



## ***2015 Annual Security & Fire Report***

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**Morningside Campus Safety and Security**

10/1/2016

*The Morningside College experience  
cultivates a passion for life-long learning  
and a dedication to ethical leadership and civic responsibility*

## Table of Contents

<b>I.</b>	<b>Overview of Campus Safety and Security</b>	
	a. Introduction.....	2
	b. Campus Security Office.....	2
	c. Campus Law Enforcement.....	3
	d. Reporting Criminal Activity and Emergencies.....	3
<b>II.</b>	<b>Geography</b>	
	a. Residence Hall and Campus Facilities	
	b. Facility Access	
	c. Property Adjacent to Campus	
	d. Off-Campus Activities	
<b>III.</b>	<b>Reporting Procedures</b>	
	a. General Procedures for Reporting a Crime or Emergencies.....	4
	b. Crime Reporting.....	5
	c. Confidential Reporting Procedures.....	6
	d. Crime Prevention Programs.....	6
	e. Security Awareness Programs.....	6
	f. Safety Tips.....	7
<b>IV.</b>	<b>Missing Student Policy.....</b>	<b>8</b>
<b>V.</b>	<b>Policies and Related Information</b>	
	a. Weapons and Firearms	
	b. Alcohol and Drugs	
	c. Sexual Abuse and Sexual Assault Policy	
	d. Harassment and Discrimination Policy	
	e. Orders of Protection/Restraining Orders	
	f. Policy on Reporting of Suspected Child Abuse	
	g. Sex Offender Registry	
	h. Hate Crimes Policy	
<b>VI.</b>	<b>Warnings</b>	
	a. Security Alerts	
	b. Timely Warning Procedures	
	c. Emergency Notifications	

- d. Emergency Procedures**
- VII. Crime Statistics**
- VIII. Annual Fire Report**
  - a. Fire Report Introduction**
  - b. Items Not Permitted in Residence Halls**
  - c. Evacuation Procedures**
  - d. Reporting Fires**
  - e. Fire and Safety Education**
  - f. Residence Hall Fire Prevention Information**
  - g. Fire Log**
- IX. Education Programs**

# **I. OVERVIEW OF SAFETY AND SECURITY DEPARTMENT**

## **INTRODUCTION**

Morningside College and the Sioux City community are relatively safe environments. Even so, we fully recognize the potential for crime and accidents. We are constantly taking proactive approaches to minimize the risk and enhance the security and safety of the entire campus community – students, faculty, staff, alumni and visitors.

However, the college staff cannot do this without help from everyone, including the students. People must take responsibility for their own safety and belongings and also the safety of their neighbors. Anyone who observes suspicious activity should report it immediately to Campus Safety and Security. People should be aware of the potential for loss or theft if personal items are left out in the open and not guarded.

At no time does Morningside College assume any responsibility for theft, damage or loss of money, valuables or personal property.

Morningside College is a private institution. Campus facilities are for the use of Morningside College students, staff and faculty and their guests. Campus Safety and Security works closely with the college's physical plant, residence life and administrative staff to establish appropriate levels of security at all times. Safety and security issues within the buildings should be reported to campus security or the building custodian as quickly as possible.

## **CAMPUS SECURITY OFFICE**

Campus Safety and Security is the administrative office at Morningside College that is responsible for safety and security. It includes a director, assistant director, one full-time officer, and 20 part-time student safety and security aides. The Director reports to the Associate Vice-President of Business/Controller. Campus Safety and Security employees are not sworn or commissioned officers. They do not carry weapons. They do not have arresting authority. The Sioux City Police Department, Woodbury County Sheriff's Office and the Iowa State Patrol handle all arrests. All on-duty personnel wear a distinctive security uniform. They provide basic security services to the campus community and are on duty 24 hours a day 365 days a year. Members of the Campus Safety and Security staff attend training programs specifically designed for security personnel.

Campus Safety and Security has a close working relationship with the Sioux City Police Department. All major crimes (felonies) are reported to the Sioux City Police Department, which assumes responsibility for any investigation that may be necessary as soon as possible. In the case of emergencies, the Sioux City Police Department is notified immediately.

The Campus Safety and Security offices are located in the Olsen Student Center, just inside the main front doors and the Director and Assistant Director's office is located in the Hickman-Johnson-Furrow Learning Center. The phone number for Campus Safety and Security is 712-274-5234. Campus Safety and Security staff members are available either in the office or by calling the Safety and Security number, which will reach them through the radio.

General services provided by Campus Safety and Security are walking and vehicle patrols, response to criminal and non-criminal activity, escorts, jump-starts and unlocking vehicles. Safety and Security officers make routine patrols of campus buildings and check exterior doors and windows of buildings. They also monitor the mechanical rooms of each building and report any potential problems to the Director of Physical Plant.

Campus Safety and Security maintains a daily and monthly log of reported crimes written in a form that is easily understood. The log is available to the public for inspection in the Director of Campus Safety and Security Office located in the Hickman-Johnson-Furrow Learning Center. The daily and monthly logs provide the nature, date, time and general location of each crime. Additionally, the disposition of the complaint is given, if known. Information, including updates, is added as the information becomes available. If there is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence, such information may be withdrawn until the damage is no longer likely to occur from the release of such information. As a matter of policy, names are not included in the monthly log.

### **CAMPUS LAW ENFORCEMENT**

Morningside College Campus Safety and Security officers have the authority to ask individuals for identification and to determine whether individuals have lawful business at Morningside College. Morningside College Safety and Security officers have the authority to issue tickets, which are billed to financial accounts of students, faculty, and staff. Safety and Security officers do not possess arrest power. Criminal incidents are referred to the Sioux City Police Department who has jurisdiction on the campus. The Campus Safety and Security Department maintains a highly professional working relationship with the Sioux City Police Department and other law enforcement agencies in the area. All crime victims and witnesses are strongly encouraged to immediately report crimes to Campus Safety and Security and the Sioux City Police Department. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

### **REPORTING CRIMINAL ACTIVITY AND EMERGENCIES**

Any emergency situation or knowledge of a crime should be reported immediately to Campus Safety and Security by calling 274-5234 or by going to the Safety and Security Office located in the Olsen Student Center. You may also dial 911 to reach the Sioux City Police Department or Sioux City Fire Department. When calling either number, you should stay on the line until the appropriate authorities tell you to hang up. You should be able to provide the exact location, the status of the situation and who is involved in the incident.

Students and employees may also report criminal offenses to the Provost, Vice-President for Student Life and Enrollment, Vice-President for Business and Finance, area coordinators, RAs, coaches and faculty. All names are kept confidential and not included in daily logs in an effort to protect those who are reporting the crime from retaliation. Only certain personnel will have access to the names of the informants to provide them with protection.

Emergency Code Blue Call Boxes are located in the following places: Roadman Hall Main Entrance; Roadman Hall South lower south entrance; Residence Complex, lower main entrance; Dimmitt Hall on Vine Ave.; Lewis Park Parking Lot on Peters Avenue; Garretson Parking Lot on Garretson Avenue; the northwest corner of the Hickman Johnson Furrow Learning Center; the north side of the Walker Science Center by the atrium;; Poppen Hall upper entrance; Waitt Hall upper entrance; Lags Hall south entrance; the Olsen Stadium east parking lot; and the Apartment Complex parking lot.

## **II. GEOGRAPHY**

### **RESIDENCE AND CAMPUS FACILITIES**

The college has eight buildings classified as residence halls, each housing 8-350 students. Head Residents (HRs), Head Apartment Managers (HAMs), Apartment Managers (AMs) and Resident Assistants (RAs) are upper-class students who have been carefully selected and trained to assist individuals on the floor and help maintain a healthy educational environment in the buildings. Area Coordinators are professional members of the Residence Life team who live in the residence hall setting. The residence life staff receives training in basic security and emergency situations.

Residence halls are locked 24-hours a day. Residents may obtain entry using the keys or FOBs they were issued upon arriving at college. It is the responsibility of the student to ensure that his or her room is secure.

During Christmas Break, all students are required to vacate the halls except with permission from the Office of Residence Life. The halls are not fully staffed during this break, so keys are normally collected from students to limit access to the halls. All other breaks, students will not be asked to turn in their keys but will be required to notify their RA that they will be on campus at such time.

Hall meetings at the beginning of each term provide the opportunity for residents to learn about building security, campus and residential policies, and enforcement procedures.

All guests in the residence halls must have a student host and are subject to college policies and regulations. The host is responsible for the actions of and any damages caused by the guest. Overnight guests are usually permitted on the weekends but may not stay more than two consecutive nights. If a roommate objects to the presence of an overnight guest, that guest may not spend the night. Members of the opposite sex may only be on a floor or in a student room during visitation hours. However, main lounges in the residence halls are not subject to these restrictions. Visitation hours in the residence halls are from 10 a.m. to 1 a.m., Sunday-Thursday. There are no limits to visitation on Fridays and Saturdays except for first-semester freshmen, whose visitation on these days is between 10 a.m. and 2 a.m. Individual floors may choose to restrict hours even beyond the visitation guidelines set by the college.

All buildings are regularly inspected by Campus Safety and Security and by Maintenance to ensure that all emergency lighting is working properly. They also ensure that all alarms, doors, and locks are working properly. Outside security concerns are addressed regularly.

**FACILITY ACCESS POLICY**

During business hours, the College (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours, access to all College facilities is by key/FOB if issued or by admittance via the Campus Safety and Security Department or the Residence Life staff. In the case of periods of extended closing, the College will admit only those with prior approval to all facilities.

Solicitation is strictly prohibited on campus unless prior approval is given by the Vice President of Student Life.

**ADJACENT PUBLIC PROPERTY**

Crimes that occur within public property, including thoroughfares, streets, sidewalks, and parking facilities that is within the campus or immediately adjacent to and accessible from the campus will be reported.

**OFF-CAMPUS ACTIVITY**

Morningside College does not recognize any off-campus organizations.

**III. REPORTING PROCEDURES**

**GENERAL PROCEDURES FOR REPORTING A CRIME OR EMERGENCY**

Community members, students, faculty, staff, and guests are encouraged to report crimes and public safety related incidents to the Campus Safety and Security Department in a timely manner.

To report a crime or an emergency, call Campus Safety and Security at 712-274-5234 or the Sioux City Police Department by dialing 911.

You also may contact the following people in Security, Student Services, Student Health, Residence Life, or Academic Affairs:

Director of Safety and Security	712-274-5500, HJF Learning Center
Assistant Director of Safety and Security	712-274-5505, HJF Learning Center
Dean of Students	712-274-5191, 1 <sup>st</sup> Floor, Lewis Hall
Director of Student Health	712-274-5178, Olsen Student Center
Associate Dean of Students	712-274-5390, Olsen Student Center
Assistant Director of Res. Life	712-274-5335, Olsen Student Center
Area Coordinator, Student Engagement	712-274-5339, Olsen Student Center
Area Coordinator, Student Activities	712-274-5337, Olsen Student Center

Personal Counselor	712-274-5606, Olsen Student Center
Provost	712-274-5103, 1 <sup>st</sup> Floor, Lewis Hall
Vice President of Student Services	712-274-5257, 1 <sup>st</sup> Floor, Lewis Hall
Associate Academic Dean	712-274-5292, 1 <sup>st</sup> Floor, Lewis Hall

Campus Safety and Security is available 24 hours a day to answer your call. Once your call is received, Campus Safety and Security will take the appropriate action needed at the time of the incident. They will ask the victim to file a report with the appropriate authorities at the time as well.

All Campus Safety and Security reports are forward to the appropriate people for further action. This may include Residence Life, Campus Judicial Officer, Business Office, and in some cases, the Sioux City Police Department. Additional information collected during the investigation is always forwarded to the Sioux City Police Department unless the victim does not wish to pursue criminal charges.

If assistance is required from the Sioux City Police Department, Sioux City Fire Department, or the Siouxland Paramedics, Campus Safety and Security will contact the appropriate unit. If a sexual assault or rape should occur, staff at the scene, including Campus Safety and Security, will offer the victim a wide variety of services. Morningside College has access to a variety of agencies that assist the victims in these situations such as the Council on Sexual Assault and Domestic Violence (CSADV). At any time, anyone can ask about these resources through the Director or Assistant Director of Campus Safety and Security, Dean’s Office, Campus Chaplain, Nurse, or Counselor.

Crimes should be reported to the Campus Safety and Security Department or any of the aforementioned personnel to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the campus community, when appropriate. A person may still report a crime and not want to pursue criminal charges or campus charges.

### **CRIME REPORTING**

The Campus Safety and Security Department encourages anyone who is a victim or witness to any crime to promptly report the incident to Campus Safety and Security. Campus Safety and Security makes all attempts to keep information that would possibly jeopardize an investigation confidential until such time is deemed that such information can be released. In most cases, in the daily crime log, names are left out for the privacy of such individuals. All Clery Act crimes are included in the Annual Security report.

### **CONFIDENTIAL REPORTING PROCEDURES**

If you are a victim of a crime and do not want to pursue action within the Morningside College system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Director of Safety and Security or a designee of the Campus Safety and Security Department can file a report on the details of the incident without revealing your identity. 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 College can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Records filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

Campus Counselors as a result of the rulemaking process which followed the signing into law the 1998 amendments to 20 USC § 1092 (f), clarification was given to those considered to be campus security officials. Campus “pastoral counselors” and campus “professional counselors,” when acting as such are not considered to be campus security authorities and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they 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.

### **CRIME PREVENTION PROGRAMS**

Crime Prevention Programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year. At the beginning of the year, the Office of Residence Life, Facilities, and Campus Safety and Security meet with all students to go over building rules and during this time, students are talked to about personal safety in and out of the dorms. Campus Safety and Security personnel facilitate programs for students, faculty, staff, and student organizations, in addition working with Residence Life on programs for students on how to protect themselves against sexual assaults, theft, and other crimes. New employees are given similar information during their orientation. During the year, various crime prevention and safety related information is sent out to the entire campus.

At all times, students, faculty, or staff can call Campus Safety and Security for an escort at night. Campus Safety and Security also encourages students to walk with others and not alone at night.

### **SECURITY AWARENESS PROGRAMS**

Any time during the year Campus Safety and Security, Residence Life, and Counseling Services are able and willing to offer students programs concerning personal safety. Programs include safety in the residence halls and while on campus. Morningside College works with various local agencies and the local police department to present various programs for the benefit of the students, faculty, and staff at the College.

At all times, Campus Safety and Security stresses during the year and during the various programs safety starts with the student, faculty and staff member.

When time is of an essence, information may be sent via the Morningside Electronic Notification System, campus email, or signs posted around campus.

If anyone would like to schedule a program for their group, they are encouraged to contact Campus Safety and Security at 274-5234 or the Office of Residence Life which will help in the planning of such program.

## **SAFETY TIPS**

### *Personal Security Recommendations*

- Never walk alone at night. Use sidewalks.
- Walk in well-lit areas.
- Walk close to the curb, away from bushes and alleys.
- If you must walk alone, inform someone at your destination when to expect you so he or she will be waiting.
- Request an escort if you are alone during hours of darkness.
- If you are attacked, **SCREAM!!!** Bite, kick and stomp the attacker's foot with your heel. Do anything to bring public attention to your situation.
- Keep items of value out of sight.
- Safeguard any documents that include personal information that others could use to commit identity theft.
- Lock your door whenever you leave your room.
- Report any suspicious activity immediately to Campus Safety and Security or the Sioux City Police Department.

### *Residence Hall Safety and Security Advice*

- Lock your room door – even if you are just going to the restroom or into the room next door. Most crimes that occur on a residential campus are crimes of opportunity and happen when a door is left unlocked.
- Lock your door before you go to sleep.
- Do not prop open residence hall exterior doors.
- Do not lend your keys to anyone at any time.
- Inform your roommate or friends where you will be if you plan to remain away from your room overnight.
- Mark articles of value with an identifying number/mark. Photograph valuable property and keep a record of this information. Do not use your Social Security number or any other number that could have value to others.
- Notify Campus Safety and Security by calling 712-274-5234 if you need an escort from a parking lot, classroom building or residence hall.

### *Severe Weather Advice*

- Move to the lowest part of the building or a central hallway without windows
- Stay as far away from windows, mirrors, or unsecured objects such as dressers, cabinets, or bookcases.
- **DO NOT USE ELEVATORS**
- Be ready to assist those with disabilities
- Remain the safe area until the warning has expired and you have been given the all-clear from Campus Safety and Security or Residence Life
- Listen to local TV or radio stations on AM/FM radio your weather radio
- Planning ahead and knowing where you are to go in severe weather situations will help save your life!

### *Armed Assailant Advice*

- Remain as calm as possible
- Lock and barricade yourself in the nearest room. Use large items to block the door. Try to tie the door closed if possible with belts or other items.
- Turn off all lights.
- Close blinds.
- Turn off computers if possible.
- Silence cell phones.
- Get away from all windows and doors. Keep low to the ground but be prepared to act quickly.
- If you are able to, call the Sioux City Police Department by calling 911 with the location of the assailant and your location. Have someone else call Campus Safety and Security at 712-274-5234. When calling give your location, the number of individuals in your location, any injuries, the name of the assailant if possible, any descriptions of the individual, what they are wearing and have with them. Any information will assist them in finding the suspect.
- Try to remain on the line even if you are not speaking to allow the dispatcher to hear what is going on.
- Try to stay as quiet as possible; any noise will alert the shooter to your location.
- If you try to leave a secure area, have a plan in mind and leave any items behind as they will hinder you as you leave. When approached by the Police Dept. do not be alarmed, have your arms in the air, and work with them giving them any information that will lead them to the shooter. You may have to break a window to leave a room safely.
- If the assailant enters the room you need to be prepared to use force. Use items in the room such as books, desks, chairs, or anything that you can throw at the assailant. Be prepared to overcome the assailant with force as well by taking them down. Having a group of individuals trying to overcome the assailant maybe an option.

### **MISSING STUDENT POLICY**

Morningside College has adopted a Missing Student Policy, and the content of this policy follows,

If a member of the Morningside College community has reason to believe that a student is missing, all possible efforts are made to locate the student to determine his or her state of health and well-being through collaboration of Campus Security, the Department of Student Affairs, and the missing student's family and friends. Students may identify a confidential contact who will be contacted in the event that the student is missing. Students wishing to identify a confidential contact should include this on housing form that is filled out with their Residence Life Residential Assistant (RA) at the beginning of the year. Commuter students should notify Student Services of their confidential contact.

If not located within 24 hours, appropriate family members, associates, or a college official will make an official missing person report with the law enforcement agency with jurisdiction. Anyone who believes a student to be missing should report their concern to Student Services or

Campus Security. Depending on the circumstances presented to college officials, the parents of or the designated confidential contact of the missing student will be notified. If the student is an unemancipated minor, the parent will be notified within 24 hours of the determination that the student is missing. In the event that parental notification is necessary, a college official will place the call. This policy is in compliance with Section 488 of the Higher Education Act of 2008.

**WHO TO FILE A MISSING PERSON’S REPORT WITH:**

Director of Safety and Security	712-274-5500
Assistant Director of Safety and Security	712-274-5505
Dean of Students	712-274-5191
Associate Dean of Students	712-274-5390
Assistant Director of Res. Life	712-274-5335
Area Coordinator, Student Engagement	712-274-5339
Area Coordinator, Student Activities	712-274-5337
Associate Dean for Academic Affairs	712-274-5292
Director of New Students	712-274-5504

**General Procedure:**

1. The Morningside official receiving the report will collect and document the following information at the time of the report:
  - a. The name and relationship of the person making the report.
  - b. The date, time, and location of the missing student was last seen.
  - c. The missing student’s cell phone number (if known by the reporter)
2. The Morningside College official receiving the report will contact the Vice President for Student Life and Enrollment (or their designee) and the Director of Campus Safety and Security in order to inform him/her on the situation and to receive additional consultation. They will ascertain if/when any other members of the campus and the Vice President of Communications and Marketing need to be contacted.
3. Upon notification from an entity that a student may be missing, Morningside College may use any or all the following resources to assist in locating the student:
  - a. Call the student’s room.
  - b. Go to the student’s residence hall room.
  - c. Talk to the student’s RA, roommate, and floor mates to see if anyone can confirm the missing student’s whereabouts and/or confirm the date, time, and location the student was last seen.
  - d. Secure a current student ID (from Campus Safety and Security) or other photo of the student from a friend.
  - e. Call and text the student’s cell phone and all any other numbers on record.
  - f. Send the student an email.
  - g. Check all possible locations mentioned by the parties above including but not limited to, library, residence hall lounges, student commons, fitness center, etc. The Campus Safety and Security Department and the Office of Residence Life may be asked to assist in order to expedite the search process.

- h. Contact or call other on-campus or off-campus friends or contacts that are made known. This includes checking a student's social networking sites such as Facebook or Twitter.
    - i. Ascertain the student's car make, model, and license plate number. A member of the Campus Safety and Security Department will also check Morningside College parking lots for the presence of the student's vehicle.
    - j. Send out an emergency notification text message via the Morningside College Emergency Notification System (ENS) to the campus alerting the campus of situation to ask for help in locating the student.
4. The Morningside College technology staff may be asked to obtain email logs in order to determine the last log in and or access of the Morningside network.
5. Once all information is collected and documented and the Vice President of Student Life and Enrollment (or their designee) is consulted, Morningside staff may contact the local police to report the information. (Note: If in the course of gathering information as described above, foul play is evident or strongly indicated, the police can be contacted immediately.) If it is necessary to contact the local or state authorities, police procedure and protocol will be followed by the college.

### **WEAPONS/FIREARMS**

For the entire campus's safety, shotguns, rifles, handguns, air guns, bows and arrows, ammunition and all other types of weapons are not permitted. There is no on-campus storage allowed at any time, and no weapon may be stored in any vehicle located on campus. All types of explosives, including fireworks, are strictly prohibited on campus. Please refer to the Morningside College [Student Handbook](#) for additional prohibitions regarding residence halls.

### **ALCOHOL AND DRUGS**

The sale of alcoholic beverages on the Morningside College campus by any organization, person or group is not permitted at any time. Students who are of the legal drinking age of 21 may possess or consume alcoholic beverages only in their private living quarters. If a student has a roommate, they, along with anyone else in the room, must be 21 also to consume alcohol in the room.

Morningside College complies with the Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226. Illegal drugs and paraphernalia are not permitted on campus. Morningside College works closely with the Sioux City Police Department and cooperates with all law enforcement agencies to ensure that all laws pertaining to illegal drugs are being enforced. Possession, use or distribution of any kind of illegal substance goes against Morningside College's commitment to the Siouxland Community, is illegal and will result in immediate suspension from campus.

The [Student Handbook](#) contains a detailed list of all other campus disciplinary policies and procedures, including alcohol and drug policies. Provisions for counseling and treatment opportunities are also addressed. Morningside College will make reasonable effort to enforce all federal, state and local laws.

You can find more on the rule and regulations in the [Student Handbook](#)

## **ALCOHOL AND SUBSTANCE ABUSE INFORMATION**

### **PREVENTION PROGRAMS**

The College has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students. The program provides services related to drug and alcohol use and abuse including dissemination of informational materials, educational programs, counseling services, referrals, and college disciplinary action.

Morningside College Residence Life and Personal Counseling Services provide the overall coordination of these programs. These programs include:

**Alcohol and Drug Education:** Programs by Residence Life staff and Personal Counseling services address issues of concern throughout the year.

**Counseling Services:** Morningside personal counselors will meet with students on alcohol and drug related issues.

**Referral Services:** if warranted, Residence Life and Counseling Services will have students seek off-campus counseling and referral services, usually at Jackson Recovery Services.

**College Disciplinary Action:** In most cases, disciplinary action will be taken including fines and in severe cases, removal of the student(s) from the college, including classes and the residence halls. The student does have the right and ability to appeal the action to the Judicial Officer and Judicial Committee.

### **Programs that were done during the year for Alcohol and Drug abuse education:**

During orientation a speaker spoke on alcohol and other college topics.

During wellness week, had an improv group do a show based on alcohol education

Did an alcohol education carnival through residence life.

Educational event about alcohol where mocktails were made and had some people sneaking “roofies” (skittles) into drinks, and led a discussion about alcohol and sexual assault

Brought in a few people from AA to talk about what life is like for alcoholics

Drunk driver simulation where they landed the Mercy Air Care, Sioux City Police Department responded along with Sioux City Fire Rescue and Siouxland Paramedics

## **SEXUAL ABUSE - SEXUAL ASSAULT POLICY**

Morningside College is concerned about the safety and welfare of all campus members and guests and is committed to providing a living and learning environment, free of all forms of abuse, violence, harassment, and coercive conduct, including sexual misconduct. In an effort to promote the dignity and well-being of members of the campus community, the College is committed to addressing allegations of sexual abuse and/or sexual assault. The College will also provide educational programs to promote the awareness of rape, acquaintance rape, and other sex offenses. The College has developed this policy, which is consistent with the Student Right-To-Know and Campus Security Act, Public Law 101-542 (Clery Act), and State of Iowa Code 709

Morningside College will not tolerate sexual misconduct in any form. Sexual misconduct may include (but is not limited to) acquaintance or date rape, non-consensual sexual intercourse (or attempts to commit the same), non-consensual sexual contact (or attempts to commit the same), or sexual exploitation. Members of the Morningside College community are strongly encouraged to report all incidents of sexual misconduct. Reports of sexual misconduct received by the College will be taken seriously and will be investigated.

Acts of sexual misconduct may also have certain criminal and civil law repercussions. College personnel are available to assist victims in contacting law enforcement and emergency medical providers, if the student so chooses.

When Morningside College determines that a case of sexual abuse and/or sexual assault might have taken place, the college will fulfill its legal obligation to report the same to the appropriate law enforcement or other legal authority for appropriate disposition.

This policy does not address acts of sexual harassment, also considered sexual misconduct, which is dealt with in a separate policy, also found in this report and in the [Student Handbook](#).

### **Sexual Misconduct Offenses Include, But Are Not Limited To:**

Non-consensual sexual intercourse (or attempts to commit the same): Intercourse is narrowly defined. Non-consensual sexual intercourse is any sexual intercourse (anal, oral, or vaginal), however slight, with any object, by a man or woman upon a man or woman, without effective consent. This includes vaginal penetration by a penis, object, tongue, or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact).

Non-consensual sexual contact (or attempts to commit the same): Non-consensual sexual contact is any sexual touching, however slight, with any object, by a man or woman upon a man or woman without effective consent. This includes any contact with the breasts, buttock, groin, or genitals, or touching another person with any of these body parts, or making another person touch you or themselves with or any of these body parts. Non-consensual sexual contact may also include unwanted disrobing or exposure.

Sexual Exploitation: Sexual exploitation occurs when an individual takes non-consensual, unjust sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of

the other sexual misconduct offenses. Examples of sexual exploitation include, but not limited to, prostituting another student, non-consensual video or audio-taping of sexual activity, going beyond the boundaries of consent (such as your friends secretly watch you having consensual sex), voyeurism, and/or knowingly transmitting an STD or HIV to another student.

**Definitions:**

Pursuant to Iowa Code 709, the following is the statutory definition of sexual abuse:

709.1. Sexual Abuse Defined.

Any sex act between persons is sexual abuse by either of the participants when the act is performed with the other participant in any of the following circumstances:

- A. The act is done by force or against the will of the other. If the consent or acquiescence of the other is procured by threats or violence toward any person, or if the act is done while the other is under the influence of a drug-inducing sleep or is otherwise in a state of unconsciousness, the act is done against the will of the other.
- B. Such other participant is suffering from a mental defect or incapacity which precludes giving consent, or lacks the mental capacity to know the right and wrong of conduct in sexual abuse.
- C. Such other participant is a child.

**NOTE:** The term sex act or sexual activity means any sexual contact between two or more persons, by penetration of the penis into the vagina or anus, by contact between the mouth and genitalia or anus of another person, or by the use of artificial sexual organs, or substitutes therefore in contact with the genitalia or anus.

**NOTE:** A child is a person aged fourteen or younger.

709.5. Resistance to Sexual Abuse.

Under the provisions of this chapter, it shall not be necessary to establish physical resistance by a participant in order to establish that an act of sexual abuse was committed by force or against the will of the participant. However, the circumstances surrounding the commission of the act may be considered in determining whether or not the act was done by force or against the will of the other.

709.11. Assault with Intent to Commit Sexual Abuse.

Any person who commits an assault, as defined in Section 708.1, with the intent to commit sexual abuse is guilty of a Class “C” felony if the person thereby causes serious injury to any person and is guilty of a Class “B” felony if the person thereby causes any person a bodily injury other than a serious injury. The person is guilty of an aggravated misdemeanor if no injury results.



In addition to these terms as defined by the State of Iowa laws and regulations, Morningside College has identified these additional definitions as they pertain to Sexual Misconduct:

**Effective Consent**

Effective consent is informed, freely, and actively given mutually, understandable words or actions which indicate a willingness to participate in mutually agreed upon sexual activity, Consent is not effective if it results from the use physical force, threats, intimidation, or coercion. Silence is not consent. Previous sexual or other relationships may not be taken as indication of consent.

**Complainant (the Accuser)**

The person/persons filing the complaint with the College under the Domestic and Dating Abuse and Violence policy.

**Respondent (the Accused)**

The person/persons names as the perpetrator in the complaint who is alleged to have committed an act in violation of this policy.

**If you have experienced or are experiencing sexual misconduct, please consider the following:**

- A. **Get to a safe place and seek out supportive people you can trust to assist you.** Contact a friend, resident assistant (R.A.), apartment manager (A.M.), head resident (H.R.), area coordinator (A. C.), residence life professional staff, campus Safety and Security, campus nurse, college staff or faculty, or someone you feel safe with.
- B. **Get medical attention.** If you are injured, you should consider going to the hospital of your choice as soon as it is safe and possible. Getting medical attention will allow trained medical professional to assess and treat any injuries you may have received and answer any questions about your physical health.
  - a. UnityPoint Health-St. Lukes, 2720 Stone Park Blvd. Sioux City, IA
  - b. Mercy Medical Center-Sioux City, 801 5<sup>th</sup> Street, Sioux City, IA
- C. **Preserve all evidence.** Do not change your clothes, shower, bathe or douche. If possible, do not go to the toilet. Save all clothing, linens or other items that may have been touched by the assailant so they may be given to the police for evidence. All physical evidence, including seminal fluids, hair, blood types and scrapings of flesh from the victim's fingernails is used in court.
- D. **Sexual Assault is a crime and you are strongly encouraged to report it.** Reporting sexual abuse/sexual assault DOES NOT commit you to filing a complaint with the College or criminal charges with the Sioux City Police Department. You can make that decision later.

**Reporting the Incident**

Students have the following four options to report any instance of Sexual Misconduct. You have the right to choose to do any or all of these options, or to do nothing. The choice is yours:

- 1. Report the incident of abuse/violence, but choose not to file a complaint with the college or criminal chargers:**
  - a. A report is a written or typed account of what happened that is taken by the Dean for Advising/Associate Dean of Students, Associate Dean of Students, or anyone listed as an On-Campus Resource for reporting Sexual Misconduct. This report is for documentation purposes only and will be kept on record with the College
  - b. If a student wishes NOT to pursue the case through the College conduct system, the student will be able to determine that when he/she provides his/her report.
  - c. If the student is unsure, he/she wishes to file a report, they are encouraged to do so anyone so that information about the incident is documented while it easily remembered.
  - d. Having a sexual misconduct experience documented by a College staff member does not obligate you to report the incident to the Sioux City Police Department. Similarly, reporting directly to the Sioux City Police Department does not obligate you to file a complaint with Morningside College. These are separate processes.
- 2. File a formal complaint with the College:**
  - a. This report is designated as formal complaint by the complainant, and the College will investigate the incident as appropriate. A written or typed account of what happened is taken by the Dean for Advising/Associate Dean of Students, Associate Dean of Students, or anyone listed as an On-campus Resource for Reporting Sexual Misconduct.
  - b. A student will be able to choose not to pursue the case at any time throughout the process.
  - c. The College will investigate the incident, which may including speaking to the respondent (the accused), witnesses, and gathering other information. The College will then make recommendation or decision based upon the information presented. The investigation may take several days or weeks, depending on the circumstances.
  - d. Conduct processes, as outlined in the [Student Handbook](#), will be followed throughout the process of the complaint.
- 3. Pursue criminal charges**
  - a. A student that wishes to file criminal charges will need to file an official report of the assault with the Sioux City Police Department. Responding officers can contact the proper authorities if the assault took place outside their respective jurisdiction.
  - b. On-Campus Resources for reporting Sexual Misconduct, the Office of Residence Life and Campus Safety and Security can assist you in contacting the Sioux City Police Department.
  - c. Filing a report with the Sioux City Police Department does not obligate a student to follow through with legal action or action through the College.
- 4. Pursue both college and criminal charges**
  - a. The process outlined in Option #2 and Option #3 occurs at the same time.
  - b. College proceedings and criminal investigations and adjudication of the incident occur independently.

Incidents of sexual abuse/sexual assault may be reported either by the victim or by another person who shall serve as a liaison with the appropriate college personnel. The information given regarding incidents of sexual misconduct will be kept confidential to the fullest extent permitted by law and be handled with the student's privacy and discretion in mind.

**Get Help and support.** Counseling can provide guidance to your healing in a confidential setting. The College's Personal Counselor can also provide referrals to supportive organizations and other off-campus resources. Personal Counseling may be contacted at 712-274-5606.

The College recognizes that persons who are victims of sexual abuse/sexual assault have an important personal need for advocacy and support. The college's Associate Dean of Students maintains a record of advocacy and support services available, i.e., Council on Sexual Assault and Domestic Violence (712-258-7233) and other agencies that may assist in this regard. The campus and the community offer services to assist the victim of Domestic and Dating Abuse and Violence, including the transportation to the hospital, as advocates in the legal process, and in working towards psychological recovery from assault.

### **Confidentiality**

If you have been affected by an incident involving sexual misconduct you may wish to seek confidential counseling and support. You could speak with any of the following **confidentially**. They will listen and explain options, and will maintain information received as private. They will not share confidential information with College personnel others unless required to do so by law. All of the following resources are free of charge. **Talking to any of the following resources (even those on campus) DOES NOT constitute reporting the incident.**

Student Health Nurse Olsen Student Center Lower Level	712-274-5178
Personal Counselor Student Services, Olsen Student Center Lower Level	712-274-5606
Council on Sexual Assault and Domestic Violence	712-258-7233
National Coalition Against Domestic Violence	1-800-799-SAFE (1-800-799-7233)

Members of local clergy, pastors, etc.

**NOTE:** Morningside College complies with federal laws requiring the annual reporting of crimes statistics in accordance with the Clery Act and the Violence Against Women Act (VAWA)/Campus SaVE Act. Morningside College must disclose non-personally identifiable information regarding incidents of sexual misconduct.

### **On Campus "Mandatory Reporting" Resources**

Students should be aware that almost all faculty and staff members and most offices are considered "mandatory reporting resources" This means that they are required by law to file an official report with the College if told about sexual misconduct. Because the College takes

allegations and reports of sexual misconduct very seriously, we expect faculty and staff to report all allegations. The following mandatory reporting individuals and offices are equipped to follow up on allegations of sexual misconduct. These individuals and offices will do so with respect and for the privacy of those allegedly involved in the incident.

**On-Campus “Mandatory Reporting” Resources**

Director of Safety and Security	712-274-5500, HJF Learning Center
Assistant Director of Safety and Security	712-274-5505, HJF Learning Center
Dean of Students	712-274-5191, 1 <sup>st</sup> Floor, Lewis Hall
Director of Student Health	712-274-5178, Olsen Student Center
Assistant Director of Res. Life	712-274-5335, Olsen Student Center
Area Coordinator, Student Engagement	712-274-5339, Olsen Student Center
Area Coordinator, Student Activities	712-274-5337, Olsen Student Center
Personal Counselor	712-274-5606, Olsen Student Center
Provost	712-274-5103, 1 <sup>st</sup> Floor, Lewis Hall
Vice President of Student Services	712-274-5257, 1 <sup>st</sup> Floor, Lewis Hall
Associate Academic Dean	712-274-5292, 1 <sup>st</sup> Floor, Lewis Hall

**Off Campus Resources for Reporting**

Sioux City Police Department	911 or 712-279-6960
Council on Sexual Assault and Domestic Violence	712-258-7233

**Disciplinary Actions**

Violations of the sexual misconduct policy will result in disciplinary action for any perpetrator who is found in violation of the policy under college disciplinary procedures. The disciplinary action may include counseling to understand the impact of this behavior on others and may result in action including suspension from College. Any student perpetrator who is found by the College to be in violation of the sexual misconduct policy may be suspended indefinitely from the institution.

Both the complainant and the respondent are entitled to the same opportunity to have others present during a conduct committee hearing as outlined in the Students’ Rights, Freedoms, and Responsibilities Statement.

Both the complainant and respondent shall be informed of the outcomes of any campus disciplinary proceeding brought by alleging sexual misconduct.

The Room Transfer Policy in the [Student Handbook](#) states that the college has the right to change a student’s room assignment for medical, disciplinary, or health reasons. As stated in the Students’ Rights, Freedoms, and Responsibilities Statement, a student has the right to be present on campus and attend classes except for reasons relating to the student’s physical well-being or for reasons relating to the safety of students, faculty, or staff, or college property.

All Morningside College students have the right to feel safe in their residence hall rooms, as it is their home. If a student feels unsafe in their residence hall room, the student should contact the Office of Residence Life to discuss options. Options may include a room transfer within their same residence hall, temporary housing arrangements, or moving to a different residence hall entirely. For more information, please contact the Office of Residence Life at 712-274-5335. Offices as On-Campus Resources can assist you in contacting Residence Life to explore housing options if you do not feel comfortable doing so.

Morningside College students also have the right to feel safe in attending their classes so that students can be successful academically. If you would like to discuss possible options for alternate academic arrangements, please contact the Associate Dean for Academic Affairs at 712-274-5388.

### **Rights of the Complainant**

- To be free from any suggestions or feeling obligated that the complainant **MUST** report the crimes.
- To be able to choose the level of involvement in the College Disciplinary proceedings against the respondent, including the right to an advocate.
- To have any allegations of sexual misconduct treated seriously and without judgment.
- To be treated with dignity.
- To be free from any suggestions the complainant is responsible for the commission of crimes against her/him.
- To be free from any pressure personnel to:
  - Refrain from reporting policy violations
  - Report policy violations in the complainant does not wish to do so.
  - Report policy violations as lesser offenses.

### **Rights of the Respondent**

- To be provided with a full and complete explanation of the charges.
- To be presumed innocent unless proven otherwise.
- To be provided with an explanation of the possible range of sanctions or punishments.
- To cross-examine witnesses and to testify on his/her own behalf.
- To remain silent during hearing proceedings.
- To present witnesses and documentary evidence, and an explanation or argument on his/her behalf.

### **False Reporting**

Morningside College will not tolerate intentional false reporting of sexual misconduct. It is a violation of College policy to make an intentionally false report of sexual misconduct, and it may also violate state criminal statutes and civil defamation laws.

### **Statement Regarding Non-Retaliation**

The College is committed to protecting the rights of both the complainant and respondent in situations involving sexual misconduct. Retaliation against members of the College community who make good faith reports regarding potential College-related violations of laws, regulations, or College policies is prohibited, and violators may be subjected to disciplinary action up to and including dismissal or expulsion from the College.

### **HARASSMENT AND DISCRIMINATION**

Morningside College is committed to fostering a healthy, living, learning and working environment and to upholding the dignity and integrity for all members of the campus community. The College does not discriminate on the basis of sex, race, age, color, creed, national or ethnic origin, sexual orientation, gender identity, or disability. All forms of verbal, written, or physical harassment or discrimination will not be tolerated by the College. Harassment and discrimination inhibits the student educational experience and is not in accordance with the College's values of ethical leadership and civic responsibility.

Harassment is defined as any unwanted or unwelcome physical, verbal, or written conduct of behavior that unreasonably impedes with a member of the campus community's performance, both in and out of the classroom, or by creating an environment of hostility, intimidation, or an offensive behavior. Harassment may include, but is not limited to, verbal, written, or physical threats, attitudes of condescension, bullying, stereotyping, intimidation, pranks, jokes, stalking, vandalism, and other forms of disrespect and intolerance that disrupt living and learning environment of a student and weaken the greater campus.

#### Harassment may be present when:

- A. Such conduct as purpose or effect of unreasonably interfering with an individual's academic work performance or of creating an intimidating, hostile, or offensive situation or environment; or
- B. Submission to or rejection of such conduct by an individual is used on the basis for academic or employment decisions affecting that individual; or
- C. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment.

Additionally, Morningside College recognizes the impact of technology and electronic and social media has on our campus. Using electronic mail, text messaging, social networking sites, and other forms of technology to harass, annoy, abuse, or torment others, threaten violence, or incite or produce lawless action is subject to the College's policy on Computer Ethics and Network Acceptable Use (found in the [Student Handbook](#)), as well as the Harassment, Sexual Harassment, and Hate Crimes policies, and may be handled through the College's student conduct process.

The College takes reports of harassment and discrimination seriously. Students who believe they have been subjected to forms of harassment are encouraged to report such incidents to the Associate Dean of Students. Faculty and staff are encouraged to report such incidents to the Director of Human Resources. When a formal complaint is filed, the College reserves the right to conduct an investigation and impose sanctions or corrective measures as deemed appropriate and in accordance with College policies. All reports and investigations of harassment will be done as discreetly as possible; however, full confidentiality or anonymity may not be attainable. Retaliation against persons making a report of an incident in good faith will not be tolerated, and will be subject to additional College disciplinary actions as deemed appropriate.

The college prohibits harassment of or by members of the college community, guests or visitors to campus. Sexual harassment violates both college policy and, when a student is the victim, Title IX of the Educational Amendments of 1972; or when an employee is the victim, Title VII of the Civil Rights Act of 1964, as amended.

### **Formal Complaint Procedures**

Any person who believes that he or she has been subjected to harassment may file a formal complaint. The campus representative is available to assist with the composition of such a complaint. Guidelines governing the formal complaint stage are as follows:

1. The complainant will file a signed statement indicating the name(s) of the accused, the nature and date(s) of the incident(s) and a statement indicating that this is a formal complaint.
2. The written complaint will be forwarded to the campus representative for initiating the judicial process.
3. The campus representative will promptly notify the respondent of the complaint and will conduct a full, impartial and timely investigation into the alleged incident. Both parties shall be allowed to have an advisor of their choosing at any hearing. In order to investigate fully, the campus representative may confer with any personnel he/she feels is appropriate. The campus will be using a preponderance of the evidence standard for the evidence. All written records will be retained in a locked, secure area to protect the rights of all concerned parties and will be treated with the highest level of confidentiality.

### **Resources**

Students, faculty, staff and administrators are encouraged to discuss concerns related to sexual harassment with the resources listed below:

## **Campus Resources**

### *Campus Representatives:*

Director of Human Resources, 1<sup>st</sup> Floor, Lewis Hall, 712-274-5114

Work-study Coordinator, second floor, Lewis Hall, 712-274-5205

Alumni Director second floor, Lewis Hall, 712-274-5295

Personal Counseling Services – lower level, Olsen Student Center, 712-274-5606

Student Health Services - lower level, Olsen Student Center, 712-274-5178

Campus Safety and Security - main floor, Olsen Student Center, 712-274-5234

Dean of Students, first floor, Lewis Hall, 712-274-5191

Residence Life - lower level, Olsen Student Center, 712-274-5161

Campus Ministry - first floor, Olsen Student, 712-274-5148

## **Off-Campus Resources**

Council on Sexual Assault and Domestic Violence - 712-258-7233

Mercy Medical Center-Sioux City - 712-279-2010

Unity Point Health-Sioux City (formerly St. Luke's Health System) - 712-279-3500

Sioux City Police Department - 712-279-6960

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## **Domestic Violence/Abuse, Dating Violence/Abuse, and Stalking Policy**

Morningside College is concerned about the safety and welfare of all members of the campus community and is committed to providing living and learning environment, free of all forms of abuse, violence, harassment, and coercive conduct, including domestic abuse, dating violence, and intimate partner violence. In an effort to promote the dignity and well-being of members of the campus community, the College is committed to addressing allegations of domestic abuse, dating violence, and the like. The College provides educational programs to promote the overall awareness of domestic and dating violence and abuse and maintains a list of resources both on and off campus. The College has developed this policy which is consistent with the Domestic Violence Against Women Act and State of Iowa Code 708.

Morningside College will not tolerate acts of domestic and dating violence. Incidents of domestic and dating violence and abuse may include (but not limited to) physical assault and aggressive behavior such as hitting, punching, or choking; sexual violence or forcible, non-consensual sex acts between intimate partners (or attempts to commit the same); and emotional abuse. Members of the Morningside College community are strongly encouraged to report all incidents of domestic and dating violence and abuse. Reports of domestic and dating violence and abuse received by the College will be taken seriously and will be investigated.

Domestic and Dating Violence/Abuse may also have certain criminal and civil law repercussions. College personnel are available to assist victims in contacting law enforcement and emergency medical providers, if the student so chooses.

### **Definition of Terms:**

Morningside College has adopted several definitions based on statutory laws of the State of Iowa, the United States Department of Justice and through established best practices.

Pursuant to Iowa Code 708 and Chapter 236, the following is the statutory definition of domestic abuse in the state of Iowa.

### **Domestic Violence**

A felony or misdemeanor crime of violence committed:

- A. By a current or former spouse or intimate partner of the victim
- B. By a person with whom the victim shares a child in common
- C. By a person who is cohabitating with, or has cohabitated with the victim as a spouse or intimate partner
- D. By a person similarly situated to a spouse or the victim under domestic or family violence laws of the jurisdiction in which the violence occurred.
- E. By any other person against an adult or youth victim who is protected from the person's acts under domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure or wound someone. This may include:

Physical abuse: Hitting, slapping, shoving, grabbing, pinching, biting, hair pulling, etc. are types of physical abuse. This type of abuse also includes denying a partner medical care or forcing alcohol and/or drugs use upon him or her.

Sexual abuse: Coercing or attempting to coerce any sexual contact or behavior without consent. Sexual abuse includes, but is certainly not limited to, marital rape, attacks on sexual parts of the body, forcing sex after physical violence has occurred or treating one in a sexually demeaning manner.

Economic abuse: Is defined as making or attempting to make an individual financially dependent by maintaining total control over financial resources, withholding one's access to money, or forbidding ones attendance at school or employment.

Psychological abuse: Elements of psychological abuse include, but not limited to, causing fear by intimidation, threatening physical harm to self, partner, children, or partner's family or friends, destruction of pets or property, and forcing isolation from family, friends, or school and/or work.

**Domestic Abuse under Iowa Chapter 236:**

“Domestic abuse” means committing assault as defined in section 708.1 under any of the following circumstances:

- a. The assault is between family or household members who reside together at the time of the assault.
- b. The assault is between separated spouses or persons divorced from each other and not residing together at the time of the assault.
- c. The assault is between persons who are parents of the same minor child, regardless of whether they have been married or have lived together at any time.
- d. The assault is between persons who have been family or household members residing together within the past year and are not residing together at the time of the assault.
- e. (1) The assault is between persons who are in an intimate relationship or have been in an intimate relationship and have had contact within the past year of the assault. In determining whether the person are or have been in intimate relationship, the court may consider:
  - o The duration of the relationship
  - o The frequency of interaction
  - o Whether the relationship has been terminated
  - o The nature of the relationship, characterized by either party's expectation of sexual romantic involvement.

- (2) A person may be involved in intimate relationship with more than one person at a time.

**Assault under Iowa Code 708.1:**

An assault as defined in this section is general intent crime. A person commits an assault when, without justification, the person does any of the following:

1. Any act which is intended to cause pain or injury to, or which is intended to result in physical contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act.
2. Any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting, or offensive, coupled with the apparent ability to execute the act.
3. Intentionally points any firearm toward another, or displays in a threatening manner any dangerous weapon towards another. Provided that where the person doing any of the above enumerated acts, and such other person, are voluntary participants in a sport, social, or other activity, not in itself criminal, and such act is reasonably foreseeable incident of such sport or activity, and does create an unreasonable risk of serious injury or breach of the peace the act shall not be an assault.

Provided, that where the person doing any of above enumerated acts is employed by a school district or accredited nonpublic school, or is an area education agency staff member who provides services to a school or school district, and intervenes in a fight or physical struggle, or other disruptive situation, that takes place in the presence of the employee or staff member performing employment duties in a school building, on school grounds, or at an official school function regardless of the location, the act shall not be an assault, whether the fight or physical struggle or other disruptive situation is between students or other individuals, if the degree and the force of the intervention is reasonably necessary to restore order and to protect the safety of those assembled.

**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.

(i) 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.

(ii) For the purposes of this definition--

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

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

## **Stalking**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to--

- (A) Fear for the person's safety or the safety of others; or
- (B) Suffer substantial emotional distress.

For the purposes of this definition--

- (A) *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, surveys, threatens, or communicates to or about a person, or interferes with a person's property.
- (B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
- (C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling

Additional terms as defined by Morningside College:

### **Complainant (the Accuser)**

The person/persons filing the complaint with the College under the Domestic and Dating Abuse and Violence policy.

### **Respondent (the Accused)**

The person/persons names as the perpetrator in the complaint who is alleged to have committed an act in violation of this policy.

### **Response**

If you have experienced or are experiencing domestic and dating violence or abuse, please consider the following:

- A. Get to a safe place and seek out supportive people you can trust to assist you.** Contact a friend, resident assistant (R.A.), apartment manager (A.M.), head resident (H.R.), area coordinator (A. C.), residence life professional staff, campus Safety and Security, campus nurse, college staff or faculty, or someone you feel safe with.
- B. Create a safety plan.** The campus offices and resources listed above can help in identifying strategies and other measures that can be taken to enhance your personal safety and security. Safety plans may take in account your living situation, attending classes, and other regular campus activities and may aid in reducing any anxiety, fear, or

intimidation after an accident. A safety plan can be obtained through Residence Life, Student Services, or Campus Safety and Security.

- C. Get medical attention.** If you are injured, you should consider going to the hospital of your choice as soon as it is safe and possible. Getting medical attention will allow trained medical professional to assess and treat any injuries you may have received and answer any questions about your physical health.
  - a. UnityPoint Health-St. Lukes, 2720 Stone Park Blvd. Sioux City, IA
  - b. Mercy Medical Center-Sioux City, 801 5<sup>th</sup> Street, Sioux City, IA
- D. Write Down (document) what happened.** Make some personal notes about the incident from your perspective, when it happened, how the events of the incident took place, etc. This information may be helpful if you choose to report the incident to the College or the Sioux City Police Department. Personal notes may also help you remember what happened at a later time. If you have evidence (voicemails, texts, emails, social media, etc.) it is important to keep it so that it may be added to your case if necessary.
- E. Seek Help and Support.** Domestic and Dating Violence/Abuse can be a traumatic experience. Students are encouraged to seek assistance from a therapist or counselor to help process the events.
- F. Domestic and Dating Violence and Abuse is a crime and you are strongly encouraged to report it.** Reporting sexual abuse/sexual assault DOES NOT commit you to filing a complaint with the College or criminal charges with the Sioux City Police Department. You can make that decision later.

**Get help and support.** Counseling can provide guidance to your healing in a confidential setting. The College's Personal Counselor can also provide referrals to supportive organizations and other off-campus resources. Personal Counseling may be contacted at 712-274-5606.

The College recognizes that persons who are victims of Domestic and Dating Abuse and Violence have an important personal need for advocacy and support. The College's Associate Dean of Students maintains a record of advocacy and support services available, i.e., Council on Sexual Assault and Domestic Violence (712-258-7233) and other agencies that may assist in this regard. The campus and the community offer services to assist the victim of Domestic and Dating Abuse and Violence, including the transportation to the hospital, as advocates in the legal process, and in working towards psychological recovery from assault.

### **Reporting the Incident**

Students have the following options to report any instances of Domestic and Dating Violence and Abuse. You have the right to choose to do any or all of these options, or to do nothing. The choice is yours:

- 1. Report the incident of abuse/violence, but choose not to file a complaint with the college or criminal charges:**
  - c. A report is a written or typed account of what happened that is taken by the Dean of Students, Associate Dean of Students, or anyone listed as an On-Campus Resource for reporting Domestic and Dating Abuse and Violence. This report is for documentation purposes only and will be kept on record with the College

- d. If a student wishes NOT to pursue the case through the College conduct system, the student will be able to determine that when he/she provides his/her report.
  - e. If the student is unsure, he/she wishes to file a report, they are encouraged to do so anyone so that information about the incident is documented while it easily remembered.
  - f. Having a Domestic and Dating Abuse and Violence experience documented by a College staff member does not obligate you to report the incident to the Sioux City Police Department. Similarly, reporting directly to the Sioux City Police Department does not obligate you to file a complaint with Morningside College. These are separate processes.
- 2. File a formal complaint with the College:**
- a. This report is designated as formal complaint by the complainant, and the College will investigate the incident as appropriate. A written or typed account of what happened is taken by the Dean of Students, Associate Dean of Students, or anyone listed as an On-campus Resource for Reporting Domestic and Dating Abuse and Violence.
  - b. A student will be able to choose not to pursue the case at any time throughout the process.
  - c. The College will investigate the incident, which may including speaking to the respondent (the accused), witnesses, and gathering other information. The College will then make recommendation or decision based upon the information presented. The investigation may take several days or weeks, depending on the circumstances.
  - d. Conduct processes, as outlined in the [Student Handbook](#), will be followed throughout the process of the complaint, including allowing both parties to have a representative at any hearing and using a preponderance of evidence standard.
- 3. Pursue criminal charges**
- a. A student that wishes to file criminal charges will need to file an official report of the assault with the Sioux City Police Department. Responding officers can contact the proper authorities if the assault took place outside their respective jurisdiction.
  - b. On-Campus Resources for reporting Domestic and Dating Abuse and Violence, the Office of Residence Life, and Campus Safety and Security can assist you in contacting the Sioux City Police Department.
  - c. Filing a report with the Sioux City Police Department does not obligate a student to follow through with legal action or action through the College.
- 4. Pursue both college and criminal charges**
- a. The process outlined in Option #2 and Option #3 occurs at the same time.
  - b. College proceedings and criminal investigations and adjudication of the incident occur independently.

Incidents of Domestic and Dating Abuse and Violence may be reported either by the victim or by another person who shall serve as a liaison with the appropriate college personnel. The information given regarding incidents of Domestic and Dating Abuse and Violence will be kept confidential to the fullest extent permitted by law and be handled with the student's privacy and discretion in mind.

### **Confidentiality**

If you have been affected by an incident involving Domestic and Dating Abuse and Violence you may wish to seek confidential counseling and support. You could speak with any of the following **confidentially**. They will listen and explain options, and will maintain information received as private. They will not share confidential information with College personnel others unless required to do so by law. All of the following resources are free of charge. **Talking to any of the following resources (even those on campus) DOES NOT constitute reporting the incident.**

Student Health Nurse Olsen Student Center Lower Level	712-274-5178
Personal Counselor Student Services, Lewis Hall 219	712-274-5606
Council on Sexual Assault and Domestic Violence	712-258-7233
National Coalition Against Domestic Violence	1-800-799-SAFE (1-800-799-7233)

Members of local clergy, pastors, etc.

**NOTE:** Morningside College complies with federal laws requiring the annual reporting of crimes statistics in accordance with the Clery Act and the Violence Against Women Act (VAWA)/Campus SaVE Act. Morningside College must disclose non-personally identifiable information regarding incidents of Domestic and Dating Abuse and Violence.

### **On-Campus “Mandatory Reporting” Resources**

Director of Safety and Security	712-274-5500, HJF Learning Center
Assistant Director of Safety and Security	712-274-5505, HJF Learning Center
Dean of Students	712-274-5191, 1st Floor, Lewis Hall
Director of Student Health	712-274-5178, Olsen Student Center
Associate Dean of Students	712-274-5390, Olsen Student Center
Assistant Director of Res. Life	712-274-5335, Olsen Student Center
Area Coordinator, Student Engagement	712-274-5339, Olsen Student Center
Area Coordinator, Student Activities	712-274-5337, Olsen Student Center
Personal Counselor	712-274-5606, Olsen Student Center
Provost	712-274-5103, 1 <sup>st</sup> Floor, Lewis Hall
Vice President of Student Services	712-274-5257, 1 <sup>st</sup> Floor, Lewis Hall
Associate Academic Dean	712-274-5292, 1 <sup>st</sup> Floor, Lewis Hall



### **Off Campus Resources for Reporting**

Sioux City Police Department

911 or 712-279-6960

Council on Sexual Assault and Domestic  
Violence

712-258-7233

### **Disciplinary Actions**

Violations of the Domestic Abuse and Violence Policy will result in disciplinary action for any perpetrator who is found guilty of the offense under college disciplinary procedures. The disciplinary action may include counseling to understand the impact of this behavior on others and may result in action including suspension from College. Any student perpetrator who is found by the College to be guilty of Domestic and Dating Abuse and Violence may be suspended indefinitely from the institution.

Both the complainant and the respondent are entitled to the same opportunity to have others present during a conduct committee hearing as outlined in the Students' Rights, Freedoms, and Responsibilities Statement.

Both the complainant and respondent shall be informed of the outcomes of any campus disciplinary proceeding brought by alleging Domestic and Dating Abuse and Violence.

The Room Transfer Policy in the [Student Handbook](#) states that the college has the right to change a student's room assignment for medical, disciplinary, or health reasons. As stated in the Students' Rights, Freedoms, and Responsibilities Statement, a student has the right to be present on campus and attend classes except for reasons relating to the student's physical well-being or for reasons relating to the safety of students, faculty, or staff, or college property.

All Morningside College students have the right to feel safe in their residence hall rooms, as it is their home. If a student feels unsafe in their residence hall room, the student should contact the Office of Residence Life to discuss options. Options may include a room transfer within their same residence hall, temporary housing arrangements, or moving to a different residence hall entirely. For more information, please contact the Office of Residence Life at 712-274-5335. Offices as On-Campus Resources can assist you in contacting Residence Life to explore housing options if you do not feel comfortable doing so.

Morningside College students also have the right to feel safe in attending their classes so that students can be successful academically. If you would like to discuss possible options for alternate academic arrangements, please contact the Associate Dean for Academic Affairs at 712-274-5388.

### **Rights of the Complainant**

- To be free from any suggestions or feeling obligated that the complainant MUST report the crimes.
- To be able to choose the level of involvement in the College Disciplinary proceedings against the respondent, including the right to an advocate.

- To have any allegations of Domestic And Dating Abuse and Violence treated seriously and without judgment.
- To be treated with dignity.
- To be free from any suggestions the complainant is responsible for the commission of crimes against her/him.
- To be free from any pressure personnel to:
  - Refrain from reporting policy violations
  - Report policy violations in the complainant does not wish to do so.
  - Report policy violations as lesser offenses.

### **Rights of the Respondent**

- To be provided with a full and complete explanation of the charges.
- To be presumed innocent unless proven otherwise.
- To be provided with an explanation of the possible range of sanctions or punishments.
- To cross-examine witnesses and to testify on his/her own behalf.
- To remain silent during hearing proceedings.
- To present witnesses and documentary evidence, and an explanation or argument on his/her behalf.

### **False Reporting**

Morningside College will not tolerate intentional false reporting of Domestic and Dating Abuse and Violence. It is a violation of College policy to make an intentionally false report of Domestic and Dating Abuse and Violence, and it may also violate state criminal statutes and civil defamation laws.

### **Statement Regarding Non-Retaliation**

The College is committed to protecting the rights of both the complainant and respondent in situations involving Domestic and Dating Abuse and Violence. Retaliation against members of the College community who make good faith reports regarding potential College-related violations of laws, regulations, or College policies is prohibited, and violators may be subjected to disciplinary action up to and including dismissal or expulsion from the College.

### **Education Programs: Sexual Assault, Domestic Violence, Dating Violence, Stalking, and Bystander Intervention**

Educational programming is done throughout the year in the residence halls and on campus through the assistance of Campus Safety and Security, Residence Life, Student Activities, and various other campus and local organization. All programs are open to the entire campus including students, faculty, and staff to attend. Information is also posted throughout campus via posters, sent out via email, and posted on the MySide intranet website.

Below is a list of the resident hall educational activities:

**Program Title**

Healthy Relationships  
How alcohol affects you  
MAC Sex Carnival  
Questions to ask your partner before sex  
Relationships  
Safe Sex  
Safe Sex and Abstinence  
Safer Sex  
Sex Carnival  
Sex Rules  
Sexual Health  
Sexual Health Life Skill  
STD Game  
"I'm Drunk" Bingo  
Activities with Drunk Goggles  
Alcohol Awareness  
Alcohol Awareness Bulletin Board  
Alcohol Awareness Function  
Alcohol Awareness Life Skill  
Alcohol Awareness Party  
Alcohol Building Function  
Alcohol Bulletin Board  
Alcohol Education  
Alcohol Life Skill  
Alcohol party  
Alcohol Trivia  
Alcohollllll  
Blood Alcohol Content Calculator  
Drivin' Drunk  
Drunk Dancing!  
Drunk Driving  
Drunk Games  
Drunk Mario kart  
Hall meeting and alcohol Policies  
Jenna Marbles Drunk Make-Up Challenge  
MAC's Shot of Reality  
Mario Kart Madness(Alcohol Awareness)  
Mold Yourself  
Myths About Alcohol

Roadman Beginning of the Year Party - Alcohol  
Awareness  
Shot of Reality  
Sober Driver  
Sober driver key chains  
Water Pong!  
He does what he wants  
Security  
Safety and Security  
Safety tips  
Security Panel  
Alcohol Awareness "Cup Roulette"  
BYOF (Bring Your Own Friend)  
Coffee and Doughnuts  
Consent is Sexy!  
Decorating our Rape Whistle  
Decorating Rape Whistles  
Don't take candy from strangers  
DQ and Sexual Assault  
Keeping You Safe  
Lets Talk About SEX  
Lets Talk About Sexual Assault  
MTW Sexual Assault  
Personalize your Rape Whistle  
September Life Skill  
Sex and Candy!  
Sex Facts  
SEX Questions  
Sexual Assault  
Sexual Assault quiz  
Sexual Assault Hall function  
The not so fun facts about sexual assault  
What do you know? Sex Facts  
Are you safe on Facebook  
Internet Security  
Safe on Facebook and safe during storms  
Safety & Security

On campus activities included emails and posters on and to the entire campus. Many of the programs were done across campus at various times. Commuters were informed of this information via the Commuter Connection and emails sent out during the year.

## **Restraining Orders and Orders of Protection**

Morningside College will work with local, state, and tribal authorities to enforce all orders of protection, restraining orders, and other similar lawful orders issued by criminal, civil, and tribal courts. This will include escorting individuals off campus or contacting local law enforcement for assistance in removing individuals from campus property and/or buildings as needed. It is the right of the victim to have a safe place to live and attend school free from the threat of previous perpetrators.

## **Policy on the Reporting of Suspected Child Abuse**

### **I. PURPOSE**

The purpose of this policy is to provide guidance to staff, faculty, and students of the Morningside College community regarding the mandatory requirements in Iowa law that govern the reporting of suspected cases of child abuse; and to affirm the commitment of the college to the protection of the safety and welfare of children who come into contact with the Morningside College community.

### **II. DEFINITIONS**

A. "Abuse" means:

1. The physical or mental injury of a child by a person who has permanent or temporary care or custody or responsibility for supervision of a child; or
2. Sexual abuse of a child, whether physical injuries are sustained or not, defined as any act that involves sexual molestation or exploitation of a child by a parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child.

B. "Child" means any individual under the age of 18 years.

### **III. REPORTING REQUIREMENTS**

A. Reporting Requirements for any college employee, who in the scope of the employee's employment responsibilities examines, attends, counsels, or treats a child.

Any college employee who has reason to believe that a child has been physically or sexually abused shall report this suspicion as follows:

1. A verbal report shall be made as immediately as is practicable, within 48 hours of the event that caused the employee to believe that a child has been subject to abuse:
  - a. To the Director of Safety and Security, or the Campus Conduct Hotline; and
  - b. Nothing shall limit an employee from reporting directly to law enforcement.
2. A written incident report shall also be provided to the Vice President for Business and Finance within 48 hours of the event that caused the employee to believe that a child has been subject to abuse.
  - a. The report shall include the following information, to the extent that it is known by the employee:
    - i. The name, age, and home address of the child;
    - ii. The name and home address of the parent or other person responsible for the care of the child;
    - iii. The child's whereabouts;
    - iv. The nature and extent of the suspected abuse, including any information regarding possible previous instances of abuse; and
    - v. Any other information that may help to identify the person responsible for the abuse or determine the cause.

B. Questions Regarding the Reporting Requirements.

Questions regarding the applicability of these requirements to a particular individual or situation may be directed to Vice President for Business and Finance.

### **IV. POLICY IMPLICATIONS AND CONSEQUENCES**

A. Failure to Report.

Any employee who fails to report suspected child abuse in violation of this policy may be subject to discipline for misconduct, up to and including termination of the employee's employment.

B. Confidentiality.

The confidentiality of a report of suspected child abuse, including the identity of an individual who makes a report under this policy, the individual suspected of abuse, and the child who may have been abused, will be protected consistent with relevant federal and state laws.

C. Retaliation

No employee will suffer retaliation for reporting alleged instances of child abuse. Any person found to have made an unsubstantiated complaint with intentional dishonesty or malice will also be subject to appropriate corrective action.

### **V. RESPONSIBILITIES OF THE INSTITUTION**

A. Information Dissemination.

Employees, students and other members of the campus community shall be informed of this policy through [Employee](#) or [Student Handbook](#), and any other appropriate means of communication.

B. Training.

Employees and students who have regular contact with children will receive periodic training in the requirements of this policy.

C. Cooperation with Other Agencies.

The college will cooperate fully and appropriately with any investigation of suspected child abuse by a local department of social services or law enforcement agency. If the individual suspected of child abuse is an employee, student, or contractor of the college, the college will coordinate its own investigation or other activities in response to a report with the appropriate local agency.

### **SEX OFFENDER REGISTRATION**

In accordance to the “Campus Sex Crimes Prevention Act” of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act, and the Family Educational Rights and Privacy Act of 1974, the Campus Safety and Security is providing a link to the Iowa Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in the State at which the person is employed, carries a vocation, or is a student. In the State of Iowa, sex offenders must register through the Iowa Sex Offenders Registry which is maintained by the Department of Public Safety.

The Iowa Sex Offenders Registry: <http://www.iowasexoffender.com/>

### **HATE CRIMES POLICY**

Hate Crimes are defined as any crime that manifests evidence that a victim was selected because of his/her actual or perceived race; gender; gender identity; religion; sexual orientation; ethnicity; national origin or disability. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's perceived race; gender; gender identity; religion; sexual orientation; ethnicity; national origin or disability, the crime is classified as a hate crime. Hate Crime, as defined in Iowa Code 729.A.2 means one of the following public offenses (assault, criminal mischief, trespass, arson) when committed against a person or person's property because of the person's race, color, religion, national origin, political affiliation, sex, sexual orientation, gender identity, age, disability, or a person's association with a person of any of the above determinants.

**Assault** is defined in Iowa Code 708.1 is any act committed without justification intended to cause pain or injury; insulting or offensive physical contact; intention to place another in fear; threats involving firearms or dangerous weapons.

**Criminal Mischief** as defined in Iowa Code 761.1 is any intentional damage, defacing, alteration, or destruction of tangible property.

**Trespass** as defined in Iowa Code 716.7 is entering property without permission of the owner with intent to commit public offense; remaining after being requested to abstain or vacate; or removing, altering, or damaging items.

**Arson** as defined in Iowa Code 712.1 is causing fire or explosion; placing burning or combustible incendiary or explosive materials or devices in or near property with intent to destroy or damage such property or with knowledge that property be damaged, whether damage results or not.

**Policy:**

The College may discipline any student in non-academic matters if he or she is found to have committed the following misconduct on college premises or functions sponsored by or participated in by the College:

- A. Any behavior that is directed at a specific person or group of persons, and which creates an environment wherein the behavior is inherently likely to provoke a violent action where or not it actually does so.
- B. Behavior by any student, in class or out of class, which for any reason whether it stems from time, place, or type of behavior-disrupts the class work of others, involves substantial disorder, invades the rights of others, or otherwise disrupts the regular and essential operation of the College.
- C. Participation in a campus demonstration: See Freedom of Inquiry and Expression in the [Student Handbook](#).
- D. Behavior of any kind that involves an expressed or implied threat to interfere with an individual's personal safety, academic efforts, employment, or participation in college sponsored extracurricular activities. The sanction or sanctions imposed by the College upon a student may be enhanced when the student has
  - 1. Violated the lawful regulations in the Student Code, and
  - 2. Intentionally selected the person or persons against whom the underlying violation was committed or selected property which was damaged or otherwise affected by the student code because of race, religion, color, disability, sexual orientation, national origin, or ancestry of that group of persons or the owner(s) or occupant(s) of that property. Whether the intent required (as specified in the paragraph above) is present shall be determined by consideration of all relevant circumstances.

**Reporting the Incident**

Students have the following options to report any instances of hate crimes. You have the right to choose to do any or all of these options, or to do nothing. The choice is yours:

- 1. Report the incident of abuse/violence, but choose not to file a complaint with the college or criminal charges:**
  - g. A report is a written or typed account of what happened that is taken by the Dean of Students, Associate Dean of Students, or anyone listed as an On-Campus Resource for reporting hate crimes. This report is for documentation purposes only and will be kept on record with the College



- h. If a student wishes NOT to pursue the case through the College conduct system, the student will be able to determine that when he/she provides his/her report.
  - i. If the student is unsure, he/she wishes to file a report, they are encouraged to do so anyone so that information about the incident is documented while it easily remembered.
  - j. Having a hate crime experience documented by a College staff member does not obligate you to report the incident to the Sioux City Police Department. Similarly, reporting directly to the Sioux City Police Department does not obligate you to file a complaint with Morningside College. These are separate processes.
- 2. File a formal complaint with the College:**
- a. This report is designated as formal complaint by the complainant, and the College will investigate the incident as appropriate. A written or typed account of what happened is taken by the Dean of Students, Associate Dean of Students, or anyone listed as an On-campus Resource for Reporting Hate Crime Policy violation.
  - b. A student will be able to choose not to pursue the case at any time throughout the process.
  - c. The College will investigate the incident, which may include speaking to the respondent (the accused), witnesses, and gathering other information. The College will then make recommendation or decision based upon the information presented. The investigation may take several days or weeks, depending on the circumstances.
  - d. Conduct processes, as outlined in the [Student Handbook](#), will be followed throughout the process of the complaint.
- 3. Pursue criminal charges**
- a. A student that wishes to file criminal charges will need to file an official report of the assault with the Sioux City Police Department. Responding officers can contact the proper authorities if the assault took place outside their respective jurisdiction.
  - b. On-Campus Resources for reporting hate crime violations, the Office of Residence Life, and Campus Safety and Security can assist you in contacting the Sioux City Police Department.
  - c. Filing a report with the Sioux City Police Department does not obligate a student to follow through with legal action or action through the College.
- 4. Pursue both college and criminal charges**
- a. The process outlined in Option #2 and Option #3 occurs at the same time.
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Incidents of hate crimes may be reported either by the victim or by another person who shall serve as a liaison with the appropriate college personnel. The information given regarding incidents of hate crimes will be kept confidential to the fullest extent permitted by law and be handled with the student's privacy and discretion in mind.

### **Disciplinary Actions**

Violations the Hate Crime Policy will result in disciplinary action for any perpetrator who is found guilty of the offense under college disciplinary procedures. The disciplinary action may include counseling to understand the impact of this behavior on others and may result in action including suspension from College. Any student perpetrator who is found by the College to be guilty of hate crimes may be suspended indefinitely from the institution.

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Morningside College students also have the right to feels safe in attending their classes so that students can be successful academically. If you would like to discuss possible options for alternate academic arrangements, please contact the Associate Dean for Academic Affairs at 712-274-5388.

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- To be free from any suggestions or feeling obligated that the complainant MUST report the crimes.
- To be able to choose the level of involvement in the College Disciplinary proceedings against the respondent, including the right to an advocate.
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- To be treated with dignity.
- To be free from any suggestions the complainant is responsible for the commission of crimes against her/him.
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Morningside College will not tolerate intentional false reporting of hate crimes. It is a violation of College policy to make an intentionally false report of hate crimes, and it may also violate state criminal statutes and civil defamation laws.

### **Statement Regarding Non-Retaliation**

The College is committed to protecting the rights of both the complainant and respondent in situations involving hate crimes. Retaliation against members of the College community who make good faith reports regarding potential College-related violations of laws, regulations, or College policies is prohibited, and violators may be subjected to disciplinary action up to and including dismissal or expulsion from the College.

### **SECURITY ALERTS**

Morningside College makes timely reports to the campus community regarding crimes reported to Campus Safety and Security and/or the Sioux City Police Department that are considered a threat to other students and employees. In the case of a major emergency or severe weather, alerts are posted via the *Morningside Electronic Notification System*, which will alert all students, faculty and staff via a text message to their cell phone and an email to their college email account. They may also be posted in the residence halls, the Olsen Student Center and in the campus newspaper, the *Collegian Reporter*. In some instances, the alerts will be broadcast via KMSC Fusion 92.9, the campus radio station. In the case of a major emergency, updates will be posted to the college website and messages will be sent out via the *Electronic Notification System*. In the case of the campus being closed due to weather, a message will also be sent out using the *Electronic Notification System* from the Academic Affairs Office. Crime and Security alerts will be issued via an e-mail sent out to all students, faculty, and staff alerting them of crimes that may put the campus at-risk for both short-and long-term periods of time. Security Alerts are advisories reminding the campus community of crime trends, not necessarily in response to a specific crime.

### **TIMELY WARNINGS**

In the event that a situation arises, either on or off campus, that in the judgment of the Director of Campus Safety and Security or his designee constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued without delay to the campus community and the proper law enforcement authorities will be contacted, if appropriate. Emergencies where issuing a notification would compromise efforts to assist a victim, contain the emergency, respond to the emergency or mitigate the emergency aren't subject to the emergency notification requirement.

Anyone with information that would warrant a timely warning should report the information to the Campus Safety and Security Office by phone at 274-5234 or in the Safety and Security Office in the Olsen Student Center.

### **EMERGENCY NOTIFICATIONS**

If there is a situation that poses an immediate threat to the campus and community, the Emergency Notification System will be used and will include a short message that the campus is in a lock down and that everyone should lock themselves in place. Further details will be sent out as warranted. If the situation warrants and there is information available, information may be posted to the campus website to inform the community and parents.

When the campus is in lockdown, everyone should lock themselves in their current location, turn off lights, radios, computers, and turn cell phones to silent or vibrate. It is encouraged to get yourself out of sight and try to hide remain out of sight until it is safe to leave. It is encouraged if possible and are able to call and give information concerning the situation without putting yourself in danger to assist Campus Safety and Security and the Sioux City Police Department. When it is safe, an all-clear will be issued via the Emergency Notification System or if you are asked to go with a member of the Sioux City Police Department when they are sweeping through a building.

Morningside College uses an Opt-Out System for the Emergency Notification System. All students, faculty, and staff are automatically enrolled in the system if they supply a cellphone number to the college. All students, faculty, and staff will receive an email notification whenever there is an alert being sent out even if they opt out of the cellphone notifications.

### **EMERGENCY PROCEDURES**

Morningside College maintains an emergency response plan to guide it through a sensitive or dangerous situation. Examples are, but not limited to, fires, explosions, natural disasters, and violent crime events. When such an event is verified, the college community will be notified via the Emergency Notification System and action will be taken immediately to isolate the affected area, remove those in the affected area, and stabilize the area pending arrival of emergency response organizations. An emergency will be declared and the college Emergency Operations Center (EOC) will be established to resolve the situation and support any non-campus organizations called in to resolve the situation. When the EOC had determined the emergency has ended and it is safe to return to campus or resume regular activities, notice will be sent out to the entire campus community. Depending on the duration of an emergency, information will be sent out to the campus alerting them of the status of the situation.

#### **Process of alerting campus and surrounding area**

1. Once a report is received the Director of Safety and Security or his designee will check its validity if possible.
2. If possible, the Director of Safety and Security or his designee will confer with the Associate VP of Business and Finance/Controller on the report.
3. If not possible, an alert will be sent out to the campus that a report has been received without any delay. If only a portion of campus is affected, that affected segment will be

notified. If it the report requires the entire campus to be notified, an alert will be sent to the entire campus.

4. Depending on the situation, the alert will include information on what to do such as locking in place, evacuate the area, shelter in place, and so on. This will be determined at the time of the report and the appropriate notification will be sent out.
5. Once the appropriate message is formed, the notification will be sent out to campus.
6. Information will be sent to the local media if it is deemed necessary to ensure the safety of those around campus.
7. Information will be sent to the local school district as a elementary school is next to campus to ensure they are in lock down if necessary.

### **TESTING OF EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

Evacuation drills are coordinated by Campus Safety and Security and Residence Life in all the residence halls and apartments four times a year. Students will learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. Campus Safety and Security and Residence Life does not notify residents in advance about the evacuation drills to mimic a real-life situation so they will treat it accordingly. Designated long-term locations are planned out depending on the location of the residence hall and any events that may be going on at that specified time. Campus Safety and Security and Residence Life will make the determination if a long-term location will be needed at the time of the incident and plan accordingly.

Email notifications are sent out concerning evacuation procedures concerning academic buildings. Faculty and staff are encouraged to communicate with their students and their respective offices on where they will meet if they do need to evacuate and what to expect.

The entire campus is notified of emergency procedures every semester via email and during hall meetings. All tornado shelters are clearly marked on campus and the list is communicated to the entire campus so they can prepare in the event they need to be used. The campus is notified of what to do during all types of emergencies and this information is also readily available online on the Campus Safety and Security website.

### **MORNINGSIDE COLLEGE CRIME STATISTICS**

#### **Annual Disclosure of Crime Statistics**

The Morningside College Campus Safety and Security Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crimes Statistics Act (Clery Act) (20 USC § 1092). The full text of this report can be located on our website at <http://www.morningside.edu/morningside/Security/Security.htm>. This report is prepared in cooperation with the local law enforcement agencies surrounding our campus, the Department of Resident Life, the Judicial Officer, and Student Services. Each provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to the Campus Safety and Security Office, designated campus officials, (including but not limited to directors, deans,

department heads, resident life staff, advisors to students/student organizations, and athletic coaches), and local law enforcement agencies. Student Services and counseling staff inform their clients of the procedures to report crime to Campus Safety and Security on a voluntary or confidential basis, should they feel it is in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during a session.

Each year, an email notification is made to all enrolled students, faculty, and staff that provide access to this report. Copies of this report may also be obtained at the Campus Safety and Security Office located in the Olsen Student Center or by calling 712-274-5234. All prospective employees may obtain a copy from Human Resources located in the Business Office that is located on the first floor of Lewis Hall or by calling 712-274-5114.

The following criminal occurrences were reported to Campus Safety and Security. The statistics are presented in accordance with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092). The definitions for these crimes are taken from the FBI's Uniform Crime Reporting Program, as modified by the Hate Crime Statistics Act. These statistics are drawn from Campus Safety and Security files, residence life records and campus Safety and Security authorities (coaches, faculty, staff, etc.), as defined by the Clery Act.

**Yearly Totals  
Criminal Offenses**

**2013      2014      2015**

**On Campus**

Murder / Non-negligent manslaughter	0	0	0
Sex offenses (including rape)	0	0	NA
Rape	N/A	N/A	0
Fondling	N/A	N/A	0
Incest	N/A	N/A	0
Statutory Rape	N/A	N/A	0
Non-forcible sex offenses	0	0	N/A
Stalking	N/A	0	0
Domestic Violence/Abuse	N/A	0	0
Dating Violence/Abuse	N/A	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	1^
Motor vehicle theft	0	0	0
Arson	0	0	0
Negligent manslaughter	0	0	0

**Residence Halls**

Murder / Non-negligent manslaughter	0	0	0
Sex offenses (including rape)	0	0	N/A
Rape	N/A	N/A	0
Fondling	N/A	N/A	0
Incest	N/A	N/A	0
Statutory Rape	N/A	N/A	0
Non-forcible sex offenses	0	0	N/A
Stalking	N/A	0	0
Domestic Violence/Abuse	N/A	0	0
Dating Violence/Abuse	N/A	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
Negligent manslaughter	0	0	0

**Public Property**

Murder / Non-negligent manslaughter	0	0	0
Sex offenses (including rape)	0	0	N/A
Rape	N/A	N/A	0
Fondling	N/A	N/A	0
Incest	N/A	N/A	0
Statutory Rape	N/A	N/A	0
Non-forcible sex offenses	0	0	N/A
Stalking	N/A	0	0
Domestic Violence/Abuse	N/A	0	0
Dating Violence/Abuse	N/A	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	2>
Arson	0	0	2*
Negligent manslaughter	0	0	0

**Hate Offenses**

Morningside College had no reportable hate offenses for 2013, 2014, or 2015

**Arrests/Referrals/Fines****On Campus****Liquor law violations**

Arrests	0	0	0
Referrals	0	23	97#

**Drug law violations**

Arrests	0	0	3
Referrals	0	0	1

**Illegal weapons possessions**

Arrests	0	0	0
Referrals	0	0	0

**Residence Halls****Liquor law violations**

Arrests	0	0	0
Referrals	0	16	97#

**Drug law violations**

Arrests	0	0	0
Referrals	0	0	1



**Illegal weapons possessions**

Arrests	0	0	0
Referrals	0	0	0

**Public Property****Liquor law violations**

Arrests	0	0	0
Referrals	0	0	0

**Drug law violations**

Arrests	0	0	0
Referrals	0	0	0

**Illegal weapons possessions**

Arrests	0	0	0
Referrals	0	0	0

^ Business Office in April 2015.

\*Two fires was started by an individual from off campus behind a residence hall. The individual was arrested a short time awhile after and charged in both cases.

#change in reporting procedures increased the number of referrals that are reported.

>2 vehicles were reported stolen from the street (public property). No student vehicles were involved in the reports.

*Definitions***Criminal Homicide**

- **Murder and non-negligent Manslaughter** is defined as the willful (non-negligent) killing of one human being by another
- **Negligent manslaughter** is defined as the killing of another person though gross negligence

**Rape** is the unlawful sexual activity and usually sexual intercourse carried out forcibly or under threat of injury against the will usually of a female or with a person who is beneath a certain age or incapable of valid consent.

**Fondling** is to feel for sexual pleasure, especially against their will.

**Incest** is the crime of having sexual intercourse with a parent, child, sibling, or grandchild.

**Statutory Rape** law is violated when a person has consensual sexual intercourse with an individual under age 16. A close in age exemption allows teens aged 14 and 15 to consent to partners less than 4 years older.

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

**Aggravated assault** is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by the means likely to produce death or great bodily harm.

**Burglary** is the unlawful entry of a structure to commit a felony or a theft. (each bedroom in a student housing is considered a separate dwelling.)

**Motor vehicle theft** is the theft or attempted theft of a motor vehicle

**Arson** is any willful or malicious burning or attempt to burn with or without intent to defraud, a dwelling, house, a public building, motor vehicle, or person property of another person

**Larceny-theft** is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**Simple Assault** is the 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** is to unlawfully place another person in a 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.

**Vandalism of Property** is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or person having custody or control of it.

**Weapons: Carrying, possessing, etc.,** is defined as 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. This classification encompasses weapons offenses that are regulatory in nature.

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

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

*Anyone may request to see the statistics at any time. A hard copy may be presented at a person's request. Prospective students and their parents may request to see or have a hard copy presented to them during their visits to campus. All students and employees have access to these records by stopping at the Campus Safety and Security Office located in the lobby of the Olsen Student Center.*



# **CAMPUS SECURITY**

## *2013 Annual Fire Report*

*The Morningside College experience  
cultivates a passion for life-long learning  
and a dedication to ethical leadership and civic responsibility*

## **FIRE REPORT INTRODUCTION**

Morningside College takes precautions to prevent fires from occurring in all campus residence halls. The Residence Life Staff, Campus Safety and Security, and building maintenance and custodial staffs are all trained in how to use fire extinguishers, how to evacuate students and staff, and how to call Sioux City Fire Rescue yearly. All fire extinguishers are checked yearly by law and if one is noticed to be missing and/or used, it is immediately replaced or recharged for future use.

However, it takes precautions by everyone, including all students that are living in the residence halls to help prevent fires from happening at all. Students can take precautions such as not leaving laptop computers on beds or blankets, not using open flames (candles, matches, lighters) in the dorms and checking electrical cords to ensure that if they are torn, they are replaced.

### **ITEMS NOT PERMITTED IN THE DORMS**

The following are not permitted in the residence halls at any time:

- Open flames (candles, lighters, matches)
- Smoking
- Microwaves in the room
- Hot Plates in the room
- Portable heaters

### **EVACUATION PROCEDURES**

Once the fire alarm is set off, Residence Life staff will evacuate all those in the dorm and move them to the safest place possible away from the building. Residence Life staff will go from room to room and enter the room and tell those in the room that they will need to evacuate immediately. Those students found not in compliance are fined for failure to evacuate. They will then proceed to the fire panel box to see where the alarm is located and go investigate the problem. Most the residence halls are on an automatic call from our alarm company, Midwest Alarm, to call Sioux City Fire Rescue. Residence Life staff will at no time put themselves in danger to put out a fire. If they are unable to extinguish the fire with an extinguisher, they will evacuate and let Sioux City Fire Rescue know of the location and extent of the fire if one is present. Once Sioux City Fire Rescue gives the “all-clear” to Campus Safety and Security and/or Residence Life, students will be allowed to re-enter the dorm and rooms. If there is an extended period of time that the students may be outside during inclement weather, they will be moved to another building until the situation is resolved. If there happens to be a fire and the building is not suitable for occupancy, temporary housing will be provided on campus in cooperation with college staff and the Siouxland Red Cross if warranted.

During inclement weather students will be moved inside to another building to keep them out of the elements.

### **Reporting Fires**

If a fire does occur on campus, students, faculty, and staff are to call 911 and Campus Safety and Security to notify them of the situation. Safety and Security staff also notifies the Director and

Assistant Director of Safety and Security when there are alarms on campus and when Sioux City Fire Rescue is on scene. If there is a fire, the Director and/or the Assistant Director of Safety and Security will respond accordingly along with the Director of Facilities and Vice President of Communications and Marketing. When a fire occurs in the residence halls, the Director of Safety and Security and/or Assistant Director of Safety and Security will notify the Vice President of Business and Finance, Vice President of Student Services, Vice President of Communications and Marketing, Vice President for Advising, Vice President for Institutional Advancement, Dean and Associate Dean of Students, and Provost, and the President.

### **WHO TO REPORT FIRES TO**

Per federal law, Campus Safety and Security is required to annual disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the non-emergency numbers to call to report fires that have already occurred and been extinguished in on-campus housing. These are fires for which you are unsure whether Campus Safety and Security or Residence Life may already be aware. If you find evidence of such a fire, or you hear about such a fire, please contact one the following:

Campus Safety and Security	712-274-5234
Director of Safety and Security	712-274-5500
Assistant Director of Safety and Security	712-274-5505
Assistant Director of Residence Life	712-274-5335
Area Coordinator, Residence Life	712-274-5339
Area Coordinator, Residence Life	712-274-5337
Associate Dean of Students	712-274-5390

When calling, please provide as much information as possible about the location, date, time, and cause of fire.

### **FIRE SAFETY EDUCATION AND TRAINING PROGRAMS**

Fire safety education programs for all students living in on-campus student housing and all employees that have any association with on-campus student housing are held at the beginning of each academic year. These programs are designated to: familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire, and distribute information on the college's fire safety policies. Everyone is made aware that there are maps in each dorm room of the nearest evacuation route from their rooms in the case of a fire and where fire pull stations are located as well. During these times, it is stressed that at any time the fire alarm goes off that it should be treated as a real fire situation. Students with disabilities are assisted by the "buddy" system. There are also fire drills done each semester to help educate students and residence life staff of what to do in the event of a fire.

Faculty and staff have building meetings where fire safety is addressed. They are reminded of how to use a fire extinguisher and fire safety. They are reminded that certain items are not allowed in offices or on campus due to the fire risk.

Each semester an email reminder about fire safety is sent out. This includes of what to do during a fire alarm, what items are not permitted in the residence halls, and that they should not put their life at risk to try to put out a fire.

**2014 Fire Drills and Training:**

Fire drills were conducted throughout the year in the residence halls in conjunction with Residence Life. All fire drills were unannounced.

Sioux City Fire Rescue conducts yearly inspections of all buildings.

Fire Extinguisher Training is done by Sioux City Fire Rescue Fire for Residence Life and Campus Safety and Security staff.

If a fire does occur, students are instructed to leave the area per the evacuation routes and get outside as quick as possible before calling 911 for help. They are to remain outside until all students have left the building. RAs are instructed to pull the fire alarm as they leave the building if they can do so without risking their personal safety. They may also try to put the fire out with a fire extinguisher if possible and not risking their personal safety as well.

**RESIDENCE HALL FIRE PREVENTION INFORMATION**

**Roadman Hall:** Co-ed residential dormitory that houses up to 250 students. Roadman Hall has a south wing and a north wing. The south wing is four floors and the north wing is 3 floors. Roadman Hall also houses Morningside College's data center and computer services. It has a fire alarm system that is monitored by Midwest Alarm.

**Dimmitt Hall:** Co-ed residential dormitory that houses up to 350 students. It is divided up into floors and wings. The eastern half of the dorm houses males except one floor (2<sup>nd</sup> East Old) which is a female floor and the western half is all female students. The eastern half of Dimmitt Hall is three floors while the western half is four floors. The building is divided up by old and new wings. It has a fire alarm and sprinkler system. The fire alarm system is monitored by Midwest Alarm Company.

**Residence Complex (Plex):** Co-ed dormitory that is divided by floors with the 2<sup>nd</sup> floor being women and the 3<sup>rd</sup> floor is males. The first floor is lobby and kitchen space along with meeting rooms and one room which houses the Head Resident. The Residence Complex houses 98 students. The fire alarm system is monitored by Midwest Alarm Company.

**Lags Hall:** Lags Hall is a student apartment building. It houses 60 students in fifteen apartments. Each student has their own room with a common living space. It is three floors with the first floor having laundry and a community room along with an exercise room. It has a sprinkler system and a fire alarm system that is monitored by Midwest Alarm.

**Poppen Hall:** Poppen Hall is a student apartment building. It houses 42 students in six apartments. It is three floors with two apartments on each floor. It has a sprinkler system and a fire alarm system that is monitored by Midwest Alarm.

**Waitt Hall:** Waitt Hall is a student apartment building. It houses 30 students in 4 apartments. It has two floors with two apartments on each floor. It has a sprinkler system and a fire alarm system that is monitored by Midwest Alarm.

**3800 Garretson House:** Upperclassmen housing that's located on the south side of campus. It houses 8 students. It is two floors along with a basement. It is equipped with a fire alarm that is monitored by Midwest Alarm system and a sprinkler system.

**3804 Garretson House:** Upperclassmen housing that's located on the south side of campus. It is 2 floors along with a basement. It houses 8 students. It is equipped with a fire alarm system that is monitored by Midwest Alarm and a sprinkler system.

	Fire Monitoring Done by Midwest Alarm	Sprinkler System	Smoke Detection System	Fire Extinguishers	Evacuation Plans/Placards	Number of Fire Drills Each Academic Year
Roadman Hall	X		X	X	X	4
Dimmitt Hall	X	X	X	X	X	4
Waitt Hall	X	X	X	X	X	4
Poppen Hall	X	X	X	X	X	4
Lags Hall	X	X	X	X	X	4
Residence Complex			X	X	X	4
3800 Garretson	X	X	X	X	X	4
3804 Garretson	X	X	X	X	X	4



## **Fire Log**

**2015**

	Total Fires in each building	Fire #	Date	Time	Cause	# of Injuries requiring treatment	Number of deaths related to the fire	Value of Property damaged by fire
Roadman Hall	0							
Dimmitt Hall	0							
Waite Hall	0							
Poppen Hall	0							
Lags Hall	0							
Residence Complex	0							
3800 Garretson	0							
3804 Garretson	0							

**2014**

	Total Fires in each building	Fire #	Date	Time	Cause	# of Injuries requiring treatment	Number of deaths related to the fire	Value of Property damaged by fire
Roadman Hall	0							
Dimmitt Hall	0							
Waite Hall	0							
Poppen Hall	0							
Lags Hall	0							
Residence Complex	1	1	12/30	5pm	Grease fire	1	0	\$0
3800 Garretson	0							
3804 Garretson	0							

**2012**

	Total Fires in each building	Fire #	Date	Time	Cause	# of Injuries requiring treatment	Number of deaths related to the fire	Value of Property damaged by fire
Roadman Hall								
Dimmitt Hall	1	1	12/7	10:30 pm	Heat lamp in plastic container	0	0	\$100.00
Waite Hall	0							
Poppen Hall	0							
Lags Hall	0							
Residence Complex	1	1	12/12	10pm	Item left in microwave unattended	0	0	\$100.00
3800 Garretson	0							
3804 Garretson	0							

**FUTURE IMPROVEMENTS**

As the residence halls are updated or remodeled sprinkler systems are being added, the fire alarm systems are updated or upgraded.