Tubman to serve victims, conduct outreach, and provide program information for reports.

Casa de Esperanza
• Rosario de la Torre,*+ Community Partnerships Manager, will supervise Casa’s advocates, oversee Casa’s project activities, conduct outreach, and provide program information for reports.
• Amalia Centurion*+ and Liliana Anzaldo*, Family Advocates, will provide legal advocacy services, work jointly with Tubman on cases, and provide case information for reports.
• Greg Schach, Finance Director, will manage Casa’s financial requirements under the grant and provide to Tubman quarterly invoices and other information for reports.

U of M Aurora Center
• Katie Eichele, Director,*+ will supervise U of M Aurora Center’s legal advocates, oversee the Center’s project activities, manage the Center’s financial requirements under the grant and provide to Tubman quarterly invoices and other information for reports.
• Becky Redetzke Field*+ and Tia Florenz,+ Legal Advocacy Coordinators, will provide legal advocacy services, work jointly with Tubman on cases, schedule on campus legal advice, and provide case and program information for reports.

9. Development of Application. Tubman, ILCIVt, Casa, and U of M Aurora Center worked together to develop the project, application, budget, and MOU. The following participated in meetings or discussions about the project and/or reviewed the application, budget, or this MOU:
• **Tubman:** Jennifer Polzin, Chief Executive Officer; Chris Brinkman, Chief Administrative and Operations Officer; Deb Anderson, Director of Finance; Nicky Gillett, Director of Legal Services; Rachel Sibley, Senior Staff Attorney; Shiloh Bute, Staff Attorney; Mary Durand, Grants and Contracts Manager; and Erin Bodeau, Grants and Reports Coordinator.
• **ILCM:** John Keller, Executive Director; Melissa Pfeiffer, Assoc. Director; Sheila Stuhlman, Program Director; Kathleen Klos, Staff Attorney; Sarah Trautman, Development Associate.
• **Casa:** Patricia Tototzintle, Chief Executive Officer; Patricia Moen, Special Projects Manager; Rosario de la Torre, Community Partnerships Manager; Greg Schach, Finance Director.
• **U of M Aurora Center:** Katie Eichele, Director; Becky Redetzke Field, Legal Advocacy Coordinator; and Tia Florenz, Legal Advocacy Coordinator.

10. Approval of Budget. Tubman, ILCM, Casa, and U of M Aurora Center each have reviewed and approve the proposed project budget. ILCM will receive $90,171 for staff costs, fringe benefits, mileage, and OVW travel. Casa will receive $22,357 for staff costs, fringe benefits, mileage, OVW travel, and indirect costs. U of M Aurora Center will receive $1,472 for OVW travel and mileage for collaboration meetings and trainings; U of M Aurora Center staff and other costs related to project activities are covered from other funds.

11. Timeline. The roles and responsibilities described above are contingent on Tubman receiving funds requested for the project described in the FY16 LAV application and would coincide with the FY16 LAV grant period, anticipated to be October 1, 2016 through September 30, 2019.
We, the undersigned, have read and agree with this Memorandum of Understanding, and we have reviewed the proposed project and approve it.

**Lead Applicant**

Jennifer J. Polzin, Chief Executive Officer  
Tubman  

**Project Partners**

John Keller, Esq. Executive Director  
Immigrant Law Center of Minnesota  

Patricia Tototzintle, Chief Executive Officer  
Casa de Esperanza  

Katie Eichele, Director  
The Aurora Center for Advocacy & Education  
 at the University of Minnesota  

Tubman Memorandum of Understanding LAV FY16 - 9
THIRD PARTY REPORTER OF SEXUAL ASSAULT

Full Police Investigation

Police Report Titled "CSC"

Suspects' Initials Listed Publicly

Case Continued, Not Closed; Pending Leads or Information Received

Public Statement Lists Only "Information Received"

Victim or Victim Contacted and Cooperates

Police Respond

Unable to Contact Victim or Victim Refuses To Cooperate

Police Report Is Generated; Preliminary Report Dispatched

Create

Remember:

Send "Request to Cooperate" Letter to Victim
VICTIM REPORTER OF SEXUAL ASSAULT

Dispatch Report is Generated
Police Report is Created

Investigation Process Begins

Victim Recants
Case Closed and Open to Public
Clear Case Unfounded

Suspect Listed as Other

Victim Cooperates
Full Police Investigation

Victim Refuses to Cooperate Further
Case Remains Titled Sexual Assault
Pending Information or Leads
Resources and Information for Students, Faculty, and Staff

**Campus Resources**

**The Aurora Center**
The Aurora Center also crisis counseling and options or assistance with other needs you may have.
(612) 626-2929 or their Helpline at (612) 626-9111.
The Helpline is available 24 hours a day, 7 days a week.
Walk-in appointments are available during business hours.
www.umn.edu/aurora.

**Student Counseling Services** at (612) 624-3323 or uccs.umn.edu

**Boynton Mental Health** at (612) 624-1444 or http://www.bhs.umn.edu/east-bank-clinic/mental-health-services.htm

**Off Campus Resources**
The Sexual Violence Center is a free and confidential off-campus resource available (612) 871-5111.

**Accommodation & Employment**
At your request, the University will assist you as is reasonable and feasible (in cooperation with law enforcement) in shielding you from your alleged assailant. This may include providing alternative work, academic, transportation or living arrangements if these options are available and reasonable. The Aurora Center can assist you with contacting the appropriate university departments. Refer to “Responding to Incidents of Sexual Assault, Stalking and Relationship Violence Procedure” if you would prefer to contact departments on your own.

**Reporting to the University**
You may file a complaint with the University by contacting The Office of Equal Opportunity and Affirmative Action, University of Minnesota, 274 McNamara Alumni Center, 200 Oak Street SE Minneapolis, MN 55455. Phone (612) 624-9547. www.diversity.umn.edu/eoaa/

Upon receipt of a complaint, the University will investigate and promptly respond to your complaint. You can request a hearing of your complaint before a University disciplinary panel, if you are not satisfied with the outcome of the investigation. If you wish, you may have a support person/advisor present during the investigation and the hearing such as an Aurora Advocate or an attorney if you are represented by one.

You have the right to be notified of the outcome of any University disciplinary proceeding concerning your complaint, subject to the limitations of the Minnesota Government Data Practices Act, and to know any appeal procedures.

**Confidentiality**
The Aurora Center staff and volunteers are required to keep all information about you confidential unless you give written permission to release information, with the exception of instances where mandated reporting is necessary (i.e. child abuse & neglect). Law enforcement and the University have a legal obligation to keep any identifying information of yours out of public records.

If you have questions, concerns, or comments regarding any experience around sexual assault, relationship violence, or stalking, please call The Aurora Center for a free and confidential consultation. For complete information on Victim’s Rights in the State of Minnesota, see Statute 611A at www.revisor.mn.gov/statutes
May 8, 2017

John Finnegan
Dean, School of Public Health
University of Minnesota
MMC 197 Mayo - 8197A
420 Delaware Street Southeast
Minneapolis, Minnesota 55455

Dear John,

Thank you for agreeing to lead our President’s Initiative to Prevent Sexual Misconduct and agreeing to chair the President’s Committee to Prevent Sexual Misconduct. This is a big task but one that will have direct impact on the lives of our entire system community, and I appreciate that you are willing to dedicate your time and effort to this purpose.

This initiative is based on the five recommendations I received on March 1 from an ad hoc task force on preventing sexual misconduct and sexual violence on campus. I shared those in my State of the University address the following day. The recommendations are: (1) to develop and require training around sexual misconduct issues for all faculty and staff; (2) to enhance student education and engagement, especially beyond the first year; (3) to create a sustainable public health/public awareness campaign; (4) to establish a President’s committee to prevent sexual misconduct; and (5) to develop metrics for evaluating our sexual assault and misconduct prevention, education, advocacy and awareness activities on campus.

Last week, the University and Student Senates passed a “Resolution on Equal Opportunity and Title IX Training” that was brought forth by the Social Concerns Committee and endorsed by the Faculty Affairs Committee in February, the Civil Service Consultative Committee in March, and the P & A Consultative Committee in April.

Like the first recommendation to prevent sexual misconduct, the Senate resolutions include required training for all employees. I sense the University community is increasingly unified in our desire for long-term culture change and we are ready to do the hard work necessary to create that change.

Since the founding of the Aurora Center thirty years ago, we have been at the forefront of addressing the sexual misconduct epidemic on college campuses. But there is still work to be done. Like all campuses, we must continue taking actions and building a culture that ensures safety and respect — a culture that reflects our deeply held institutional values.

To that end, I am charging you with both leading the President’s Initiative to Prevent Sexual Misconduct and chairing the President’s Committee to Prevent Sexual Misconduct.

EXHIBIT 27
(recommendation 4). Creating culture change requires broad engagement of the University community. Therefore, my office will assist you in convening a cross-functional, campus-wide committee comprised of representatives from several relevant University stakeholder groups (see attached). The leader of each unit will designate representatives to the committee.

The initial role of the President's Committee will be to oversee the work — and ensure the collaborative communication — of the teams leading the other initiatives. The President's Committee will offer leadership and management, reflecting the comprehensive nature of our strategy. I will rely on you to report directly to me on the progress made in each of these areas.

My intention is to create a structure that allows maximum communication, minimizes duplication of efforts and provides the resources necessary to make measurable progress in this area. Please be in contact with your colleagues who are leading the other efforts to determine the best way to move forward. Their names and assignments are attached.

After the initial work, as outlined in the recommendations, the role of the President's Committee will be to monitor trends, assess best practices, and make education and engagement recommendations. This committee will be responsible for the following:

- Monitoring progress for a minimum of two years, through spring 2019
- Evaluating specific responses to identify lessons learned
- Serving as a source of expert advice and counsel about the University's practices and policies
- Providing semi-annual progress reports to the President
- Making recommendations for improvement

The President's Committee should hold its first meeting as soon as possible. While much of our work will be Twin Cities-focused, I am directing our chancellors to come forward with similar initiatives appropriate to the needs of their campuses. I ask that you consult with them, as needed, on relevant system-wide issues.

Please have an initial report, including a projected budget, to me by October 1, 2017. If you have any questions, please contact me or Lyle Peterson in my office.

Sincerely,

[Signature]

Eric W. Kaler
President

Attachments:
task force memo outlining the recommendations
relevant university stakeholder groups
President’s Initiative to Prevent Sexual Misconduct graphic

c: Karen Hanson, executive vice president and provost
Michelle Behr, chancellor, University of Minnesota Morris
Lendley Black, chancellor, University of Minnesota Duluth
Barbara Keinath, interim chancellor, University of Minnesota Crookston
Stephen Lehmkuhle, chancellor, University of Minnesota, Rochester
Lyle Peterson, policy coordinator, office of the President
May 8, 2017

Karen Hanson
Executive Vice President and Provost
234 Morrill Hall
100 Church Street Southeast
Minneapolis, Minnesota 55455

Brian Burnett
Senior Vice President for Finance and Operations
301 Morrill Hall
100 Church Street Southeast
Minneapolis, Minnesota 55455

Katrice Albert
Vice President for Equity and Diversity
432 Morrill Hall
100 Church Street Southeast
Minneapolis, Minnesota 55455

Dear Karen, Brian and Katrice,

Today, I am asking you to join me in leading the President’s Initiative to Prevent Sexual Misconduct.

This initiative is based on the five recommendations I received on March 1 from an ad hoc task force on preventing sexual misconduct and sexual violence on campus. I shared those in my State of the University address the following day. The recommendations are: (1) to develop and require training around sexual misconduct issues for all faculty and staff; (2) to enhance student education and engagement, especially beyond the first year; (3) to create a sustainable public health/public awareness campaign; (4) to establish a President’s committee to prevent sexual misconduct; and (5) to develop metrics for evaluating our sexual assault and misconduct prevention, education, advocacy and awareness activities on campus.

Last week, the University and Student Senates passed a “Resolution on Equal Opportunity and Title IX Training” that was brought forth by the Social Concerns Committee and endorsed by the Faculty Affairs Committee in February, the Civil Service Consultative Committee in March, and the P & A Consultative Committee in April.

Like the first recommendation to prevent sexual misconduct, the Senate resolutions include required training for all employees. I sense the University community is increasingly unified in our desire for long-term culture change and we are ready to do the hard work necessary to create that change.
Since the founding of the Aurora Center thirty years ago, we have been at the forefront of addressing the sexual misconduct epidemic on college campuses. But there is still work to be done. Like all campuses, we must continue taking actions and building a culture that ensures safety and respect — a culture that reflects our deeply held institutional values.

To that end, I am charging you with collaborating to implement recommendation (I): to develop and require training options around sexual misconduct issues for all faculty and staff. Specifically, I request you:

- Determine and charge a unit with delivering the training
- Consult with faculty and faculty governance to create an atmosphere of collaboration that will create an optimal environment for successful implementation and, ultimately, culture change
- Consult subject matter experts on campus, such as Katie Eichele and Tina Marisam, to determine the type of training most suited to our needs
- Ensure the training can be implemented system-wide, at all five of our campuses, while recognizing that a one-size fits all approach may not be possible
- Develop an implementation plan
- Work closely with Boyd Kumher, our Chief Compliance Officer, recognizing that, once the training begins, we must be able to track our rates of compliance

I have asked Dean John Finnegan, School of Public Health, to lead the President’s Initiative to Prevent Sexual Misconduct. As part of that work, he will chair the President’s Committee to Prevent Sexual Misconduct. Please work collaboratively with him as you proceed. My intention is to create a structure that allows maximum communication, minimizes duplication of efforts and provides the resources necessary to make measurable progress in this area.

This is a big task but one that will have direct impact on our whole system. Equipping our faculty and staff to understand our policies and procedures, and enabling them to interact with students around these issues, is vital to our mission.

I understand the time and attention this will require and I am grateful for your willingness to take on this important project. Given that Senior Vice President Burnett has multiple units that will be engaged, I ask that his office take the lead on organizing this effort. Please have a timeline, as well as a projected budget, to me by September 1, 2017. If you have any questions please call me, or Jon Steadland in my office.

Sincerely,

Eric W. Kaler
President
President's Initiative to Prevent Sexual Misconduct
Required Employee Training Charge Letter
May 8, 2017

Attachments:
task force memo outlining the recommendations
President’s Initiative to Prevent Sexual Misconduct graphic

c: Michele Behr, chancellor, University of Minnesota Morris
Lendley Black, chancellor, University of Minnesota Duluth
John Finnegan, dean, school of public health
Barbara Keinath, interim chancellor, University of Minnesota Crookston
Boyd Kumher, chief compliance officer
Stephen Lehmkuhle, chancellor, University of Minnesota Rochester
Jon Steadland, interim chief of staff, office of the President
May 8, 2017

Danita Brown-Young  
Vice Provost for Student Affairs and Dean of Students  
109 Appleby Hall  
128 Pleasant Street Southeast  
Minneapolis, Minnesota 55455  

Dear Danita,

Today, I am asking you to join me in leading the President’s Initiative to Prevent Sexual Misconduct.

This initiative is based on the five recommendations I received on March 1 from an ad hoc task force on preventing sexual misconduct and sexual violence on campus. I shared those in my State of the University address the following day. The recommendations are: (1) to develop and require training around sexual misconduct issues for all faculty and staff; (2) to enhance student education and engagement, especially beyond the first year; (3) to create a sustainable public health/public awareness campaign; (4) to establish a President’s committee to prevent sexual misconduct; and (5) to develop metrics for evaluating our sexual assault and misconduct prevention, education, advocacy and awareness activities on campus.

Last week, the University and Student Senates passed a “Resolution on Equal Opportunity and Title IX Training” that was brought forth by the Social Concerns Committee and endorsed by the Faculty Affairs Committee in February, the Civil Service Consultative Committee in March, and the P & A Consultative Committee in April.

Like the first recommendation to prevent sexual misconduct, the Senate resolutions include required training for all employees. I sense the University community is increasingly unified in our desire for long-term culture change and we are ready to do the hard work necessary to create that change.

Since the founding of the Aurora Center thirty years ago, we have been at the forefront of addressing the sexual misconduct epidemic on college campuses. But there is still work to be done. Like all campuses, we must continue taking actions and building a culture that ensures safety and respect — a culture that reflects our deeply held institutional values.

To that end, I am charging the Office for Student Affairs with leading an effort to implement recommendation (2): to enhance student education and engagement, especially beyond the first year. Specifically, I request you:

- Convene a cross-functional committee comprised of academic, student affairs and EOAA professionals, as well as undergraduate, graduate and professional students
President’s Initiative to Prevent Sexual Misconduct
Student Engagement and Education Charge Letter
May 8, 2017

- Develop a structured programming and education plan for second-, third-, and fourth-year undergraduates as well as graduate and professional students
- Create a robust plan to educate and engage student leaders who are more likely to encounter both reporters and respondents
- Improve upon the current completion rate (86%) for first-year and transfer students who take our incoming student online training module
- Create a feasible implementation timeline
- Determine a budget

Ideally, new programming and education elements would be implemented during Fall Semester, 2018. I am prepared to dedicate the necessary financial and staff resources from my office to support this effort.

I have asked Dean John Finnegan, School of Public Health, to lead the President’s Initiative to Prevent Sexual Misconduct. As part of that work, he will chair the President’s Committee to Prevent Sexual Misconduct. Please work collaboratively with him as you proceed. My intention is to create a structure that allows maximum communication, minimizes duplication of efforts and provides the resources necessary to make measurable progress in this area. Dean Finnegan will be in contact to determine the best way to move forward.

This is a big task but one that will have direct impact on our students’ lives. I understand the time and attention this will require and I am grateful for your willingness to take on this important work. Thank you.

I expect Dean Finnegan to have progress reports, including projected budgets, to me by October 1, 2017. If you have any questions please call me, or Julie Christensen in my office.

Sincerely,

Eric W. Kaler
President

Attachments:
task force memo outlining the recommendations
President’s Initiative to Prevent Misconduct graphic

c: John Finnegan, dean of the school of public health
Karen Hanson, executive vice president and provost
Julie Christensen, deputy chief of staff, office of the president
May 8, 2017

Lincoln Kallsen
Director, Institutional Analysis
Office of Finance
3 Morrill Hall
100 Church Street Southeast
Minneapolis, Minnesota 55455

David Golden
Director, Public Health and Communications
Boynton Health Service
302 Boynton
410 Church Street Southeast
Minneapolis, Minnesota 55455

Dear Linic and Dave,

Today, I am asking you to join me in leading the President’s Initiative to Prevent Sexual Misconduct.

This initiative is based on the five recommendations I received on March 1 from an ad hoc task force on preventing sexual misconduct and sexual violence on campus. I shared those in my State of the University address the following day. The recommendations are: (1) to develop and require training around sexual misconduct issues for all faculty and staff; (2) to enhance student education and engagement, especially beyond the first year; (3) to create a sustainable public health/public awareness campaign; (4) to establish a President’s committee to prevent sexual misconduct; and (5) to develop metrics for evaluating our sexual assault and misconduct prevention, education, advocacy and awareness activities on campus.

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Like the first recommendation to prevent sexual misconduct, the Senate resolutions include required training for all employees. I sense the University community is increasingly unified in our desire for long-term culture change and we are ready to do the hard work necessary to create that change.

Since the founding of the Aurora Center thirty years ago, we have been at the forefront of addressing the sexual misconduct epidemic on college campuses. But there is still work to be done. Like all campuses, we must continue taking actions and building a culture that ensures safety and respect — a culture that reflects our deeply held institutional values.
President’s Initiative to Prevent Sexual Misconduct
Evaluation Charge Letter
May 8, 2017

To that end, I am charging the Office of Finance and the Boynton Health Service to co-chair an effort to implement recommendation (5): to develop metrics for evaluating our sexual assault and misconduct prevention, education, advocacy and awareness activities on campus. Specifically, I request you:

- Convene a representative committee
- Inventory evaluative tools already in use
- Determine what will be measured
- Develop new metrics for evaluating our performance
- Measure our progress

This recommendation is closely linked to recommendation (3). Dave and Matt Kramer, vice president for university relations, are leading that effort. My expectation is that the two groups will work closely together and with Dave co-leading each group, that should happen naturally.

I have asked Dean John Finnegan, School of Public Health, to lead the President’s Initiative to Prevent Sexual Misconduct. As part of that work, he will chair the President’s Committee to Prevent Sexual Misconduct. Please work collaboratively with him as you proceed. My intention is to create a structure that allows maximum communication, minimizes duplication of efforts and provides the resources necessary to make measurable progress in this area. Dean Finnegan will be in contact to determine the best way to move forward.

This is a big task but one that will have direct impact on our students’ lives. I understand the time and attention this will require and I am grateful for your willingness to take on this important work. Thank you.

I expect Dean Finnegan to have progress reports, including projected budgets, to me by October 1, 2017. I am prepared to dedicate financial and staff resources from my office to support this effort. If you have any questions, please call me or Julie Christensen in my office.

Sincerely,

Eric W. Kaler
President

Attachments:
- task force memo outlining the recommendations
- President’s Initiative to Prevent Sexual Misconduct graphic

c: Brian Burnett, senior vice president for finance and operations
Danita Brown-Young, vice provost for student affairs and dean of students
Julie Christensen, deputy chief of staff, office of the President
John Finnegan, dean, school of public health
May 8, 2017

Matt Kramer
Vice President for University and Government Relations
3 Morrill Hall
100 Church Street Southeast
Minneapolis, Minnesota 55455

David Golden
Director, Public Health and Communications
Boynton Health Service
302 Boynton
410 Church Street Southeast
Minneapolis, Minnesota 55455

Dear Matt and Dave,

Today, I am asking you to join me in leading the President’s Initiative to Prevent Sexual Misconduct.

This initiative is based on the five recommendations I received on March 1 from an ad hoc task force on preventing sexual misconduct and sexual violence on campus. I shared those in my State of the University address the following day. The recommendations are: (1) to develop and require training around sexual misconduct issues for all faculty and staff; (2) to enhance student education and engagement, especially beyond the first year; (3) to create a sustainable public health/public awareness campaign; (4) to establish a President’s committee to prevent sexual misconduct; and (5) to develop metrics for evaluating our sexual assault and misconduct prevention, education, advocacy and awareness activities on campus.

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Since the founding of the Aurora Center thirty years ago, we have been at the forefront of addressing the sexual misconduct epidemic on college campuses. But there is still work to be done. Like all campuses, we must continue taking actions and building a culture that ensures safety and respect — a culture that reflects our deeply held institutional values.
To that end, I'm charging University Relations and Boynton Health Service to respond to recommendation (3): to create a sustained public health/public awareness campaign. Specifically I request you:

- Evaluate existing campaigns nationwide that meet the criteria of public health/public awareness and that have been used in the higher education community
- Determine applicability of existing campaigns to the University system and evaluate and establish whether a new campaign should be created
- Develop a production schedule and implementation plan, along with estimate of the budget required
- Consult with University resources, including faculty, with expertise in public health, sexual violence and misconduct prevention, and related issues to validate your analysis and recommendation.

This recommendation is closely linked to recommendation (5). I have charged Lincoln Kallsen and Dave with co-leading that effort. Dave has, in fact, already convened a group and it has begun its work. Successful collaboration between the two groups is crucial to the success of a future public health/public awareness campaign.

I have asked Dean John Finnegan, School of Public Health, to lead the President's Initiative to Prevent Sexual Misconduct. As part of that work, he will chair the President's Committee to Prevent Sexual Misconduct. Please work collaboratively with him as you proceed. My intention is to create a structure that allows maximum communication, minimizes duplication of efforts, and provides the resources necessary to make measurable progress in this area. Dean Finnegan will be in contact to determine the best way to move forward.

This is a big task but one that will have direct impact on our students' lives. I understand the time and attention this will require and I am grateful for your willingness to take on this important work. Thank you.

I expect Dean Finnegan to have progress reports, including projected budgets, to me by October 1, 2017. I am prepared to dedicate financial and staff resources from my office to support this effort. If you have any questions, please call me or Julie Christensen in my office.

Sincerely,

Eric W. Kaler
President
President's Initiative to Prevent Sexual Misconduct
Public Health/Awareness Campaign Charge Letter
May 8, 2017

Attachments:
task force memo outlining the recommendations
President's Initiative to Prevent Sexual Misconduct graphic

c: Danita Brown-Young, vice provost for student affairs and dean of students
Julie Christensen, deputy chief of staff, office of the President
John Finnegan, dean, school of public health
Lincoln Kallsen, director, institutional analysis
President's Initiative to Prevent Sexual Misconduct: Our next steps

*Tuesday, May 16, 2017*

*In a campus-wide email, President Kaler announced his President's Initiative to Prevent Sexual Misconduct*

Our determined efforts to combat sexual misconduct continue. We must take next steps to ensure safety, respect, and a culture that reflects our deeply held institutional values.

As you may remember, late last year I convened an ad hoc working group that assessed our current efforts to prevent and respond to sexual misconduct - including harassment and assault. In March, I pledged in my *State of the University* address to advance the group's recommendations.

Today, our attention to this challenging issue is no less important than it was when the working group first met.

Last week, I charged Twin Cities campus leaders with key responsibilities based on the
working group’s recommendations as we launch the President’s Initiative to Prevent Sexual Misconduct.

Five recommendations form the core of this initiative. They are:

• To establish a President’s Committee to Prevent Sexual Misconduct;
• To enhance student education and engagement, especially beyond students' first year when Twin Cities students receive significant education about this issue;
• To create a sustainable public health/public awareness campaign;
• To develop metrics for evaluating our sexual assault and misconduct prevention, education, and advocacy and awareness activities on campus; and
• To develop and require training around sexual misconduct issues for all faculty and staff.

Earlier this month, the University and Student Senates passed a "Resolution on Equal Opportunity and Title IX Training," which requires training for all employees. I sense the University community is increasingly unified in our desire for long-term culture change, and we are ready to do the hard work necessary to create that change.

I have asked School of Public Health Dean John Finnegan to oversee this work and report back to me by October 1. This work will be focused on the accountability, awareness and education that we, as a campus community, must continue to enhance together. But it also must recognize that sexual misconduct of all types is a difficult and critical public health issue that affects all institutions - higher ed and otherwise - across the country.

To that end, collaboration with all faculty, staff, and student groups is essential as we work together toward lasting change. I have asked Dean Finnegan and other leaders to engage in full consultation with all stakeholders. I also have asked our Chancellors in Crookston, Duluth, Morris and Rochester to identify similar programs or recommendations that are appropriate to the needs of their campuses.

I firmly believe the work of the President’s Initiative to Prevent Sexual Misconduct will put us on an important and necessary path to tackle this unacceptable epidemic.
POLICY STATEMENT

The University of Minnesota (the "University") is committed to providing a safe and non-discriminatory learning, living, and working environment.

This policy applies to University community members, who include: (1) students, whether enrolled full time or part time, for credit or non-credit courses; (2) University employees, whether full time or part time, paid or unpaid, including student employees, graduate assistants, postdoctoral fellows and researchers, temporary employees, and volunteers; and (3) third parties who are interacting with the University, including contractors, vendors, visitors, guests or other applicable third parties.

This policy applies to acts of sexual misconduct committed by or against students, employees, and third parties when:

- the conduct occurs on University grounds or other property owned or controlled by the University;
- the conduct occurs in the context of a University employment or education program or activity, including but not limited to University-sponsored academic, athletic, extracurricular, study abroad, research, on-line, and/or internship programs or activities;
- the conduct occurs outside the context of a University employment or education program or activity, but has a continuing adverse effect on or creates a hostile environment for students, employees, or third parties while on University grounds or other property owned or controlled by the University or in any University employment or education program or activity; or
- the conduct indicates that the respondent may present a danger or threat to the health or safety of University community members.

To the extent any provision of this policy conflicts with the Board of Regents Policy: Sexual Harassment, the Board policy controls. To the extent any provision of this policy conflicts with any other University policy, this policy controls.

I. PROHIBITION

All members of the University community are prohibited from engaging in, or assisting or abetting another's engagement in, sexual assault, sexual harassment, relationship violence, stalking, and related retaliation (collectively "sexual misconduct").

II. REPORTING AND OTHER OBLIGATIONS RELATED TO SEXUAL MISCONDUCT
In order to foster an environment free of sexual misconduct and to ensure the safety of students, employees and third parties, all University community members are encouraged to take reasonable and prudent actions to prevent, stop and report all acts of sexual misconduct. In addition, members of the University community have the following reporting and other obligations related to sexual misconduct:

A. REPORTING OF SEXUAL MISCONDUCT DIRECTED AT STUDENTS

University employees who, in the course of their employment, learn about any form of sexual misconduct directed at students are required to immediately report the misconduct to the campus Title IX office.

However, the following University employees are exempt from this reporting requirement when they learn about sexual misconduct in the course of serving patients or clients: mental-health counselors, psychologists, health center employees and employees of sexual misconduct advocacy offices.

B. REPORTING OF SEXUAL MISCONDUCT DIRECTED AT EMPLOYEES OR THIRD PARTIES

University employees who, in the course of their employment, learn about sexual assault, stalking or relationship violence directed at employees or third parties are required to immediately report this misconduct to the campus Title IX office.

However, the following University employees are exempt from this reporting requirement when they learn about sexual misconduct in the course of serving patients or clients: mental-health counselors, psychologists, health center employees and employees of sexual misconduct advocacy offices.

C. SUPERVISOR OBLIGATIONS

In addition to the above-described reporting obligations, supervisors must take prompt and appropriate action to address any concerns of sexual misconduct about which they know or should know.

III. REMEDIAL AND PROTECTIVE MEASURES FOR COMPLAINANTS

The University will provide complainants with reasonable and appropriate remedial and protective measures designed to address and protect their safety and well-being and continued access to employment and/or educational programs and activities.

Remedial and protective measures may be temporary or permanent. These measures are available regardless of whether a complainant makes a sexual misconduct report to the campus Title IX office or pursues an investigation under this policy. In some cases, these measures may be taken pending the final outcome of a sexual misconduct investigation. Remedial and protective measures may include:

- no-contact directives;
- residence modifications;
- academic modifications;
- support and counseling;
- work schedule modifications;
- transportation modifications;
- interim disciplinary suspension;
- suspension from employment; and
- pre-disciplinary leave (with or without pay).
The University will maintain the privacy of any remedial and protective measures to the extent practicable and will promptly address any violation of protective measures.

Third parties who experience sexual misconduct will be provided reasonable remedial and protective measures, as appropriate and available, taking into account the role of the third party and the nature of any contractual relationship with the University.

Complainants can access these remedial and protective measures by contacting the campus Title IX office or by contacting the units or individuals with the ability to provide the requested accommodations, such as the campus housing and residential life office or the appropriate faculty member. The Title IX Coordinator is also available to meet with a complainant or respondent to address any concerns about the provision of remedial or protective measures.

IV. INVESTIGATIONS

Campus Title IX office staff members or other appropriate and qualified University officials will promptly investigate or otherwise appropriately address all informal and formal sexual misconduct reports. The University’s procedures for investigating and resolving incidents of sexual misconduct are based upon principles of fairness and respect for complainants and respondents.

A. STANDARD OF PROOF

The University applies the preponderance of the evidence standard when determining whether this policy has been violated. "Preponderance of the evidence" means that it is more likely than not that a policy violation has occurred.

B. EXPECTATIONS OF AND FOR COMPLAINANTS AND RESPONDENTS

Complainants and respondents can expect the following in connection with reports submitted under this policy:

1. Prompt and equitable resolution of sexual misconduct reports.
2. Privacy in accordance with this policy and the law.
3. Notice of applicable support and advocacy resources.
4. Freedom from retaliation for making a report, assisting in an investigation, or participating in any proceeding or process under this policy.
5. The responsibility to refrain from retaliation directed against any person for making a report, assisting in an investigation, or participating in any proceeding or process under this policy.
6. The responsibility to provide truthful information in connection with any report, investigation, proceeding or resolution under this policy.
7. The opportunity to express concerns or issues about the proceedings or processes under this policy.
8. Timely notice of any meeting or proceeding at which the person’s presence is contemplated by this policy.
9. Notice of an investigation, including notice of potential policy violations and the nature of the alleged sexual misconduct.
10. The opportunity to offer information, submit evidence, and identify witnesses during an investigation.
11. Periodic updates on the status of the formal investigation and adjudication procedures.
12. An explanation if the timeline for completion of the formal investigation and adjudication procedures must be extended for any reason.
13. University contact within a reasonable period of time following the conclusion of an investigation to determine whether the complainant or respondent requires additional supportive measures.
14. The University will not require a complainant to resolve their sexual misconduct concerns directly with a respondent through mediation or other informal conflict resolution process.
The complainant has the right to end any University informal processes at any time and begin the formal investigation and adjudication processes.

C. DUTY TO COOPERATE

1. The University expects all members of the University community to cooperate with any investigation under this policy. The duty to cooperate includes a duty to provide truthful information in connection with any report or proceeding under this policy. Submitting or providing false or misleading information in bad faith is prohibited and subject to disciplinary sanctions. This provision does not apply to reports made or information provided in good faith even if the facts alleged in the report are not later substantiated.

2. In some circumstances, a student's or employee's refusal to cooperate may lead to disciplinary action. A third party's refusal to cooperate may result in their relationship with the University being terminated and/or their privileges of being on University premises withdrawn. Where a party refuses to cooperate, the appropriate University authority may make a finding based only on the information available.

D. INITIAL ASSESSMENT

When a campus Title IX office receives a report of sexual misconduct, it will promptly work with other appropriate University offices as necessary to complete an initial assessment of the report and any immediate health or safety concerns raised by the report. Where possible, these offices aim to complete the following tasks within 5 business days of receiving a report:

1. Assess whether the report identifies conduct that, if it occurred as described, would violate this policy;
2. Assess the nature and circumstances of the report, including whether it provides the names and/or any other information that personally identifies the complainant, the respondent, any witnesses, and/or any other person with knowledge of the reported incident;
3. When applicable, inform the complainant of the right to seek medical treatment, and explain the importance of obtaining forensic and other evidence;
4. When applicable, inform the complainant of the right to contact law enforcement, decline to contact law enforcement, and/or seek a protective order;
5. When applicable, refer the matter for review and recommendation by the University's Employee Threat Assessment Team (ETAT), the University's Behavioral Consultation Team (BCT) or other campus resource fulfilling this function;
6. When applicable, inform the complainant of available University and other resources (including resources for safety and well-being), the right to seek appropriate remedial and protective measures, and how to request those resources and measures;
7. Inform the complainant about the University's prohibition against retaliation, and that the University will take prompt action in response to any act of retaliation; and
8. When applicable, communicate with appropriate University officials to determine whether the report triggers Clery Act obligations, including entry of the report in the daily crime log and/or issuance of a timely warning.

The campus Title IX office will ensure that the complainant receives a written explanation of applicable resources, and is offered the opportunity to discuss those resources. If the University undertakes an investigation or any other action under this policy that impacts a respondent, the campus Title IX office will ensure that the respondent is notified, receives a written explanation of applicable resources, and is offered the opportunity to meet to discuss those resources.

E. INVESTIGATION PROCESS

Sexual misconduct investigations will be conducted by the campus Title IX office, or by another appropriate and qualified University designee. The nature and scope of an investigation will be
determined based upon the report and any additional information gathered during the investigation, and will typically include the following elements:

1. One or more interviews of the complainant, where the complainant will have the opportunity to describe the conduct giving rise to the report, provide evidence, and identify witnesses;
2. Notice to the respondent of the allegations made against the respondent;
3. One or more interviews of the respondent, where the respondent will have the opportunity to respond to the allegations, provide evidence, and identify witnesses;
4. Witness interviews; and
5. Review of the evidence.

It is the University's goal to complete sexual misconduct investigations within 60 days.

In cases where a complainant requests that their identity be kept confidential and/or that the University refrain from conducting an investigation, the campus Title IX office or its designee will make an individualized determination of whether to conduct an investigation including consideration of the complainant's wishes and the University's responsibility for providing a safe and non-discriminatory campus environment.

F. POST-INVESTIGATORY PROCESSES

1. Cases where the respondent is a student

Upon completion of a sexual misconduct investigation, the campus Title IX office or its designee will prepare written findings that summarize the sexual misconduct report and the information gathered during the investigation. Either the campus Title IX office or an appropriate and qualified designee will make a written determination as to whether this policy was violated. The campus Title IX offices and their designees aim to complete these written findings within 15 days of the completion of the investigation.

The complainant and respondent will receive a copy of the written findings and, when appropriate, a proposed resolution to the sexual misconduct report. If both parties agree to the written findings and proposed resolution, the University's process ends. If either party disagrees with the written findings or proposed resolution, each has the right to request a hearing before a panel of University staff, faculty and/or students.

The University's hearing process is conducted in an impartial manner by impartial decision-makers. During the hearing process, complainants will not be required to appear in the same room with respondents. The parties will be given an equal opportunity to present evidence. The parties may appear at the hearing with a representative (such as an attorney) and a support person (such as a victim's advocate or other support person).

Both parties will receive written notice of the hearing panel's decision and of their right to appeal the hearing panel's decision to an impartial decision-maker. In the case of an appeal, both parties are provided with the appellate officer's written decision.

Additional information about campus-specific hearing and appeals procedures is described here:

Crookston Campus – Hearings are held before members of the Student Conduct Committee in accordance with the Campus Committee on Student Behavior Hearing Procedures. Appeals are adjudicated by the Vice Chancellor for Academic and Student Affairs.
Duluth Campus – Hearings are held before members of the Student Hearing Panel. Appeals are adjudicated by the UMD Student Appeals Panel. Hearings and appeals are conducted in accordance with the Office of Student Conduct’s written procedures.

Morris Campus – Hearings are held before members of the Student Behavior Committee. Appeals are heard by a panel of the Consultative Committee. Appeals are decided by the Chancellor or an appropriate designee. Hearings and appeals are conducted in accordance with the Student Behavior Committee Hearing Procedures: Morris.

Twin Cities Campus – Hearings are held before members of the Student Sexual Misconduct Subcommittee (SSMS) in accordance with SSMS Procedures. Appeals are adjudicated by the Senior Vice President for Academic Affairs and Provost or an appropriate designee in accordance with Student Conduct Code Procedure: Twin Cities.

Rochester Campus – Hearings are held before members of the Committee on Student Conduct in accordance with the Committee on Student Conduct Hearing Procedures. Appeals are heard by the Chancellor’s Appeal Committee in accordance with the Chancellor’s Appeal Committee Procedures. Appeals are decided by the Chancellor.

2. Cases where the respondent is an employee or third party

Upon completion of a sexual misconduct investigation, the Title IX office (or its designee) will provide written findings to both parties. In most cases, the Title IX office will send written findings and recommendations for responsive action, if any, to the responsible University Authority. University Authority means:

- When the respondent is an employee, the Hiring Authority responsible for the Employee’s position, Human Resources and/or other appropriate University administrator;
- When the respondent is a third party, the University official responsible for retaining and/or overseeing the third party and/or other appropriate University administrator.

The University Authority will notify the respondent of the responsive actions to be taken that directly impact the respondent, if any, and will document those actions in the respondent’s University file. The University Authority will notify the Title IX office of any responsive actions taken or imposed. The Title IX office will follow up with the University Authority in a timely and appropriate manner to document the responsive actions that have been taken.

Either party may seek review of the Title IX office’s written findings by providing concerns to that office. In addition, employees may consult with their campus Title IX office and other applicable policies or offices to determine whether other review or grievance procedures are available to them related to the Title IX office’s written findings, including, for example:

- Bargaining unit employees should contact their union representative and/or refer to the applicable collective bargaining agreement;
- Faculty members should refer to Chapter 14 of Board of Regents Policy: Faculty Tenure. Faculty members may contact the Office of the Provost for more information about processes under this policy:

Office of the Provost
234 Morrill Hall
100 Church Street SE
Minneapolis, MN 55455
provost@umn.edu
V. DISCIPLINE AND OTHER RESPONSIVE ACTIONS

Responsive actions are actions reasonably calculated to eliminate sexual misconduct, prevent its recurrence, remedy its effects, and promote accountability while supporting the University's educational mission and legal obligations.

University responsive actions may include educational, restorative, and rehabilitative components. Responsive actions may also include disciplinary components, such as informal and formal counseling, probation, progressive disciplinary action, no-contact directives, transfer of position, removal of administrative appointment, demotion, and salary reduction, consistent with the applicable University disciplinary policies and procedures. Some conduct is so egregious in nature, harmful to the individuals involved, or so deleterious to the educational process and/or work or academic environment that it requires severe responsive action, including suspension, expulsion or termination of employment or other relationship with the University.

In determining the appropriate responsive actions, the University Authority (as defined above) will be guided by a number of considerations, including:

- the severity, persistence, or pervasiveness of the sexual misconduct;
- the nature or violence (if applicable) of the sexual misconduct;
- the impact of the sexual misconduct on the complainant;
- the impact or implications of the sexual misconduct within the University community;
- prior misconduct by the respondent, including the respondent's relevant prior disciplinary history, at the University or elsewhere;
- whether the respondent has accepted responsibility for the sexual misconduct;
- the maintenance of a safe, nondiscriminatory, and respectful work and/or learning environment;
- any recommendations from the investigator, the Title IX Coordinator, or other University administrators; and
- any other mitigating, aggravating, or compelling factors.

VIII. AMNESTY

To facilitate reports and thorough investigations of sexual misconduct, individuals who report information about potential sexual misconduct violations to the University, and individuals who participate in an investigation under this policy, will not be disciplined by the University for violations of its drug and alcohol policies that occurred in connection with the reported sexual misconduct incident and came to light as a result of a sexual misconduct report or investigation. However, this amnesty provision does not apply
where one person has given another person alcohol or drugs without their knowledge and with the intent of rendering them vulnerable to being sexually assaulted.

Moreover, the University may offer leniency with respect to other violations that emerge as a result of a sexual misconduct report or investigation, depending on the circumstances involved.

**VIII. PRIVACY AND CONFIDENTIALITY**

The University is committed to protecting the privacy of all individuals involved in the investigation and resolution of a report under this policy to the greatest extent possible. With respect to any report under this policy, the University will make reasonable efforts to protect the privacy of participants, in accordance with applicable state and federal law, while balancing the need to gather information to assess the report and to take steps to eliminate sexual misconduct, prevent its recurrence, and remedy its effects. The University will maintain the privacy of student records in accordance with applicable state and federal law, including the Family Educational Rights and Privacy Act (FERPA). The University will maintain the privacy of employees’ personnel records in accordance with the Minnesota Government Data Practices Act (MDPA).

**VIII. RECORDKEEPING**

The University’s Title IX Coordinator and designees will maintain appropriate records of all reports of sexual misconduct in accordance with the University’s document retention policy, including:

- the initial report, along with any supplements or amendments;
- relevant communications between the campus Title IX office, the complainant, the respondent, and others regarding the report or the investigation of the report;
- information relevant to the report that is obtained, gathered, or received during the investigation, including documentation or other information submitted by the complainant or the respondent;
- investigator notes;
- witness statements;
- written findings; and
- other documentation relied upon by the investigator or otherwise relevant to the investigation of the report.

**IX. ANNUAL REVIEW**

The Office of Equal Opportunity and Affirmative Action (EOAA) will annually review and update this policy, as appropriate. The annual review will include an evaluation of, at a minimum, any changes in legal requirements, existing University resources, and the resolution of cases from the preceding year (including, but not limited to, timeframes for completion and sanctions and remedies imposed).

**X. TRAINING**

To facilitate the goals of this policy, the University will conduct ongoing prevention, awareness, and training programs for employees and students. The University will also provide training for all employees responsible for implementing this policy (including Title IX Coordinators, investigators and adjudicators) on the process of handling reports of sexual misconduct, the University grievance procedures and confidentiality requirements.

**REASON FOR POLICY**

The University adopts this policy with a commitment to: (1) taking prompt and equitable action to eliminate, prevent and address the effects of sexual misconduct; (2) fostering a trusting environment where sexual misconduct is not tolerated; (3) cultivating a climate where all persons are well-informed and supported with respect to reporting sexual misconduct; (4) providing a fair and impartial process for
all parties; and (5) identifying the standards by which violations of this policy will be evaluated and disciplinary action may be imposed.

PROCEDURES
There are no procedures associated with this policy.

FORMS/INSTRUCTIONS
There are no forms associated with this policy.

APPENDICES
There are no appendices associated with this policy.

FREQUENTLY ASKED QUESTIONS
There is no FAQ associated with this policy.

ADDITIONAL CONTACTS

<table>
<thead>
<tr>
<th>Subject</th>
<th>Contact</th>
<th>Phone</th>
<th>Fax/Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Contact</td>
<td>Tina Marisam</td>
<td>612-626-9357</td>
<td></td>
</tr>
<tr>
<td>Policy or process questions</td>
<td>Campus Title IX Offices (see below)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

CAMPUS TITLE IX OFFICES

Sexual misconduct reports can be made to the University’s campus Title IX offices listed here. As described in this policy, upon learning of certain types of sexual misconduct, employees must contact their campus Title IX office to satisfy their sexual misconduct reporting obligations.

<table>
<thead>
<tr>
<th>Subject</th>
<th>Contact</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Twin Cities Campus</td>
<td>Tina Marisam Director of the Office of Equal Opportunity and Affirmative Action McNamara Alumni Center, Room 274 200 Oak Street SE Minneapolis, MN 55455</td>
<td>612-626-9357</td>
<td><a href="mailto:eoaa@umn.edu">eoaa@umn.edu</a></td>
</tr>
<tr>
<td>Duluth Campus</td>
<td>Lisa Erwin Vice Chancellor for Student Life and Dean of Students 245 Kirby Plaza 1208 Kirby Drive Duluth, MN 55812</td>
<td>218-726-8502</td>
<td><a href="mailto:vcsld@d.umn.edu">vcsld@d.umn.edu</a></td>
</tr>
<tr>
<td>Crookston Campus</td>
<td>Peter Phaiah</td>
<td>218-281-8505</td>
<td><a href="mailto:phaiah@crk.umn.edu">phaiah@crk.umn.edu</a></td>
</tr>
</tbody>
</table>
UREPORT/ETHICSPOINT

Reports of sexual misconduct, including anonymous reports, may be submitted 24 hours a day through the University’s UReport/EthicsPoint reporting system. Reports of sexual misconduct made through UReport/EthicsPoint will be forwarded to the appropriate campus Title IX office. However, reporting or sharing information about sexual misconduct through UReport/EthicsPoint does not satisfy the obligation of University employees as set forth above in Section II to report incidents of sexual misconduct to the Title IX offices.

LAW ENFORCEMENT

Employees, students and third parties can report crimes to the law enforcement agency for the jurisdiction in which they are located. Complainants have the option to report a crime to the appropriate law enforcement agency, to report sexual misconduct to the appropriate Title IX office or to report to both investigative bodies simultaneously. Even if a criminal investigation is ongoing, the University will conduct its own Title IX investigation and will not wait for the conclusion of a criminal investigation or proceeding to begin its Title IX investigation. However, the University may temporarily delay the fact-finding portion of a Title IX investigation while law enforcement is gathering evidence to avoid interfering with the criminal investigation.
PERSONAL SUPPORT RESOURCES FOR COMPLAINANTS

The following resources offer free and confidential services for complainants, including advocacy, counseling, emotional support and guidance through law enforcement and University reporting processes. These resources are available to complainants regardless of whether they choose to report the sexual misconduct they experienced to law enforcement or the campus Title IX office.

<table>
<thead>
<tr>
<th>Subject</th>
<th>Contact</th>
<th>Phone</th>
<th>Fax/Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Twin Cities Campus</td>
<td>The Aurora Center</td>
<td>24 Hour Helpline:</td>
<td><a href="mailto:aurora@umn.edu">aurora@umn.edu</a></td>
</tr>
<tr>
<td></td>
<td>Minneapolis Campus Office</td>
<td>612-626-9111</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Suite 117 Appleby Hall</td>
<td>Office Line: 612-626-2929</td>
<td></td>
</tr>
<tr>
<td></td>
<td>128 Pleasant St. S.E.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Minneapolis, MN 55455</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>The Aurora Center</td>
<td>24 Hour Helpline:</td>
<td><a href="mailto:aurora@umn.edu">aurora@umn.edu</a></td>
</tr>
<tr>
<td></td>
<td>St. Paul Campus Office</td>
<td>612-626-9111</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Boynton St. Paul Clinic</td>
<td>Office Line: 612-626-2929</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1st Floor Coffey Hall</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1420 Eckles Ave</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>St Paul, MN 55108</td>
<td></td>
<td></td>
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<tr>
<td>Duluth Campus</td>
<td>Women's Resource and Action Center (WRAC)</td>
<td>218-726-6292</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Program for Aid to Victims of Sexual Assault (PAVSA)</td>
<td>218-726-1931</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Counseling: Health Services</td>
<td>218-726-7913</td>
<td></td>
</tr>
<tr>
<td>Crookston Campus</td>
<td>Polk County Coordinated Victim Services</td>
<td>218-281-1554</td>
<td>1-800-524-1993</td>
</tr>
<tr>
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</tbody>
</table>
| Morris Campus    | Someplace Safe (providing crime victim advocacy)  
206 Atlantic Avenue  
Morris, MN 56257 | 1-800-974-3359 |               |
| Rochester Campus | Student Counseling                     | 320-589-6060 |               |
|                  | Crisis Hotline                         | 507-269-4511 |               |

**RESOURCES FOR RESPONDENT STUDENTS**

The following offices provide advocates to assist respondent students through the University's investigative and post-investigative processes.

<table>
<thead>
<tr>
<th>Subject</th>
<th>Contact</th>
<th>Phone</th>
<th>Fax/Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Twin Cities Campus</td>
<td>Student Conflict Resolution Center</td>
<td>612-624-7272</td>
<td><a href="mailto:sos@umn.edu">sos@umn.edu</a></td>
</tr>
<tr>
<td></td>
<td>254 Appleby Hall</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>128 Pleasant St. Se</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Minneapolis, MN 55455</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Morris Campus</td>
<td>Student Affairs</td>
<td>320-589-6013</td>
<td><a href="mailto:ummvcsa@morris.umn.edu">ummvcsa@morris.umn.edu</a></td>
</tr>
<tr>
<td>Crookston Campus</td>
<td>Title IX Coordinator</td>
<td>218-281-8505</td>
<td><a href="mailto:phaiah@crk.umn.edu">phaiah@crk.umn.edu</a></td>
</tr>
</tbody>
</table>

**U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS**

Individuals with questions regarding this policy or the application of this policy may also contact the U.S. Department of Education, Office for Civil Rights, which is the federal agency that enforces Title IX of the Education Amendments of 1972.

<table>
<thead>
<tr>
<th>Subject</th>
<th>Contact</th>
<th>Phone</th>
<th>Fax/Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal government contact</td>
<td>U.S. Department of Education</td>
<td>312-730-1700</td>
<td>312-730-1704</td>
</tr>
<tr>
<td></td>
<td>500 W. Madison Street, Suite 1427</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>Chicago, IL 60661</td>
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</tr>
</tbody>
</table>
DEFINITIONS

COMPLAINANT

An individual is a "complainant" when the University learns that the individual may have experienced sexual misconduct. Such an individual is referred to as a "complainant" and assisted under this policy even if the individual has not reported sexual misconduct to the University or pursued a sexual misconduct investigation under this policy.

RELATIONSHIP VIOLENCE

Actual, attempted or threatened physical harm or abuse arising out of a personal, intimate relationship between individuals who are involved in or have been involved in a sexual, dating, spousal, or other romantic relationship.

RESPONDENT

An individual is a "respondent" when the University learns that the individual is alleged to have engaged in conduct that could constitute sexual misconduct under this policy.

RETALIATION

Any form of intimidation, reprisal or harassment against an individual because the individual has made a report of sexual misconduct, has participated in any sexual misconduct investigation or proceeding, or has opposed sexual misconduct, including, but not limited to: (1) firing, refusing to hire, or refusing to promote the individual; (2) departing from any customary employment or academic practice regarding the individual; (3) transferring or assigning the individual to a lesser position in terms of wages, hours, job classification, job security, employment or academic status; (4) informing another student, staff or faculty member who does not have a need to know that the individual has made a report of sexual misconduct or participated in an investigation or proceeding related to a report of sexual misconduct; (5) impeding the individual's academic advancement in any University activity or program; and (6) any other conduct that would discourage a reasonable person from engaging in activity protected under this policy.

SEXUAL MISCONDUCT

"Sexual misconduct" includes sexual assault, relationship violence, stalking, sexual harassment and related retaliation. This definition applies regardless of whether the conduct is student-to-student, employee-to-employee, employee-to-student, student-to-employee, or involving third parties.

A. Sexual assault is actual, attempted or threatened sexual contact and/or sexual penetration without affirmative consent.

1. Sexual contact is any intentional sexual touching with any object or body part. Sexual contact may include, but is not limited to, (a) intentionally touching the breasts, buttocks, groin or genitals of another person, whether that person is clothed or unclothed; (b) intentionally touching another person with any of these body parts, whether these body parts are covered by clothing or not; and/or (c) making a person touch another person or themselves with, or on, any of these body parts.

2. Sexual penetration is any penetration, which may include, but is not limited to, (a) vaginal penetration by a penis, object, tongue, finger or any other body part; (b) anal penetration by a penis, object, tongue, finger or any other body part; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.
3. **Affirmative consent** is an informed, freely and affirmatively communicated willingness to participate in sexual contact that is expressed by clear and unambiguous words or actions. Clear and unambiguous words and actions are those that are freely and actively given by informed individuals that a reasonable person would believe communicate a willingness to participate in a mutually agreed upon sexual contact. This definition of consent does not vary based upon a person’s sex, sexual orientation, gender identity or gender expression. The following factors will be considered when determining consent.

- It is the responsibility of each person who wishes to engage in the sexual contact to obtain consent.
- A lack of protest, the absence of resistance, and silence do not indicate consent.
- The existence of a present or past sexual, dating or other romantic relationship does not imply consent to future sexual contact.
- Consent must be present throughout the sexual contact and may be given and withdrawn at any time.
- When consent is withdrawn, all sexual contact must stop. Likewise, where there is confusion about the state of consent, sexual contact must stop until both parties consent again.
- Consent to one form of sexual contact does not imply consent to other forms of sexual contact.

Consent is not obtained where:

- An individual is compelled to engage in unwanted sexual contact through the use of physical force, threats, intimidation or coercion. Coercion consists of severe or persistent pressure that would reasonably cause an individual to fear significant consequences if they refuse to engage in sexual contact.
- An individual involved in sexual contact is incapacitated due to the influence of drugs or alcohol, and a sober, reasonable person would know of this incapacitation. Incapacitation due to the influence of drugs or alcohol is a state beyond mere intoxication or impaired judgment. Some indicators of incapacitation due to the influence of drugs or alcohol may include:
  - A lack of control over one’s physical movement (for example, an inability to walk or stand without stumbling or assistance).
  - An inability to effectively communicate (for example, where one’s speech is heavily slurred, incomprehensible or nonsensical).
  - A lack of awareness of one’s circumstances or surroundings (for example, a lack of awareness of where one is, how one got there, who one is with and how or why one became engaged in sexual contact).

  If there is any doubt as to whether another person is incapacitated, one should assume that the other person does not have the capacity to give consent.
- An individual involved in sexual contact is unable to communicate or understand the nature or extent of the sexual situation because of a physical or mental condition.
- An individual involved in sexual contact is asleep, unconscious or involuntarily physically restrained.
- An individual involved in sexual contact is not of legal age to give consent pursuant to Minnesota state law.

**SEXUAL HARASSMENT**

Unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, academic progress or advancement in any University activity or program; (2) submission to or rejection of such conduct by an individual is used as the basis of an employment decision, academic decision or decision affecting the individual in any University activity or program; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's
employment or academic performance or creating an intimidating, hostile, or offensive University environment.

STALKING

A course of conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause a reasonable person to feel fear. A course of conduct is two or more acts, including but not limited to, acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, survels, threatens, or communicates to or about another person, or interferes with another person's property.

Stalking includes "cyber-stalking," in which a person uses electronic media, such as the internet, social networks, blogs, cell phones, texts, or other methods or forms of contact to engage in stalking.

RESPONSIBILITIES

Counseling Services Offices
Provide counseling services and referrals.

Campus Title IX Offices and Officials
Provide consultations regarding sexual misconduct policies and procedures. Receive reports of sexual misconduct. Investigate, or oversee investigations of, sexual misconduct reports.

Health Care Services
Provide health care and counseling, and referrals.

Housing/Residential Life Offices
Provide assistance to residents, including changing living situations if requested and reasonably available.

Police Departments
Investigate allegations for possible criminal prosecution.

Student Conduct Offices
- Respond to and resolve allegations by students consistent with the Student Conduct Code. This includes advising and sanctioning student offenders when warranted. Some offices also investigate allegations.
- Provide resource and guidance for University presenters in sexual misconduct hearings and hearing panel board members and chairs.

Victim/Survivor Services
- Maintain all contacts and reports as strictly confidential.
- Provide crisis intervention and advocacy.
- Assist victim/survivor in contacting police and/or reporting to other University offices, if the victim/survivor consents (some can assist in obtaining restraining orders).
- Assist victim/survivor in obtaining medical assistance and counseling, changing academic programs or housing, etc.
- Campus-based programs will also provide awareness, prevention and risk-reduction training, and educational programming for students and employees.

RELATED INFORMATION

- Board of Regents Policy: Student Conduct Code
- Board of Regents Policy: Code of Conduct
- Board of Regents Policy: Sexual Harassment
- Regulations Concerning Faculty Tenure
HISTORY
POLICY STATEMENT

The University is committed to creating a welcoming and respectful work and educational environment that is free from sexual harassment, and the University provides comprehensive support, education, and reporting mechanisms to all members of the University community.

All members of the University community are prohibited from engaging in sexual harassment and retaliating against individuals based on their participation in a sexual harassment investigation. When they learn about incidents of sexual harassment, University employees who are supervisors must take prompt remedial action to respond to any concerns including referring the matter to relevant internal options.

**Reporting**

Any individual who believes they have been subjected to sexual harassment or retaliation for reporting sexual harassment can report their concerns to the Office for Equal Opportunity and Affirmative Action (EOAA) or the relevant internal office for investigation, problem solving, dispute resolution and potential disciplinary action, up to and including termination against perpetrators. Victim survivor services are also available to provide additional support.

**Retaliation**

No one acting on behalf of the University may retaliate against an individual for having made a report in good faith under this policy or participated in a sexual harassment investigation. Any employee who engages in retaliation may be subject to disciplinary action up to and including termination of employment. Reports of retaliation will be reviewed and investigated in the same manner in which other allegations of misconduct are handled. This provision aligns with Board of Regents Policy: *Code of Conduct*.

**REASON FOR POLICY**

To implement Board of Regents Policy: *Sexual Harassment* and *Student Conduct Code*, as well as to comply with the law in the employment context by Title VII of the 1964 Civil Rights Act, in the education context by Title IX of the Educational Amendments of 1972 and in both the employment and educational contexts by the Minnesota Human Rights Act.

This policy prohibits the conduct covered by this administrative policy and establishes procedures for reporting incidents of sexual harassment and retaliation. The commitment of the entire University to this
policy contributes to our goal of creating an inclusive campus climate including the active prevention, awareness of and response to sexual harassment.

PROCEDURES

• Reporting Incidents of Sexual Harassment

FORMS/INSTRUCTIONS

There are no forms associated with this policy.

APPENDICES

There are no appendices associated with this policy.

FREQUENTLY ASKED QUESTIONS

There are no FAQs associated with this policy.

CONTACTS

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<tbody>
<tr>
<td>Primary Contact(s)</td>
<td>Tina Marisam</td>
<td>612-626-9357</td>
<td><a href="mailto:marisam@umn.edu">marisam@umn.edu</a></td>
</tr>
<tr>
<td>Office of Human Resources</td>
<td>Human Resources Consultants</td>
<td>Office of Human Resources Specialist and Consultant List</td>
<td>Office of Human Resources Specialist and Consultant List</td>
</tr>
<tr>
<td>Office for Conflict Resolution</td>
<td>Tina Marisam</td>
<td>612-624-1030</td>
<td><a href="mailto:marisam@umn.edu">marisam@umn.edu</a></td>
</tr>
<tr>
<td>Office for Community Standards</td>
<td>Sharon Dzik</td>
<td>612-624-6073</td>
<td><a href="mailto:sdzik@umn.edu">sdzik@umn.edu</a></td>
</tr>
<tr>
<td>Human Resources/EOAA</td>
<td>Tim Caskey</td>
<td>218-726-6326</td>
<td><a href="mailto:ricaskey@d.umn.edu">ricaskey@d.umn.edu</a></td>
</tr>
<tr>
<td>University of Minnesota Duluth</td>
<td>Nathaniel Schultz</td>
<td>218-726-7255</td>
<td><a href="mailto:nschultz@d.umn.edu">nschultz@d.umn.edu</a></td>
</tr>
<tr>
<td>UMD/Student Conduct</td>
<td>Nathaniel Schultz</td>
<td>218-726-7255</td>
<td><a href="mailto:nschultz@d.umn.edu">nschultz@d.umn.edu</a></td>
</tr>
<tr>
<td>Human Resources/EOAA</td>
<td>Sarah Matson</td>
<td>320-589-6021</td>
<td><a href="mailto:mattsosi@morris.umn.edu">mattsosi@morris.umn.edu</a></td>
</tr>
</tbody>
</table>
| University of Minnesota Morris | Sandra Olsen Loy | 320-589-6013  |olsonloy@morris.umn.edu
DEFINITIONS

Member of University Community
Any University of Minnesota faculty member, student, or staff member, or other individual engaged in any University activity or program.

Sexual Harassment
Unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement in any University activity or program; (2) submission to or rejection of such conduct by an individual is used as the basis of employment or academic decisions affecting this individual in any University activity or program; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive work or academic environment in any University activity or program.

Retaliation
Any form of intimidation, reprisal or harassment against an individual because the individual has made a report of sexual harassment or has participated in an investigation of sexual harassment by or of a University community member including (1) firing, refusing to hire, or refusing to promote the individual; (2) departing from any customary employment or academic practice regarding the individual; (3) transferring or assigning the individual to a lesser position in terms of wages, hours, job classification, job security, employment or academic status, (4) informing another student, staff, or faculty member who does not have a need to know that the individual has made a complaint or participated in an investigation of a complaint of sexual harassment; and (5) impeding the individual's academic advancement in any University activity or program.

RESPONSIBILITIES

Equal Opportunity and Affirmative Action
Policy oversight and complaint services, consultation regarding allegations and investigation of allegations against employees. Investigation of incidents of sexual harassment by students against students.
Human Resources
Internal inquiry and problem solving, consultation and guidance to supervisors.

Office for Conflict Resolution
Confidential resolution alternatives and formal hearing process.

Student Conduct Offices
Informal resolution process and hearing procedure.

RELATED INFORMATION

- Board of Regents Policy: Code of Conduct
- Board of Regents Policy: Sexual Harassment
- Board of Regents Policy: Student Conduct Code
- Administrative Policy: Sexual Assault, Relationship Violence and Stalking

HISTORY

Effective:
January 2014 - 1. Specifies reporting options for individuals (employees and students) who believe they are being harassed. 2. Addresses the prohibition of retaliation for reporting harassment or participating in a sexual harassment investigation.

University Policy Program
350-2 McNamara Alumni Center, Minneapolis, MN 55455 - P:612-624-9081, policy@umn.edu

Have a good faith belief there has been a violation of University policy? Please report concerns to your supervisor, the appropriate University administrator to investigate the matter, or submit a report to UReport.
SEXUAL HARASSMENT

SECTION I. SCOPE.

This policy governs the commitment to the prevention and awareness of and response to sexual harassment at the University of Minnesota (University).

SECTION II. DEFINITIONS.

(a) Sexual Harassment. Sexual harassment shall mean unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:

   (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement in any University activity or program;

   (2) Submission to or rejection of such conduct by an individual is used as the basis of employment or academic decisions affecting this individual in any University activity or program; or

   (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive work or academic environment in any University activity or program.

(b) Retaliation. Retaliation shall mean any form of intimidation, reprisal or harassment against an individual because the individual has made a report of sexual harassment or has participated in an investigation of sexual harassment by or of a University community member including:

   (1) firing, refusing to hire, or refusing to promote the individual;

   (2) departing from any customary employment or academic practice regarding the individual;

   (3) transferring or assigning the individual to a lesser position in terms of wages, hours, job classification, job security, employment or academic status;

   (4) informing another student, staff or faculty member who does not have a need to know that the individual has made a complaint or participated in an investigation of a complaint of sexual harassment;

   (5) impeding the individual's academic advancement in any University activity or program.

(c) Member of the University Community. Member of the University community shall mean any University faculty member, student, staff member, visitor or other individual engaged in any University activity or program.
SECTION III. GUIDING PRINCIPLES.

The following principles shall guide the commitment of the University for the prevention and awareness of and response to sexual harassment:

(a) Consistent with its academic mission and standards, the University is committed to achieving excellence by working to create an educational, employment and residential living environment that are free from sexual harassment.

(b) The University is committed to preventing and eliminating sexual harassment of faculty, staff and students through education and by encouraging all members of the University community to report any concerns or complaints about sexual harassment.

(c) As a community of faculty, staff and students engaged in research, scholarship, artistic activity, teaching and learning or activities that support them the University seeks to foster an environment that is equitable, humane and responsible and where all members are treated with dignity and respect.

SECTION IV. IMPLEMENTATION.

The University shall:

(a) prohibit sexual harassment or retaliation.

(b) ensure that department heads, deans, provosts, chancellors, vice presidents, and other supervisors and managers take timely and appropriate action when they know or should know of the existence of sexual harassment. Other persons who suspect sexual harassment should report it to an appropriate person in their unit or to the University equal opportunity officer.

(c) adopt procedures on each campus for investigating and resolving complaints of sexual harassment in coordination with the director of equal opportunity and affirmative action.

(d) address violations of this policy through disciplinary or other corrective action up to and including termination of employment or academic dismissal.

SECTION V. MONITORING.

The president or delegate shall address complaints of sexual harassment consistent with this policy and law and remedy any discriminatory or harassing practice that deviate from this policy.
Reporting Sexual Assault, Sexual Harassment, Relationship Violence or Stalking

Contacting the Aurora Center (http://www1.umn.edu/aurora/) at 612-626-2929 (612-626-9111 for their 24 hour crisis line) is a good first step for someone who is reporting an incident of sexual assault, sexual harassment, stalking or relationship violence. The Aurora Center provides confidential consultation around these issues.

Aurora Center staff will provide information about reporting options. They also offer advocates who will often accompany a reporting party to provide support when reporting an incident to the Office for Equal Opportunity and Affirmative Action (EOAA) (https://diversity.umn.edu/eoaa/home) or the University of Minnesota Police Department (UMPD) (http://www.police.umn.edu/)

**Reporting Incidents to the University**

Individuals are encouraged to report incidents of sexual assault, sexual harassment, stalking or relationship violence by a student to the Office for Equal Opportunity and Affirmative Action (EOAA) by phone (612-624-9547), in person, or online

**Resources**

- Aurora Center (http://www1.umn.edu/aurora/) (612-626-2929 or 612-626-9111, 24 hours a day)
Individuals are also encouraged to report incidents to the police by contacting University of Minnesota Police Department (UMPD) at 612-624-COPS (2677).

EOAA investigates all reports they receive and shares the finding with the Office for Community Standards (OCS). OCS then determines sanctions based on the investigation and informs the reporting party and accused student. Either party may request a hearing for further review of the incident and outcome.

Meeting with EOAA

When the Office for Equal Opportunity and Affirmative Action (EOAA) investigates an incident, they meet and interview the reporting party, relevant witnesses and the accused student to gather evidence. The information gathered is used to determine whether it was more likely than not that the accused student violated the student conduct code.

While meeting with a reporting party, EOAA will explain the process and allow time for questions.

Reporting Incidents to the Police

Individuals may also report incidents to the University of Minnesota Police Department by contacting them at 612-624-2677. Click here for more.

University Policy

The University strives to assure the safety and respect the dignity of each student, staff and faculty member. Sexual assault, sexual harassment, relationship violence and stalking are prohibited at the University. Read more about University policy.

Process for Title IX Violations

The University has an established process for responding to Title IX violations such as sexual assault, sexual harassment, relationship violence and stalking. Read more about this process. In addition, the University has sanctioning guidelines for when a student is found responsible for such violations.

Not a reporting party?

Click here for information for an accused student about the disciplinary process.
Information about making a police report
(https://police.umn.edu/reportcrime)
What is EOAA's process?

The Office of Equal Opportunity and Affirmative Action (EOAA) is not a confidential reporting resource. Once EOAA becomes aware of information that may violate the University’s discrimination, harassment, sexual violence, or retaliation policies, we may have an obligation to take some responsive action to prevent further misconduct from occurring. However, we try to work with individuals to discuss a variety of ways to appropriately address the concerns raised.

EOAA is available to meet with individuals who have concerns about their experiences about our processes. We invite you to schedule a preliminary meeting to have a general discussion about our processes before deciding if you want to report specific concerns or initiate an investigation.

We also encourage individuals to consult with confidential resources at the University for support. Click here for available resources. Please consult with these offices individually about their ability to meet with you confidentially.

EOAA’s approach varies depending on the circumstances. Below are examples of how we might typically approach a particular situation. EOAA retains the ultimate determination about the development and progression of the investigation process. However, we will continually seek your feedback and make every effort to address serious concerns about safety and retaliation.

You can find additional information about each of our processes described below:

• Consultation
• Informal resolution process
• Discrimination, harassment, or retaliation investigation
• Sexual harassment and/or sexual violence investigation relating to student conduct
• Sexual harassment and/or sexual violence investigation relating to employee conduct
• Settlement

Consultations
EOAA usually begins by meeting with the individual who has requested a consultation. In a telephone conversation or in-person meeting, an Equal Opportunity Consultant will:

• Listen to the individual’s concerns and the circumstances surrounding the situation;
• Ask questions about the individual’s concerns and the circumstances;
• Explore different approaches to addressing the situation;
• Determine if EOAA is an appropriate University resource to address the concerns; and/or
• Advise the individual of other available University resources for resolution and/or support.

Informal Resolution Process
After an initial consultation, an Equal Opportunity Consultant may be able to address the individual’s concerns without conducting a formal investigation. These efforts may include:

• Contacting other individuals with relevant information and/or those who have a “need to know” because of the nature of their position;
• Gathering relevant information;
• Facilitating or mediating meetings; and/or
• Exploring other resolutions acceptable to those involved in the situation.

Resolutions may include, but are not limited to, discipline, education, training efforts, and agreements as to future conduct.

 Formal Investigation: discrimination, harassment, and retaliation

Depending on the circumstances, a formal investigation may be appropriate, either before or after efforts to resolve the concerns informally. Typical steps in a formal investigation include:

• Interviewing the individual raising the concerns and other affected parties;
• Interviewing individuals with information relevant to the situation;
• Informing responsible administrators about the concerns and investigation;
• Interviewing the accused person; and
• Collecting and reviewing documents and other forms of information from the individual raising the concerns; witnesses, Human Resources, administrators, or other individuals with relevant information.

At the conclusion of a formal investigation, EOAA will prepare a summary of the investigation and make a conclusion as to whether University policies against discrimination, harassment, or related retaliation were violated. EOAA typically sends the report to the individual(s) who raised the concerns; the accused party(s); and the responsible administrator(s). EOAA will also make recommendations for responsive action to the responsible administrator(s). We may provide recommendations to the responsible administrator whether or not there was a violation of policy.

Sexual harassment and/or sexual violence investigation relating to employee conduct

Title IX is a federal law that prohibits sex discrimination, including sexual harassment and sexual violence. University policies also prohibit sexual harassment and sexual violence, including sexual assault, stalking, and relationship violence.

The Office of Equal Opportunity and Affirmative Action (EOAA) is responsible for addressing employee conduct that may violate Title IX. EOAA’s Director, Kimberly Hevitt, is the University’s Title IX Coordinator.

EOAA’s approach to addressing sexual harassment and sexual violence concerns about employee conduct is similar to its approach to addressing other complaints of discrimination and harassment. In these cases, a formal investigation may be appropriate, either before or after efforts to resolve the concerns informally. Typical steps in a formal investigation include:

• Meeting with the individual raising the concerns and other affected persons;
What is EOAA's process? | Equal Opportunity and Affirmative Action

You can report to EOAA by:

• submitting a Consultation Form by mail, email, or fax.
• contacting UReport (EthicsPoint). Complaints made through EthicsPoint can be submitted anonymously. Situations that implicate discrimination, harassment, sexual violence, nepotism, and related retaliation policies will be forwarded to EOAA.

At the conclusion of a formal investigation, EOAA will prepare a summary and analysis of the investigation and make a conclusion as to whether University policies against sexual harassment and/or sexual violence were violated. EOAA typically sends the report to:

• the person who raised the concerns;
• the accused person(s); and
• the responsible administrator(s).

EOAA also makes recommendations for responsive action to the responsible administrators. EOAA may make recommendations regardless of whether EOAA found a violation of policy.

Sexual harassment and/or sexual violence investigation relating to student conduct

Title IX is a federal law that prohibits sex discrimination, including sexual harassment and sexual violence. University policies, including the Student Conduct Code, also prohibit sexual harassment and sexual violence, including sexual assault, stalking, and relationship violence.

The Office of Equal Opportunity and Affirmative Action (EOAA) and the Office for Student Conduct and Academic Integrity (OSCAI) are responsible for addressing student conduct that may violate Title IX. EOAA’s Director, Kimberly Hewitt, is the University’s Title IX Coordinator.

The University’s Office of Equal Opportunity and Affirmative Action (EOAA) thoroughly investigates, as a neutral party, reports of sexual harassment and sexual violence, including sexual assault, stalking, and relationship violence.

Typical steps in a formal investigation include:

• talking with the person raising the concerns and/or other affected persons;
• talking with individuals with information relevant to the situation;
• informing responsible administrators about the concerns and investigation;
• talking with the accused person; and
• collecting and reviewing documents or other forms of information from the person raising the concerns, witnesses, Human Resources, administrators, or other individuals with relevant information.

At the conclusion of a formal investigation, EOAA will prepare a summary and analysis of the investigation and make a conclusion as to whether the proposed conduct (e.g., hire, promotion) would violate the Nepotism Policy. EOAA also may help draft a nepotism agreement that addresses and makes provisions to avoid the conflict of interest. A template for a nepotism agreement can be found here: https://diversity.umn.edu/eoaa/sites/diversity.umn.edu.eoaa/files/Summary.pdf and consult with OSCAI.


Nepotism

The Board of Regents’ Nepotism Policy governs conflicts of interest that result from personal relationships among members of the University community. The University requires reporting of potential nepotism situations to Human Resources or to EOAA so that appropriate steps can be taken to avoid any prohibited activity.

In most cases, EOAA consults on and engages in the informal resolution of cases of potential nepotism. EOAA may advise on whether the proposed conduct (e.g., hire, promotion) would violate the Nepotism Policy. EOAA also may help draft a nepotism agreement that addresses and makes provisions to avoid the conflict of interest. A template for a nepotism agreement can be found here: http://newpolicy.umn.edu/Policies/hr/HRM/WORKPLACERELATIONSHIPS_APPA.html Changes and additions to this template often are required to fit the particular situation. An EOAA representative must sign the nepotism agreement for it to be compliant with the policy.

EOAA may also investigate complaints about potential nepotism, following the same process described above in the case of discrimination, harassment, or retaliation.

REPORTING DISCRIMINATION, HARASSMENT, RETALIATION, OR SEXUAL VIOLENCE

You can report to EOAA by:

• scheduling an appointment with an EOAA representative. Please call (612) 624-8547 or email eoaa@umn.edu. We can provide the best assistance by meeting in person or scheduling a telephone call.
• submitting a Consultation Form by mail, email, or fax.

Office of Equal Opportunity and Affirmative Action

274 McNamara Alumni Center
200 Oak Street SE
Minneapolis, MN 55455

eoaa@umn.edu

fax: (612) 624-2322

• contacting UReport (EthicsPoint). Complaints made through EthicsPoint can be submitted anonymously. Situations that implicate discrimination, harassment, sexual violence, nepotism, and related retaliation policies will be forwarded to EOAA.
To file a discrimination, harassment, retaliation, or sexual violence complaint on campuses other than the
Twin Cities campus, please contact the following offices:

System campus EOAA information
Duluth Campus: http://www.d.umn.edu/umdoeo/
Morris Campus: http://www.morris.umn.edu/hr/staff/
Crookston Campus: http://www3.crk.umn.edu/humanresources/Contact_HR.htm
Rochester Campus: http://hr.umn.edu/administration/eoaa/

System campus student conduct information
Duluth Campus: http://www.d.umn.edu/conduct/
Morris Campus: http://www.morris.umn.edu/stu_affairs/
Crookston Campus: http://www3.crk.umn.edu/humanresources/Contact_HR.htm
Rochester Campus: http://hr.umn.edu/administration/studentaffairs/

File:
Sexual Assault Letter to Students
Summary of process and policies.pdf
Sanctioning Guidelines for Title IX Violations

When an investigation of a Title IX violation such as sexual assault, sexual harassment, stalking or relationship violence leads to a finding of responsibility for violating the Student Conduct Code, the following guidelines can be used in determining sanctions. The purpose of administering a sanction is to hold students accountable for their actions, ensure the safety and well-being of the members of the university community, and to facilitate learning.

The following questions are considered when determining an appropriate sanction:

1. Was force used?
2. Was the reporting party incapacitated due to drugs or alcohol?
3. Was consent obtained at every point throughout the interaction?
4. Does the accused student accept responsibility for their actions?
5. What is the supporting evidence in the case?
6. Have witnesses corroborated the evidence?

Below are examples of sanctions for students found responsible for violating the University of Minnesota Student Conduct Code
Please keep in mind that the factors surrounding each case are unique and the facts/findings may yield different results.

<table>
<thead>
<tr>
<th>Category</th>
<th>Actions</th>
<th>Warning</th>
<th>Probation</th>
<th>Suspension (less than 2 years)</th>
<th>Suspension (2-4 years)</th>
<th>Suspension (5+ years)</th>
<th>Expulsion</th>
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<tbody>
<tr>
<td>Sexual Harassment</td>
<td>Verbal sexual comments</td>
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<td>Relationship Violence</td>
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<td>Kissing (above shoulders)</td>
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<td></td>
<td>Light contact with hands under clothes</td>
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<td></td>
<td>Sexual touching, fondling, and/or groping</td>
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<td>Kissing below the neck (breasts or genitals)</td>
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<td>Non-Consensual Sexual Intercourse</td>
<td>Oral Sex</td>
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<td>Digital penetration</td>
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<td>Penetration</td>
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<td>Distributing naked</td>
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</table>
Invasion of Sexual Privacy (taking photos, video, voyerism) Knowingly transmitting sexual infections or disease Child pornography
What kind of consequences could I face?

If a student is found responsible for violating the Board of Regents Student Conduct Code (https://regents.umn.edu/sites/regents.umn.edu/files/policies/Student_Conduct_Code.pdf) they are subject to consequences which the student conduct code refers to as sanctions.

Determining Sanctions

Sanctions are determined based on a range of factors including, what the student did, who it affected and how the student can best learn from the experience.

If an informal meeting (/node/211) between an OCS staff member and the student is required, possible sanctions will be discussed at that meeting. If a meeting is not required, sanctions will be outlined in an email that is sent to the student.

If a student disagrees with the sanctions offered, the disciplinary process (/node/6) allows an

Student Development

Our office takes a developmental approach to working with students and determining sanctions.

This approach encourages students to develop skills and characteristics for success at the University and beyond. More about student development. (http://www.sdo.umn.edu/)

Safety of the Community

The University seeks a community that is free from violence, threats and intimidation.
opportunity for a student to request further review.

If misconduct threatens the safety and well-being of the community, separation from the University through suspension or expulsion may be applied.

Below is a list of sanctions that can be assigned to students if they are found responsible for a violation of the Board of Regents Student Conduct Code (https://regents.umn.edu/sites/regents.umn.edu/files/policies/Student_Conduct_Code.pdf):

**Academic Sanction**
- Warning
- Disciplinary Probation
- Required Compliance

**Restitution**
- Confiscation
- University Housing Suspension
- University Housing Expulsion
- Suspension
- Expulsion
- Withholding of Diploma or Degree
- Revocation of Admission or Degree
Disciplinary Process

The disciplinary process is the process OCS follows to resolve reported violations of the Student Conduct Code. This process is designed to resolve issues in a way that is fair to all community members.

Notifying the Student of the Report

When OCS receives a report, they will send an email to the accused student telling them about the report. Often, this letter will direct the student to schedule a meeting in our office. There are some situations where a student may not be required to meet with a staff member.

Meeting with the Student About the Report

An accused student may be required to attend an informal meeting with an OCS staff person to discuss the incident and learn about the disciplinary process. Even if not required, a student may still choose to have an informal meeting to discuss an incident, if appropriate. OCS

Due Process

The University's disciplinary process is designed to be fair to all the individuals involved.

Standard of Proof

The University uses preponderance of the evidence as the standard of proof for alleged violations of the Student Conduct Code. This means that students will be held responsible for a violation of the Student Conduct Code if it is more likely than not that the violation has occurred.
may also meet with others who witnessed or reported the incident.

Opportunity for Further Review

After an informal meeting, the student will receive an email from OCS offering an informal resolution to the incident. The student can then choose whether they agree with the resolution and the case is closed or don't agree with the resolution and would like a hearing.

Procedures and Policies Within Specific University Programs

Some colleges or departments may have additional policies and procedures for students enrolled in their programs.
Informal Meetings with OSCAI

When a violation of the student conduct code is reported to the Office for Student Conduct and Academic Integrity (OSCAI), an accused student may receive an email directing them to schedule an informal meeting. Students should contact the office at 612-624-6073 to schedule an informal meeting.

Informal Meeting Agenda

Informal meetings between a student and a staff member are designed to help informally resolve a reported incident. During this meeting, an OSCAI staff member will:

- Provide an overview of student rights, the disciplinary process (/node/6), and the Student Conduct Code (http://regents.umn.edu/sites/regents.umn.edu/files/policies/Student_Conduct_Code.pdf)
- Review and discuss the report that was submitted
- Discuss resolution options
- Hear the student's account of what happened and answer questions a student might have

Advocates and Lawyers

A student may choose to bring a support person such as an advocate or lawyer with them to a meeting with OSCAI. Students can obtain an advocate through the Student Conflict Resolution Center (http://www.sos.umn.edu/) (SCRC). If a student plans to have their lawyer attend the meeting with them, OSCAI should be notified before hand.

https://communitystandards.umn.edu/informal-me
Outcomes and Follow Up

After an informal meeting, the student will receive a letter with a proposed outcome to the incident that was discussed. If the student disagrees with the outcome, they may request a formal hearing (/node/26). A staff person may also be willing to have a follow up meeting or phone conversation to further discuss the proposed outcome.
Title IX Complaints

WHAT IS TITLE IX?

Title IX is a federal (national) law that prohibits discrimination on the basis of sex/gender in any federally funded schools or activities. Title IX violations include:

- Sexual harassment
- Stalking
- Sexual assault (includes rape)
- Relationship violence

UNIVERSITY RESPONSIBILITY

The University of Minnesota is committed to the safety, dignity, and respect of all of its students, staff, faculty, volunteers and visitors. The University prohibits all forms of sex or gender based discrimination, harassment, and sexual violence (Title IX violations). The University provides comprehensive support and maintains multiple reporting mechanisms for all members of the community. The following explains the process used at the University of Minnesota-Twin Cities for individuals who report and for those who are accused of Title IX violations.

PROCESS

https://communitystandards.umn.edu/title-ix-proce
• Anyone can report Title IX violations committed by a University student. These violations should be reported to the Office of Equal Opportunity and Affirmative Action (EOAA) (https://diversity.umn.edu/oeaa/home), for investigation. University of Minnesota employees in the University of Minnesota Police Department (https://police.umn.edu/), The Aurora Center (TAC) (http://www1.umn.edu/aurora/), the Office for Community Standards (OCS), or Housing and Resident Life (HRL) (http://housing.umn.edu/) will refer students to EOAA to submit a report.

• A trained EOAA staff person will thoroughly investigate the report. The investigator will first interview the reporting party to gather as much information as possible about the incident. The investigator will also interview relevant witnesses including those provided by the reporting party, before contacting the accused student. The EOAA office will notify the accused student writing about the complaint, available resources and to schedule an interview to discuss the alleged violations.

• The EOAA investigator will interview the accused student and any witnesses identified by the accused student. It might also be necessary to meet with the reporting party a second time to ask any additional questions that arose during the investigation process.

• EOAA will also collect information such as copies of text messages, email correspondence, VM recordings, medical reports, video recordings from surveillance cameras when available, and any other relevant evidence.

• EOAA will explain the process to both parties.

• After all the interviews are completed, EOAA will prepare a report in which they analyze the facts and determine whether or not the accused student is responsible for violating the UMN Board of Regents Student Conduct Code based on the preponderance of evidence. (This means that based upon the information gathered during the investigation it is more likely than not that the policy was or was not violated.) EOAA will then forward the investigation report to OCS.

• OCS sends an email to the reporting party and the accused student informing them of the outcome of the investigation. The email will include a determination as to whether the student conduct code was violated, and a proposed informal resolution. In this letter, OCS notifies both the reporting party and the accused student of their right to have the case heard before a formal hearing panel consisting of faculty, staff and students if either of the parties are dissatisfied with the outcome. The letter will also indicate that either party can request a copy of the investigation report. The parties have five days to request a formal hearing. (If either party requests a meeting with OCS to discuss the informal resolution, the time to request a formal hearing will be extended to 5 days from the date of the meeting.

• Both parties can choose to have an advocate, and or an attorney/advisor and may request one extension to the deadline of no more than 10 days.)
HEARING

If either party requests a formal hearing, the matter will be forwarded to the Campus Committee on Student Behavior (CCSB). A panel of faculty, staff, and students will hear testimony and review evidence from both parties. The panel will then determine if the accused student is or is not responsible, and if responsible, determine the appropriate sanction.

APPEAL

Upon conclusion of the formal hearing, if either party is dissatisfied with the decision of the CCSB, they may file an appeal with the appellate officer according to the Administrative Procedure - Student Conduct Code Procedures: Twin Cities.

ADVOCATES

Both the reporting party and the accused student are allowed to choose a lawyer, family member, or advocate to appear with them throughout the disciplinary process. One advocate is allowed to speak on behalf of the student. Reporting parties are allowed to have a “Victim Advocate” also attend the hearing.

TIMELINE OF THE PROCESS

An EOAA investigation can generally take from one to five weeks depending on the availability of the witnesses. Once the investigation is completed, OCS sends letters to both the accused student and the reporting party within 1-2 business days of receiving the outcome. The accused student and the reporting party (if a University of Minnesota student) have five days to inform OCS if they do not accept the outcome and want the case heard before the Campus Committee on Student Behavior (CCSB). The CCSB will convene a hearing within 30 days of notification.

REV MARCH 15
Student-Athlete Code of Conduct

I. CONDUCT POLICY STATEMENT

Student-athletes at the University of Minnesota are expected to represent themselves, their team and the University with honesty, integrity, and character whether it be academically, athletically or socially. Participation on an intercollegiate team is a privilege and should be treated as such. It has many benefits and brings with it a responsibility to be positive and effective members of the team, department, campus and broader communities.

The athletics department is a window to the University and student-athletes often are in the spotlight. For better or worse, their behavior is subject to scrutiny by many including peers, campus, local and national communities and media. The actions of one student-athlete may result in a generalization to all student-athletes and reflects on the individual, team, department and University. It is expected that all student-athletes abide by team, department and University policies. Team guidelines and the Intercollegiate Athletics student-athlete code of conduct will be available to all student-athletes.

Student-athletes who do not conform to this code may be subject to consequences for their actions that may include but are not limited to: a warning, dismissal from the team, reduction or withdrawal of athletically related financial aid, and dismissal from the University. In addition to all University policies, student-athletes are responsible for following the standards in the NCAA student-athlete behavior statement and the Big Ten sports-like conduct statement as well as all city, state and federal laws.

II. CONDUCT GUIDELINES

A. Student-Athletes Are Expected To:

1. Be respectful of all others and to treat people as they would want to be treated.
2. Communicate with their teammates, coaches, faculty, and other members of the campus community with honesty and timeliness.
3. Follow all Team, Intercollegiate Athletics, University, Big Ten, WCHA and NCAA rules and guidelines.
4. Attend all classes as scheduled unless absences are approved.
5. Complete their academic coursework in a timely fashion and make progress towards a degree each semester.
6. Give their best effort academically, athletically and in life.

B. Alcohol/Drug Consumption

The use of alcohol or drugs by student-athletes while involved in any team-related practices, competitions, banquets, travel or other activities is prohibited, regardless of age. Student-athletes under the legal age to consume (21 years of age) in Minnesota are expected to abide by city, state and federal laws. Consequences for violating this policy may include treating the incident as a first positive drug test under the University of Minnesota athletics department Alcohol and Drug Education policy. Additional consequences may include, but are not limited to, the following:

1. Verbal and written warning
2. Participation in educational sessions
3. Required chemical dependency assessment and/or treatment
4. Suspension from the team
5. Loss of eligibility and dismissal from the team
6. Loss of athletics related scholarship aid
7. Dismissal from the University

Additionally, it is expected that the consumption of alcohol by student-athletes who are of legal age will be within the parameters of team, department and University policies and will be handled responsibly. Consequences for underage alcohol use, inappropriate alcohol use by student-athletes of legal age to consume, or illegal drug use will be determined on a case by case basis. The head coach, Alcohol and Drug Education Review Board and the Athletics Director (or his/her designee) may be involved in determining the sanctions for violating this policy. The Athletics Director has final approval for all decisions.

See the Student-Athlete Alcohol and Drug Education and Drug Testing Program policy for more specific and complete guidelines.
C. Local, State and Federal Laws

Student-athletes who are alleged (including arrested or charged) to have broken local, state and federal laws will be subject to team and department sanctions upon a case by case review. Violations involving physical and/or sexual violence, use of illegal weapons, or driving while under the influence will be subject to immediate suspension from team activity pending further investigation. The head coach, in consultation with the athletics director (or his/her designee), will impose sanctions.

Team or Athletics Department disciplinary sanctions may be imposed in advance of any campus disciplinary and/or criminal actions. Disciplinary sanctions may include, but are not limited to: verbal or written reprimand; suspension from the team; reduction, cancellation or non-renewal of athletics scholarship aid; and dismissal from the team. Additional sanctions may be imposed by the broader University, including probation, suspension from school, or expulsion.

For the purposes of this code of conduct, suspension from the team means that student-athletes may not practice, compete or travel with any University of Minnesota Intercollegiate Athletics team. However, suspended student-athletes may, with the approval of the coach and designated sport administrator, attend team meetings and retain privileges to access training table, the athletic training room, academic support services and individual use of weight training. Exceptions to any of these terms may be made by the Athletics Director or his/her designee.

D. Sexual Harassment Policy

The Athletics Department is committed to providing a safe and healthy environment for all of its student-athletes. Sexual harassment is unethical and unlawful and may result in department, University and legal sanctions. Sexual harassment includes unwelcome sexual advances, sex-based conduct that is intimidating, hostile or offensive, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature that is prohibited by the University. Complaints of sexual harassment by a student-athlete will be promptly addressed and should be reported to the Office for Student Conduct and Academic Integrity. Consequences for harassment may include:

1. Verbal and written warning and participation in educational sessions
2. Suspension from the team
3. Loss of eligibility and dismissal from the team
4. Loss of athletics related scholarship aid
5. Dismissal from the University

Examples of prohibited conduct:

a. Unwelcome sexual flirtation, advances or propositions
b. Continued or repeated verbal abuse of a sexual nature
c. Sexually degrading language to describe an individual
d. Unwelcome remarks of a sexual nature to describe a person’s body or clothing
e. Display of sexually demeaning objects or pictures
f. Offensive physical contact, such as unwelcome touching
g. Coerced sexual intercourse
h. Sexual assault
i. Rape, date or acquaintance rape, or other sex offenses either forcible or non-forcible

E. Hazing Policy

Hazing by any member of the University community is prohibited at the University of Minnesota. Hazing is prohibited whenever it occurs on University premises or in connection with any University-affiliated group or activity. Student-athletes who violate the prohibition against hazing are subject to discipline. Any criminal complaints will be reported to law enforcement.

Hazing is an act that endangers the mental or physical health or safety of an individual (including, without limitation, any act intended to cause personal degradation or humiliation, or that destroys or removes public or private property, for the purpose of initiation, admission to, affiliation with, or as a condition for continued membership in a group or organization. Such activities and situations include but are not limited to:

1. Physical punishment, contact, exercise, or sleep deprivation that causes excessive fatigue and/or physical or psychological shock
2. Forced or coerced consumption of food, drink, alcohol, tobacco, and/or illegal drugs
3. Forced or coerced transportation of individuals
4. Public humiliation, ridicule, indecent exposure or ordeal
5. Coercing or forcing illegal acts
6. Coercing or forcing acts that are immoral or unethical
7. Blocking an individual’s academic, athletic, health or person success
8. Personal servitude
9. Mental harassment
10. Sexual harassment
11. Deception
12. Threat of social exclusion
13. Any activity that involves the use of alcohol or any controlled substance;
14. Any activity that is not in accordance with the University’s established policies.

A person commits a hazing offense if the person:

1. Engages in hazing;
2. Solicits, encourages, directs, aids, or attempts to aid another in hazing activities;
3. Intentionally, knowingly, or recklessly permits hazing to occur;
4. Has firsthand knowledge of the planning of a specific hazing incident involving a student and fails to report the plan to the athletics department to prevent the hazing;
5. Has firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report it to the Athletics Director or other appropriate official of the institution.

Typically, hazing has occurred in connection with initiation activities. Even if an initiation activity is optional, an individual may not feel empowered to refuse participation. Individuals involved in any form of hazing (including prospects on campus for an official visit) will be held accountable for their actions and will be subject to disciplinary action by the Athletics Department as well as the University. Disciplinary action may include immediate suspension from the team, withdrawal or cancellation of financial aid, permanent dismissal from the team, or dismissal from the University.

If a student-athlete chooses to file a hazing grievance against an individual or group, it should be reported to the Athletics Director or a sport administrator. If requested, every effort will be made to protect the identity of the person reporting the grievance, where permissible under the law. It is possible that a student-athlete may initially voluntarily agree to participate in an initiation activity, and that he or she may later decide within a reasonable period of time that it was an unacceptable hazing activity. A grievance need not be filed for a disciplinary action to occur.

F. Gambling Policy

Student-athletes are expected to abide by the NCAA rule (Bylaw 10.3) which prohibits student-athletes from knowingly:

a. Providing information to individuals involved in organized gambling activities concerning intercollegiate athletics competition;
b. Soliciting a bet on any intercollegiate team;
c. Accepting a bet on any team representing the institution;
d. Soliciting or accepting a bet on any intercollegiate competition for any item (e.g., cash, shirt, dinner) that has tangible value; or
e. Participating in any gambling activity that involves intercollegiate athletics or professional athletics, through a bookmaker, a parlay card or any other method employed by organized gambling.

Furthermore, a student-athlete who is involved in any activity designed to influence the outcome of an intercollegiate contest or participates in a wager involving a University of Minnesota contest, the student-athlete shall lose all remaining regular and post-season eligibility in all sports.

III. STUDENT HEARING & APPEAL PROCESS

The Athletics Director has final approval regarding a student-athlete’s dismissal from the team. This decision is not appealable. Student-athletes may appeal department decisions in the following areas:

1. reduction or cancellation of aid during the period of the award;
2. non-renewal of financial aid;
3. denial of permission to contact for transfer;
4. denial of one-time transfer exception.

A student-athlete may appeal the decisions related to #’s 1-4 above and is entitled to a review by a hearing panel. The three-member panel is composed of the following individuals: 1) the respective NCAA Faculty Representative (will serve as Chair), 2) a member of the Faculty Oversight Committee and/or Advisory Committee on Intercollegiate Athletics, and 3) a representative from the Office of the President. The decision of the hearing panel is final. The procedures for the hearings in items #1 through 4 above are available through the Athletics Compliance Office, but will basically follow this timeline:

1. The athletics department makes the decision that is going to be appealed.
2. The athletics department issues a letter of such decision to the student-athlete.
3. The letter notifies the student-athlete that s/he has a right to a hearing on the decision and must make such a request within two weeks.
4. Upon receipt of a request for a hearing, a hearing panel will be appointed and a hearing convened as soon as possible.
5. The hearing panel will issue a written decision within two weeks of the hearing.

IV. BIG TEN CONFERENCE SPORTSLIKE CONDUCT POLICY AND STATEMENT

Student-athletes are expected to:

1. Treat opponents with respect.
2. Play hard but within the rules.
3. Exercise self-control at all times setting the example for others to follow.
4. Respect officials and accept their decisions without gesture or argument.
5. Win without boasting, lose without excuses and never quit.
6. Always remember that it is a privilege to represent the school and community.

Acts of unsportslike conduct shall include, but not be limited to:

1. Striking or attempting to strike or otherwise physically abusing an official, opposing coach, spectator or athlete. Any person committing such an act shall be subject to a public reprimand and suspended for up to 50% of the scheduled contests in the sport as deemed appropriate for the first offense, and publicly reprimanded and suspended for such number of additional contests as deemed appropriate for an additional similar offense.
2. Intentionally, or with careless disregard for one’s conduct, inciting participants or spectators to violent or abusive action. Violators shall be subject to a public reprimand and a suspension for up to 20% of the scheduled contests in the sport for the first offense, and a public reprimand and a suspension for such number of additional contests as deemed appropriate for an additional similar offense.
3. Using obscene gestures or profane or unduly provocative language or action toward an official, student, coach or spectator. Violators shall be subject to a public reprimand for the first offense, and a public reprimand and a suspension for up to 20% of the scheduled contests for an additional similar offense.

V. RULES VIOLATION REPORTING POLICY

The University of Minnesota is committed to operating its athletics programs in a manner consistent with the letter and the spirit of NCAA, Big Ten Conference, WCHA and University rules and regulations. Toward that end, our compliance program combines the training and education of coaches, staff and students; the review and modification of athletics department and University operating procedures to ensure compliance with those rules; and prompt institutional response when rule violations do occur.

Our goals are to educate coaches, staff and students in their responsibilities under the rules, to develop operating systems within the Athletics Department and the University that guide staff and students in their efforts to work within the rules, and to respond to each rule violation so that we can correct the situation that led to the problem.

We affirm that staff members and student-athletes of the University of Minnesota Athletics Department have an obligation to report any violations or potential violations of NCAA or Big Ten Conference rules of which they are aware.


The Intercollegiate Athletics Student-Athlete Code of Conduct is in addition to, and does not replace, the Student Conduct Code of the University of Minnesota. It is applicable to all student-athletes on the current team squad list for actions that
occur while matriculated at the University of Minnesota or that are prosecuted while enrolled as a student-athlete at the University.

OK

The server encountered an internal error or misconfiguration and was unable to complete your request.

Please contact the server administrator, cbsium-systems@cbsinteractive.com and inform them of the time the error occurred, and anything you might have done that may have caused the error.

More information about this error may be available in the server error log.
HARD HAT  LUNCH PAIL  FINISH

OUR MISSION:
WIN THE BIG TEN
EARN YOUR DEGREE

Brick By Brick: ---Three Core Principles:

TOUGHNESS: Being physically and mentally tough while never outwardly showing fatigue (i.e. no bending over, no hands on knees, etc.), battling through any physical pain in order to finish the drill or rep and by forcing yourself out of bad habits and into good habits. Toughness is a choice!

ACCOUNTABLE: Doing the right thing when no one is looking and no one is there to give you credit for your actions. Being a man your teammates can count on in tough times. Being a man your teammates can model themselves after off the field (i.e. no excuses, keep locker room and weight room clean, teammate next to you doing what he is supposed to, on time to class/meetings/tutor, take care of yourself).

INTELLIGENT: Working hard to educate yourself in the class room and film room (i.e. preparation, work hard in the film room/classroom, know your assignment and alignment and know your opponent).

Team Rules:
1. Act Right
2. Be on Time
3. Go to Class
4. Play Hard
5. Be a good teammate

THE EDUCATIONAL EXPERIENCE
1st Offense - Athlete will have extra conditioning
2nd Offense - Athlete and Position group will have extra conditioning.
3rd Offense – Offense/Defense will run while you watch.

PITFALLS AROUND COLLEGE ATHLETICS:
1. Tickets- Unpaid parking tickets, speeding tickets, vehicle registration
2. Using a Fake ID
3. DUI
4. Credit card fraud/theft
5. Player borrows/steals roommate’s credit card/phone. This is easily traced and is a felony.
6. Leaving the scene of an accident.
7. Sexual harassment/Video of sex acts
8. Date rape/ Gang rape
9. Assault
10. Minor in Possession (MIP)/Public urination/ Underage drinking
11. Drugs/Weapons
12. Plagiarism/Cheating in class
13. Gambling
14. No respect for authority
15. Not Telling the Truth

EXHIBIT 39
**Nutrition:**
1. Eat Right/Stay Hydrated
2. Treat your body as if it were a Lamborghini. You don’t put cheap gas in a Lamborghini. Fuel your body the right way!
3. Everyone is required to eat at the complex with the team for all meals unless you have class.
4. Respect all nutrition staff and interns. Disrespect will NOT be tolerated.
5. Clean up after yourself. After every meal and snack.

**Weight Room**
1. Be on Time and give GREAT EFFORT
2. Respect weight room staff at all times
3. A weekly report on your effort in the weight room will be provided to Coaching Staff.
4. Made will outlast born
5. Pick up after yourself

**Social Media:**
2. 30 Second Rule: Before you post ANYTHING, take 30 seconds to think about it. If you’re even questioning it, DON’T POST IT.
4. If you cannot say something nice, don’t say anything at all.

**Cell Phones:**
Be mindful when using your cell phone. Do not use your cell phone in class, study hall, during tutoring. Be respectful who’s around when using your cell phone. Do not use your cell phone during football related activities. Do not use your cell phone during training table. This is a time when you need to get to know your teammates. If you receive a call from anyone in the Athletic Department you must return their call immediately.

**Player’s Lounge:**
1. Take care of your area and keep it clean
2. The lounge is for Teammates only
3. Shower after all work outs before eating

**Golden Rule:**
Do unto others as you would have them do unto you
Postsecondary officials are regularly asked to balance the interests of safety and privacy for individual students. While the Family Educational Rights and Privacy Act (FERPA) generally requires institutions to ask for written consent before disclosing a student's personally identifiable information, it also allows colleges and universities to take key steps to maintain campus safety. Understanding the law empowers school officials to act decisively and quickly when issues arise.

Health or Safety Emergency

In an emergency, FERPA permits school officials to disclose without student consent education records, including personally identifiable information from those records, to protect the health or safety of students or other individuals. At such times, records and information may be released to appropriate parties such as law enforcement officials, public health officials, and trained medical personnel. See 34 CFR § 99.31(a)(10) and § 99.36. This exception to FERPA's general consent rule is limited to the period of the emergency and generally does not allow for a blanket release of personally identifiable information from a student's education records. In addition, the Department interprets FERPA to permit institutions to disclose information from education records to parents if a health or safety emergency involves their son or daughter.

Disciplinary Records

While student disciplinary records are protected as education records under FERPA, there are certain circumstances in which disciplinary records may be disclosed without the student's consent. A postsecondary institution may disclose to an alleged victim of any crime of violence or non-forcible sex offense the final results of a disciplinary proceeding conducted by the institution against the alleged perpetrator of that crime, regardless of whether the institution concluded a violation was committed. An institution may disclose to anyone—not just the victim—the final results of a disciplinary proceeding, if it determines that the student is an alleged perpetrator of a crime of violence or non-forcible sex offense, and with respect to the allegation made against him or her, the student has committed a violation of the institution's rules or policies. See 34 CFR §§ 99.31(a)(13) and (14).

The Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires postsecondary institutions to provide timely warnings of crimes that represent a threat to the safety of students or employees and to make public their campus security policies. It also requires that crime data be collected, reported, and disseminated to the campus community and to the Department annually. The Clery Act is intended to provide students and their families with accurate, complete, and timely information about safety on campuses so that they can make informed decisions. Such disclosures are permitted under FERPA. The following Web site provides more information about these and other provisions about campus safety: http://www.ed.gov/admins/lead/safety/campus.html.

Law Enforcement Unit Records
Many colleges and universities have their own law enforcement units to monitor safety and security in and around campus. Institutions that do not have specific law enforcement units may designate a particular office or school official to be responsible for referring potential or alleged violations of law to local police authorities. Investigative reports and other records created and maintained by these law enforcement units are not considered education records subject to FERPA. Accordingly, institutions may disclose information from law enforcement unit records to anyone, including outside law enforcement authorities, without student consent. See 34 CFR § 99.8.

While an institution has flexibility in deciding how to carry out safety functions, it must also indicate in its policy or in information provided to students which office or school official serves as the college or university's "law enforcement unit." (The institution's notification to students of their rights under FERPA can include this designation. As an example, the Department has posted a model notification on its Web site at http://www.ed.gov/policy/gen/guid/fpco/ferpa/ps-officials.html.)

Law enforcement unit officials who are employed by the college or university should be designated in the institution's FERPA notification as "school officials" with a "legitimate educational interest." As such, they may be given access to personally identifiable information from students' education records. The institution's law enforcement unit officials must protect the privacy of education records it receives and may disclose them only in compliance with FERPA. For that reason, it is advisable that law enforcement unit records be maintained separately from education records.

Disclosure to Parents

When a student turns 18 years old or enters a postsecondary institution at any age, all rights afforded to parents under FERPA transfer to the student. However, FERPA also provides ways in which schools may share information with parents without the student's consent. For example:

- Schools may disclose education records to parents if the student is a dependent for income tax purposes.
- Schools may disclose education records to parents if a health or safety emergency involves their son or daughter.
- Schools may inform parents if the student who is under age 21 has violated any law or its policy concerning the use or possession of alcohol or a controlled substance.
- A school official may generally share with a parent information that is based on that official's personal knowledge or observation of the student.

FERPA and Student Health Information

Postsecondary institutions that provide health or medical services to students may share student medical treatment records with parents under the circumstances described above. While these records may otherwise be governed by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the HIPAA Privacy Rule excludes student medical treatment records and other records protected by FERPA. The Department plans to issue further guidance on the interplay between FERPA and HIPAA.

FERPA and Student and Exchange Visitor Information System (SEVIS)

FERPA permits institutions to comply with information requests from the Department of Homeland Security (DHS) and its Immigration and Customs Enforcement Bureau (ICE) in order to comply with the requirements of SEVIS. Officials who have specific questions about this and other matters involving international students should contact the U.S. Department of Education's Family Policy Compliance Office.
Finally, FERPA permits school officials to disclose any and all education records, including disciplinary records, to another institution at which the student seeks or intends to enroll. While student consent is not required for transferring education records, the institution's annual FERPA notification should indicate that such disclosures are made. In the absence of information about disclosures in the annual FERPA notification, school officials must make a reasonable attempt to notify the student about the disclosure, unless the student initiates the disclosure. Additionally, upon request, the institution must provide a copy of the information disclosed and an opportunity for a hearing. See 34 CFR § 99.31(a)(2) and § 99.34(a).

Contact Information

For further information about FERPA, please contact the Family Policy Compliance Office or visit its Web site.

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Ave. S.W.
Washington, DC 20202-5920
202-260-3887

For quick, informal responses to routine questions about FERPA, parents may also e-mail the Family Policy Compliance Office at FERPA.Customer@ED.Gov.

For inquiries about FERPA compliance training, e-mail FERPA.Client@ED.Gov.

Additional information and guidance may be found at FPCO's Web site at: http://www.ed.gov/policy/gen/guid/fpco/index.html.
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**Criminal Investigation**

- **Criminal Arrest or Charges for Criminal Sexual Misconduct**
  - Mandatory preliminary suspension; discretionary sanctions
  - Discretionary preliminary suspension; mandatory suspension upon specific evidence and reasonable belief of misconduct
  - Mandatory suspension until charge is dropped or student is otherwise determined to be not guilty in the criminal justice system

- **Criminal Arrest or Charges for Non-Sexual Felonies**
  - Mandatory preliminary suspension for crimes involving physical violence, illegal use of weapons, or driving under the influence; discretionary sanctions
  - Discretionary preliminary suspension; mandatory suspension upon specific evidence and reasonable belief of misconduct
  - Discretionary sanctions
  - Mandatory suspension upon felony conviction

- **Criminal Arrest or Charges for Misdemeanors**
  - Discretionary sanctions
  - Discretionary sanctions
  - Prompt review and discretionary sanctions upon finding a violation of University or Athletics policy

**University Investigation of Alleged Sexual Misconduct**

- Discretionary suspension or other sanctions upon review of allegations

**Deciding Officials**

- Athletics Director
- Coach and Athletics Director
- Director of Athletics
- University President
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**Criminal Investigation**
- Criminal Arrest or Charges for Criminal Sexual Misconduct
- Criminal Arrest or Charges for Non-Sexual Felonies
- Criminal Arrest or Charges for Misdemeanors

**University Investigation of Alleged Sexual Misconduct**
- Mandatory preliminary suspension if alleged conduct violates the Student-Athlete Conduct Policy; discretionary sanctions after factual review by Title IX Coordinator
- Mandatory preliminary suspension upon arrest; discretionary sanctions and/or mandatory suspension upon charges, until resolution of charges
- Mandatory preliminary suspension if alleged conduct violates the Student-Athlete Conduct Policy; discretionary sanctions after factual review
- Not addressed in policy
- Mandatory preliminary suspension upon arrest; discretionary sanctions and/or mandatory suspension from time of conviction until jail time is served
- Temporarily suspension if the student's presence would seriously disrupt University operations or pose an immediate harm or danger; sanctions recommendation by Title IX Coordinator

**Athletic Discipline Procedures not available online.**

**Athlete**
- Director of Athletics
- Head coach

**Athletic Conduct Panel**
- Coordinator
- Review

**Athletic Offenses**
- Alleged Sexual Misconduct
- Alleged Sexual Misconduct Investigation
- Violations of Student-Athlete Conduct Policy
- Other Violations

**Policies**
- Code of Conduct
- Student-Athlete Conduct Policy
- Student-Athlete Conduct Code
- Student-Athlete Conduct Code Violations
- Student-Athlete Conduct Code Violations Staff

**Criminal Conduct**
- Criminal Arrest or Charges for Criminal Sexual Misconduct
- Criminal Arrest or Charges for Criminal Sexual Misconduct Investigation
- Criminal Arrest or Charges for Criminal Sexual Misconduct Investigation
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<td><strong>Sanctions after factual review</strong></td>
<td><strong>Discretionary sanctions</strong></td>
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<td><strong>Charges for Non-Sexual</strong></td>
<td><strong>Charges for Criminal</strong></td>
<td><strong>Criminal Arrest or Charges</strong></td>
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U of MN Title IX Investigations & Hearings
U of MN Process vs. Big 10 Institutions

Initial Investigation and Sanctions:
- U of MN: Trained EOAA staff investigates the report. EOAA will prepare a report in which they analyze the facts and determine whether the accused student is responsible for violating the UMN Student Conduct Code based on the preponderance of evidence. EOAA will then forward the investigation report to OSCAI for sanctioning. This is generally common procedure across Big 10 institutions.
- Big 10: Typically, either conduct officer or Title IX staff investigate case, determine responsibility, and either suggest a sanction or defer to conduct office for sanctions. Specific variations and examples below. Primary variation is that a panel determines sanction instead of conduct office.
  - Wisconsin: Title IX Coordinator assigns an investigator who prepares a report. Asst. Dean of Students reviews information to determine if a violation occurred and recommended sanction.
  - Indiana: Investigator creates report and assigns charge if appropriate. However, panel determines responsibility instead of investigator. If hearing panel finds student responsible, either the hearing panel or student conduct officer assigns informal resolution sanction (both accused and reporting parties can submit a statement pre-sanctioning).
  - Michigan State: Investigation and responsibility determined by investigator, but if student is found responsible, the case is referred to a sanction panel for sanctioning.
  - Purdue: Investigators provide a final report to Dean of Students, who meets with three person panel from Advisory Committee on Equity which includes meetings with reporting and accused student. Panel determines responsibility and sanctions.
  - Nebraska: Conduct officer investigates and, if student is found responsible, recommends a disposition. Accused student can either accept administrative resolution or request hearing (w/conduct officer or a conduct board IF suspension or expulsion is proposed).
  - Northwestern: Title IX staff investigate claim, if student is found responsible, could be offered either informal resolution (in cases of inadequate information) or when complainant does not desire formal resolution, or could be referred to formal resolution for resolution by administrative resolution (in cases not involving suspension or expulsion) or panel hearing.

Full Potential Sequence of Responsibility/Sanctions:
- U of MN: 1. Informal resolution offered by OSCAI 2. If a formal hearing is requested, a hearing is conducted to determine responsibility & sanctions. 3. Results of hearing can be appealed to Provost.
- Big 10: While the administrator/individual responsible for final review varies, this is by far the most common general format (proposed sanction/resolution, request a hearing, and can appeal hearing to an administrator). Specific variations and exceptions below:
  - Michigan State: 1. Sanction issued by sanction panel. 2. If appealed, case goes to VP (if suspension or expulsion recommended) or Equity Review Officer (if not). Students can meet with the review authority individually. No formal hearing beyond actions of sanction panel.
  - Purdue: 1. Sanctions offered by Dean of Students and Advisory Committee panel 2. Student can appeal to the Vice President for Ethics and Compliance.
Northwestern: 1. Either informal resolution, administrative resolution, or panel hearing resolution is offered to the student (depending on circumstances of the case and the stakes). 2. Can appeal to the Title IX Coordinator or University Hearing and Appeals system (if appealing a panel hearing result).

Review of Investigative Report vs. Original Hearing:
- U of MN: Hearing is in the format of an original hearing. Original investigative report is evaluated, but not exclusive source of information.
- Big 10: There is some variation here. Original hearing is the most common, but in some cases it is simply a review of the investigative report with an option for accused/reporting student response. Specific variations and exceptions below:
  - Michigan State: Primarily a report review (new information not considered unless it only became available after initial determination).
  - Purdue: No formal hearing – just independent meetings with Dean of Students and panel of Advisory Committee on Equity members.
  - Illinois: Post investigation, committee reviews the report and makes a recommendation on responsibility and sanctions.
  - Northwestern: in cases in which separation from the University may be a potential result, hearing is held with student/faculty/staff panel. In other cases, decision is made by report review.

Attorneys Permitted:
- U of MN: Yes. In every case. There is variation here, but probably the majority follow this model.
- Big 10: Many institutions allow attorneys to serve as advisors (Nebraska, Michigan, Illinois, Iowa, and Wisconsin), but a few have the provision that attorneys can only be involved when suspension/expulsion are proposed, and/or criminal proceedings are taking place regarding the same case. A few institutions do not allow attorneys or do not specify (Ohio State & Penn State)
  - Michigan State: Attorneys are permitted to serve as advisors in sexual assault cases with concurrent criminal charges.
  - Purdue & Ohio State: Attorneys permitted if there are concurrent civil or criminal proceedings involving the same case.

Accused/Reporting Student Representation (Attorney/Advocate/Advisor) Role:
- U of MN: Both the reporting party and the accused student are allowed to choose a lawyer, family member, or advocate to appear with them throughout the disciplinary process. One advocate is allowed to speak on behalf of the student in all conduct cases. By default, reporting party case is handled by University representative. Overall, this is easily the most unusual aspect of the University’s Title IX hearing procedures, as no other institution takes this approach.
- Big 10: The most common model for institutions that have formal hearing processes is to allow students to have advisors of their choice, but that the advisors cannot speak or ask questions on the students’ behalf. Even the exceptions only allow others to represent students in special cases.
  - Wisconsin: This is closest to the U of MN model. Here advisors can speak on behalf of the student if the recommended sanction is suspension, expulsion, or if there is a concurrent criminal case.
  - Indiana: Both students represent themselves, and may have an advocate who cannot speak on their behalf. (The most common example model).
o Purdue: students represent themselves if they wish to attend the meeting with the Dean of Students and Advisory Committee on Equity (not required). There is no formal hearing and students are not required to have representation at this meeting.

Hearing Panel:

- U of MN: A panel of faculty, staff and students will hear testimony and review evidence from both parties. The panel will then determine if the accused student is or is not responsible, and if responsible determine the appropriate sanction.
- Big 10: The most common approach is to have a panel of faculty, staff, and students that deliberates on the case (Wisconsin uses the same model as Minnesota here). In some exceptions, only faculty and staff serve on sexual assault panels. In others, there is no formal panel – only an individual administrator.
  - Indiana & Purdue: Panel consists of three trained staff or faculty members, but no students.
  - Michigan State: Sanctioning is determined by a panel of a student, faculty, and staff member, but panel does not determine responsibility or hear appeals.
  - Ohio State: Panel consists of 4-5 members from the University Conduct Board (includes faculty, staff, and students – but ONLY faculty and staff participate in sexual misconduct hearings)
  - Nebraska: Hearings are held before conduct officers unless suspension or expulsion are sought, and they then are held with the Conduct Board (at least 3 members of University community)
  - Illinois: No hearing. Investigation takes place, then committee reviews report and makes recommendation. Decision/sanctions can be appealed, but appeals process is written vs. hearing.

Cross-Examination:

- U of MN: Cross-examination of witnesses, reporting student, and accused student are permitted in all hearings.
- Big 10: Less information on this process is available on websites. However, direct cross-examination seems rare based on available data. Some institutions do not have formal, original hearings, so in those cases, this question does not apply.
  - Indiana: Direct questions must go through the chair to review first.
  - Purdue: There is no cross examination process.
  - Nebraska: Accused and reporting students can submit questions for witnesses, but conduct officer may or may not require those questions in writing for prior review.
  - Northwestern: No cross-examination in cases of panel hearings. Reporting student and accused student each get an opportunity to meet with the panel individually.

Final appeals jurisdiction:

- U of MN: Provost reviews hearing appeals. Generally higher level administrator than at most institutions.
- Big 10: Most common appeals jurisdiction is senior student affairs officer (Dean of Students or Vice-Provost). Occasional exceptions at the higher or lower level, sometimes based on nature of the case.
  - Iowa: The Provost handles appeals for potential suspensions or expulsions only.
  - Penn State & Ohio State: Appeals officer handles appeal.
  - Purdue: The Vice President for Ethics and Compliance makes the decision.
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<th>Institution</th>
<th>Attorneys provided to accused students?</th>
<th>Website/contact resources</th>
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<td>Indiana University</td>
<td>No attorneys. 2 options: 1. Student Advocates Office (retired faculty or administrators). 2. Dept. of Student Rights (student-run org. has trained students who can help). A person charged, a victim, or anyone providing testimony is entitled, at his or her expense, to be accompanied by an advisor or support person of his or her choice. An advisor or support person is limited to the role of advising. The advisor or support person may not participate in the proceeding, may not question witnesses, and may not make any statements during the proceeding. Campuses may, however, create procedures to allow a student to have an advisor or support person to speak on the student’s behalf at the final appeal hearing.</td>
<td><a href="https://studentaffairs.indiana.edu/office-student-ethics/get-help.shtml">https://studentaffairs.indiana.edu/office-student-ethics/get-help.shtml</a> <a href="http://studentlife.msu.edu/wp-content/uploads/2012/03/information_for_hearing_participants.pdf">http://studentlife.msu.edu/wp-content/uploads/2012/03/information_for_hearing_participants.pdf</a></td>
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<td>Michigan State University</td>
<td>Students can have an advisor (who must be student, faculty, or staff at the University), but those advisors have no voice at the hearing unless granted an exception. Advisor in sexual assault cases or cases with concurrent criminal charges can be an attorney (or someone other than a student, faculty, or staff), but they still cannot speak for the student. Usually only given permission to help with opening or closing. The accused student may have an advisor throughout the disciplinary process. The advisor may only counsel the student and may not actively participate in the disciplinary process, unless clarification is needed as determined by the hearing officer or board.</td>
<td><a href="http://studentlife.osu.edu/ccc/">http://studentlife.osu.edu/ccc/</a> <a href="http://studentaffairs.psu.edu/conduct/Procedures.shtml">http://studentaffairs.psu.edu/conduct/Procedures.shtml</a></td>
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<td>Ohio State University</td>
<td>Parties may choose from a list of trained advisors available at the Office of Student Conduct website, choose a non-trained advisor, or may choose to proceed without an advisor. The advisor shall not perform any function in the process other than advising the party and may not make a presentation or represent the party. The parties are expected to ask and respond to questions on their own behalf, without representation by their advisor.</td>
<td><a href="http://www.purdue.edu/studentregulations/studentconduct/regulations.html">http://www.purdue.edu/studentregulations/studentconduct/regulations.html</a></td>
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<td>Penn State University</td>
<td>A student has the right to be assisted by an advisor but the advisor is not permitted to speak or participate directly in any other manner during any hearing, nor may he/she appear in lieu of the student. Students are responsible for representing themselves. If a student is involved in civil or criminal proceedings arising out of the same circumstances, the student is allowed to have an attorney serve as his/her advisor, at his/her own expense, with the understanding that the attorney’s role is as an advisor rather than as an advocate.</td>
<td>A student charged with criminal misconduct will be considered guilty of violating University conduct regulations and therefore subject to disciplinary sanctions if convicted in criminal court of conduct prohibited under the sexual misconduct rules and/or the Code of Student Life. Due to the less stringent standard of proof under these judicial procedures, a student charged but not convicted of a crime is still subject to University disciplinary action if found guilty by an adjudicator or judicial administrator.</td>
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<td>Purdue University</td>
<td>A respondent is permitted an advisor or legal counsel at a SUSC hearing. However, this counsel/advisor is not permitted to speak during the hearing. An advisor may consult quietly with the respondent or exchange notes, but may not offer testimony or otherwise participate in the hearing in any way. An advisor may be anyone the student chooses, including but not limited to another student, a faculty or staff member, a parent, or an attorney. A special information sheet for attorneys similar to this one is available on the Office for Student Conflict Resolution website to address their unique concerns.</td>
<td><a href="https://dos.uiowa.edu/policies/student-judicial-procedure-15-16/">https://dos.uiowa.edu/policies/student-judicial-procedure-15-16/</a></td>
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<td>University of Illinois</td>
<td>The charging officer’s role is to coordinate the presentation of witnesses and evidence against the accused student, and urge the adjudicator to find the accused student responsible for alleged rule violation(s). The judicial administrator may be appointed as the charging officer. The charging officer may call witnesses; ask clarifying procedural questions of the adjudicator; may lodge objections to witnesses, evidence, and others issues; and may consult with witnesses, advocates, or attorneys, but the charging officer otherwise may not speak during the hearing unless requested by the adjudicator. The adjudicator’s role is to address prehearing matters, to preside over the hearing, to ask questions of the witnesses, to resolve evidentiary issues and disputes, and to ultimately determine whether a University policy violation has occurred. The accused student and the complaining party or the victim have the ability to have an attorney present throughout the hearing at the student’s or party’s expense. The attorney may call witnesses; ask clarifying procedural questions of the adjudicator; may lodge objections to witnesses, evidence, and others issues; and may consult with the party or student who brought the attorney; but the attorney otherwise may not speak during the hearing unless requested by the adjudicator.</td>
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The respondent may choose to have a Resolution Officer (RO) or a Student Resolution Panel arbitrate the dispute. Each party may be accompanied at the hearing by a personal advisor, who may be an attorney; however, the advisor may not participate directly in the proceedings, but may only advise the party. For example, the advisor may not question witnesses or make presentations.

The complainant and the respondent have the right to be assisted by any advisor they choose, including legal counsel, at their own expense. The role of the advisor is limited to providing advice to the party who has requested his/her presence in a manner which does not disturb conduct proceedings.

In any hearing (whether by student election or automatically scheduled) the student complainant and the student respondent maintain the right to be accompanied by a representative, including the right to be advised by counsel at the student's own expense, the right to question witnesses, and the right to obtain a copy of the audio recording of the hearing. If the student complainant or student respondent want a written transcript of the proceedings, they may have one prepared at the student's own expense. Advisors are permitted to speak at the hearing if the sanction recommended is suspension, expulsion, or if there is a concurrent criminal case.
Institution | Who manages hearing appeals?
--- | ---
Indiana University | Dean of Students Office
Michigan State University | Vice-president of Student Affairs & Services
Ohio State University | Appeals Officer
Penn State University | Director of Student Conduct
Purdue University | University Appeals Board (Members selected by Chancellor using recommendations from Faculty Senate and Student Senate)
University of Iowa | Vice-president of Student Life
University of Michigan | Appeals Officer
University of Nebraska | Dean of Students & Appeal Officer
University of Wisconsin | Senior Director of the Office of Student Conduct

**Details**

- **Indiana University**: Designees of Dean of Students include Student Org. Ethics Board and Student Ethics Campus Conduct Board. "If you request a hearing before the Hearing Commission, you will be notified of the specific time, place, and ice-student-ethics/misconduct-charges brought against you by the Dean of Students."

- **Michigan State University**: Appeals stemming from a student conduct hearing board case are reviewed by the Vice President of Student Affairs (or designee).

- **Ohio State University**: Director of Student Conduct works under the Vice President for Student Life. Director of Student Conduct governs the University Conduct Board. Senior Director of the Office of Student Conduct develops policies and procedures for the University Conduct Board and Administrative Hearings. Also appoints members.

- **Penn State University**: Senior Director of Counselor, with VP for Student Affairs, to coordinate student counseling services. By the Vice President of Student Affairs, and the President of Penn State. Appeals stemming from a student conduct hearing board case are reviewed by the Director of Student Conduct.

- **Purdue University**: Dean of Students & Appeal Officer. Office of the Provost (for suspension or expulsion), Vice President for Student Life (all other cases). University Appeals Board (Members selected by Chancellor using recommendations from Faculty Senate and Student Senate).

- **University of Iowa**: Dean of Students reviews all recommendations of conduct board and makes determination on the case. In cases of appeals, the appeal officer reviews materials and notifies student of the outcome. There is a campus appeals board which hears appeals of disciplinary actions made by the university appeals board under the jurisdiction of the Chancellor.

- **University of Michigan**: Appeals Officer. Office of the Provost for Student Life (all other cases)."No decision should be overturned or modified without consultation with the VP for Student Affairs, Senior Director or Chancellor."

- **University of Nebraska**: University Appeals Board (Members selected by Chancellor using recommendations from Faculty Senate and Student Senate).

- **University of Wisconsin**: Consequences of student misconduct and appeals of disciplinary actions made by the Student Conduct Board under the jurisdiction of the Chancellor.

**Website**

- [Indiana University](https://studentaffairs.indiana.edu/offices/deanofstudents)
- [Michigan State University](http://studentlife.msu.edu/sccr/student-conduct/appeals)
- [Ohio State University](http://studentconduct.osu.edu/page.asp?id=3)
- [Penn State University](http://studentaffairs.psu.edu/student-conduct/procedures.shtm)
- [Purdue University](http://www.purdue.edu/studentregulations/student_conduct/regulations.html)
- [University of Iowa](https://dos.uiowa.edu/policies/student-judicial-procedure-16-17/)
- [University of Michigan](https://oscr.umich.edu/Stage%203)
- [University of Nebraska](http://stuafs.unl.edu/dos/codeffdisciplinary)
- [University of Wisconsin](https://students.wisc.edu/doso/docs/UWSM.pdf)
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<th>Who Pays?</th>
<th>Advisor Role in Hearing</th>
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Don’t Weaken Title IX Campus Sex Assault Policies

By JON KRAKAUER and LAURA L. DUNN  AUG. 3, 2017

The Department of Education is taking a hard look at its policies on campus sexual assault.

The result may make colleges safer. For rapists.

Right now, under the federal civil rights law Title IX, colleges and universities that receive public funds must use a standard of proof known as a "preponderance of evidence" when judging sexual misconduct complaints. If the evidence shows that the misconduct more likely than not occurred, the student accused of assault will be disciplined accordingly under the school’s code of conduct.

This standard of proof has been required by the Department of Education for decades, but school enforcement was lax. So in 2011 the Obama administration formally reminded school administrators of their legal duty under Title IX to respond to sexual assault allegations promptly and equitably, and prescribed specific measures to fulfill this duty — one of which was an explicit reiteration that schools must use the preponderance standard.

Objections to this approach have long been part of a broad effort to dismantle measures established under President Barack Obama to address sexual violence. Now, Betsy DeVos, the education secretary, may rescind the preponderance mandate, something she can do unilaterally, with a stroke of her pen.
This would be a grave mistake. Women ages 18 to 24 are more likely to be sexually assaulted than any other segment of the American population. Many of these potential victims are college students, thousands of whom are attacked each year. Disturbing numbers of transgender and gender-nonconforming students are also victimized, as well as male students. University officials, like officials in elementary and secondary schools, must continue to be allowed to identify and expel students who pose a threat on campus, without waiting many months, or even years, for the criminal justice system to handle the cases.

Recently Ms. DeVos declared that “a system without due process ultimately serves no one.” We have no quarrel with this statement. But the preponderance standard doesn’t curtail due process. There is nothing inappropriate or unusual about schools’ using it. Before 2011, in fact, most colleges and universities were already using that standard for disciplinary proceedings, including those for rape allegations. A few schools employed much higher burdens of proof, such as “clear and convincing evidence” and “beyond a reasonable doubt” — approaches that skewed the disciplinary process sharply in favor of the accused.

“Preponderance of evidence” is the burden of proof used in almost all civil lawsuits, even those seeking compensation after violent crimes. Indeed, it’s the standard used in civil courts when male students expelled for sexual misconduct sue their schools under Title IX, alleging reverse gender discrimination. It would violate the principle of fairness at the heart of Title IX to allow accused men to win discrimination claims using the preponderance standard but require their accusers (who are mostly female) to prove they were victimized under a more stringent standard.

Title IX treats campus sexual misconduct as a civil rights violation, which has led some to demand that campus rape allegations be handled by law enforcement agencies instead of schools. But a Title IX disciplinary proceeding doesn’t preclude victims from pursuing criminal charges. Many victims refuse to go to the police, however, because the criminal justice system is designed to favor defendants over their accusers. Not only must the prosecution prove guilt beyond a reasonable doubt, but the defendant is presumed at trial to be innocent — which encourages scrutiny of the accuser, who is inevitably portrayed by the defense as the one who’s really to blame.
Thanks to the extremely high burden of proof required to obtain a criminal conviction, along with significant procedural advantages given to defendants and the historical bias against female accusers that still exists in many police departments and state courts, less than 6 percent of rapes end up being prosecuted, and less than 3 percent culminate in a conviction that includes any time behind bars. It’s no mystery why 80 percent of campus sexual assaults are never reported to the police.

Sex-crime trials, like all criminal proceedings, set an extremely high bar for conviction to diminish the chance that an innocent person will be unjustly incarcerated. In contrast, the harshest penalty a university can inflict in a Title IX hearing is expulsion, an outcome that does not demand such a stringent burden of proof. In these hearings, neither party is favored, and by leveling the procedural playing field, Title IX makes it more likely that students will report sexual violence.

Attending college is a privilege, not a right. Colleges and universities are given free rein to determine which applicants they accept as students and which they turn away. Schools are also allowed to establish codes of conduct that every student must follow, and are granted broad discretion about how to respond when students violate this code. Title IX merely requires these codes to include sexual misconduct.

Whenever a student is accused of sexual assault, university administrators need to render their judgment with tremendous care, because erroneously determining that a student is responsible for sexual misconduct can cause lasting harm. But just as much care needs to be taken to make sure that students who commit sexual assault are not let off the hook.

One of us is a survivor of campus rape who became a lawyer and established a national nonprofit group to help other survivors find justice; one of us is the author of a book about the real-world complexities of campus sexual assault that make such justice so elusive. Both of us are concerned that Ms. DeVos is about to make it even more difficult to hold student perpetrators accountable.

Allowing guilty students to dodge responsibility sustains the myth that victims routinely cry rape to exact revenge, or get attention, or assuage regret the morning after. Branded liars or dismissed as crazy, victims are thus shamed,
humiliated and marginalized, worsening the soul-crushing trauma that is a byproduct of sexual violence. And make no mistake: Women are raped vastly more often than men are falsely accused.

Campus sexual assault is a national scourge. A growing body of research makes this impossible to deny. Recent scandals at Baylor, Stanford, Florida State, the University of Montana and dozens of other institutions underscore the scale of the problem. Title IX has started to make schools safer, largely as a result of guidance issued by the Obama administration in 2011. If Ms. DeVos revokes these measures, the cost in human suffering is likely to be enormous.

Jon Krakauer is the author, most recently, of “Missoula: Rape and Justice in a College Town.” Laura L. Dunn is the founder and executive director of SurvJustice.

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