

2017

Concordia College

Moorhead MN

Campus Public Safety

Annual Report

Jeanne Clery Act Compliance Document

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1. CAMPUS PUBLIC SAFETY:

Concordia College encourages all students and college community members to be fully aware of the safety issues on campus and to take action to prevent and to report illegal and inappropriate activities. Personal awareness and applying personal safety practices are the foundation of a safe community.

Pursuant to the **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**; the college monitors criminal activity, publishes this annual report and maintains a three year statistical history on the main campus and at off-campus property or facilities owned and or used by the college or recognized college organizations. A copy of the report will be made available on request at the Campus Information office located in the Knutson Campus Center. The college will inform prospective students and employees of its availability and the college will provide a copy of the report upon request. **Details of the act may be found at <http://www.securityoncampus.org>.**

The college currently has a variety of policies and procedures relating to campus public safety and it expressly reserves the right to modify them or adopt additional policies or procedures at any time without notice. Such changes may appear in future issues of this report.

2. CRIME REPORTING POLICIES:

Reporting Policies:

The Campus Public Safety Office (218-299-3123) is located at the Knutson Campus Center in the Campus Information offices. It is the office to which all criminal reports should be made. Everyone on campus (including students, faculty, staff and visitors) is encouraged to report immediately any and all potentially criminal activity to any member of the Campus Public Safety Office and/or the Moorhead Police Department. Individuals reporting to the college who wish to file a complaint with the Moorhead Police Department will be provided assistance. The college permits victims or witnesses to report crimes on a voluntary confidential basis for inclusion in the annual disclosure of crime statistics.

The college normally requires a complaint to begin an investigation. The college usually needs the assistance of the complainant in the disciplinary process. The college may make exceptions when necessary if there is clear and present danger to a member of and/or the whole college community.

The college shall issue an annual report of criminal reports made to Campus Public Safety and other law enforcement agencies of crimes occurring on college property or in its facilities. The annual report includes reported crimes alleged to have occurred on campus, in residence halls, on certain public property adjacent to campus and in facilities owned or rented by the college and/or recognized student organizations.

Report includes the following crimes		
A) Criminal Homicide	Murder and Non-Negligent Manslaughter	Negligent Manslaughter
B) Sex Offenses	Rape, Sodomy, Sexual Assault with Object and Fondling	Non-Forcible: Incest and Statutory Rape
C) Robbery	D) Aggravated assault	E) Burglary
F) Motor Vehicle Theft	G) Domestic Violence	H) Dating Violence
I) Stalking	J) Arson	
Also includes arrests or persons referred for campus disciplinary action for the following		
A) Liquor law violations	B) Drug-related violations	C) Weapons possession

It also includes reports of the above crimes and other crimes involving bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity or disability of the victim that are reported to campus security authorities or local police agencies, which will be classified according to category of prejudice.

The Director of Public Safety is the primary liaison for Campus Public Safety with all law enforcement agencies.

When serious or threatening reports are made to the Director of Public Safety, the Director shall consult with the Dean of Students or, in his or her absence, another appropriate Senior Administrator to determine if a threat continues to exist, a warning shall be sent out informing the college community.

The Director of Public Safety shall gather statistics from the following individuals, organizations or entities in preparing the annual disclosure of crime statistics:

Moorhead Police Department *Fargo Police Department* *Campus Security Authorities*
Clay County Sheriff's Department *Cass County Sheriff's Department* *Director of Language Villages – Bemidji*
Sheriff's offices in counties where Language Village sites are operated or other non-campus property is located

In addition, a map identifying campus boundaries and public property on or adjacent to the college is provided to reporting entities.

Reporting Procedures:

All criminal activity occurring on campus should be reported **immediately** to Campus Public Safety (218-299-3123) and/or the Moorhead Police Department. Campus Public Safety will assist in completing criminal reports. Reportable crimes will also be forwarded to the Moorhead Police Department. In such cases, reports will also be shared with the Dean of Students for possible disciplinary action (see Section 11 for more details). Campus Public Safety shall assist the Moorhead Police Department as needed with investigations.

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Every effort should be made to preserve and protect physical evidence. Immediate reporting will help in this.

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

Call Campus Public Safety (218-299-3123) or the Moorhead Police Department (9,911) for any emergency including medical assistance, fires, suspicious people or activities, traffic accidents or illegal activities.

Describe the offender(s); include gender, age, race, hair, clothing and other distinguishable features. Attempt to obtain descriptions of any vehicles and license numbers. Report the direction taken by the offenders to Campus Public Safety or Moorhead Police Department.

Campus Public Safety will receive third-party reports in cases of sexual assault in order to protect the victim's identity.

A person filing a complaint will be provided, at their request, a copy of the Student Responsibility Code, which outlines the college's disciplinary process. Both the accuser and the accused shall be simultaneously informed of: the results of the outcome of a disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault or stalking and institutional procedures for the accused and accuser to appeal the results of such proceeding. In addition, both the accused and accuser shall be informed in writing of any changes in results before they become final as well as when the results become final.

All employees, faculty or staff, who become aware of an alleged violation of college policy, student code of conduct, civil or criminal law should report the incident to their supervisor and proper authorities. Unauthorized individuals should not investigate, but should report the incident and allow proper authorities to investigate.

All persons in the college community are encouraged to assist anyone reporting alleged criminal activity by contacting Campus Public Safety and/or the Moorhead Police Department. Persons reporting crimes have the right to decline law enforcement assistance.

Student Organizations using any facility are encouraged to report safety and security concerns to Campus Public Safety.

Counselors are required to provide statistical information relating to reportable crimes on campus, but may continue to honor the confidentiality of clients. Counselors are encouraged, if and when they deem it appropriate; to inform persons they are counseling that the college permits reporting of crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

College's Response to Reports:

All allegations of reportable crimes will be investigated. These investigations may be made with assistance of the Moorhead Police Department or the Clay County Sheriff's Department.

The Director of Public Safety or designee using the FBI Uniform Crime Reporting Definitions will classify reports.

When alleged perpetrators are identified as students of Concordia College, with the cooperation of the victim, the case will be adjudicated in accordance with the Student Responsibility Code. Criminal investigations, arrest and prosecution can occur independently, during or after the campus judicial process.

The college will issue timely warnings to members of the campus community in cases of reported murder, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft and any hate crimes (manifesting evidence of prejudice based on race, religion, sexual orientation or ethnicity) of murder, rape or aggravated assault if there is a continuing danger to the campus community. The Director of Public Safety will consult with the Dean of Students or, in his or her absence, another appropriate Senior Administrator, to determine if a threat continues to the college community. If it is determined that a threat exists because of a reportable offense, the college will issue a timely warning to members of the campus community. Warnings may be communicated through means such as e-mail messages, text messages, video displays, campus information channels, webpage, bulletin boards and any other appropriate available means.

College's Response to Fire Reports:

Concordia College collects and publishes statistics involving fires in residence halls on an annual basis. This information includes, but is not limited to the following information:

- Number of fires and causes of each fire.
- Number of persons who received injuries that resulted in treatment at a medical facility (including an on-campus health center).
- Number of deaths related to a fire.
- Value of damage caused by a fire.
- College policies regarding fire safety education and training in residence halls.

A copy of the annual Fire Report may be obtained by contacting the Public Safety Office at 218-299-3123 or online at: <http://www.concordiacollege.edu/firereport>.

3. CAMPUS COMMUNICATION IN THE EVENT OF AN EMERGENCY:

The college will make every effort to notify the campus community of emergency situations. Depending on the origin and nature of the campus-wide emergency, the campus community will be alerted by one or more of the following methods immediately upon confirmation of an emergency:

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e2Campus: This system will send text messages to cell phones and to email addresses. Students can sign up two cell phones and two email addresses for this service. Students may share this service with family members.

E-mail: Any correspondence from emergency@concordia.edu should be opened immediately. This address is reserved exclusively for emergency information.

Web site: In the event of an ongoing campus emergency, regular updates will be provided on the following web site: www.concordiaemergency.com. This will help ensure access to online emergency information, even if the College server is not operational.

Video displays: There are video displays in various locations in the Knutson Campus Center.

Manually: Officers may be dispatched to different buildings to notify occupants of an emergency.

Some or all of the systems may be used depending on the emergency.

Updated information will be posted to www.concordiaemergency.com.

Once an emergency has been reported to the college, the Director of Public Safety, or his/her designee, in consultation with other members of the emergency response team and/or the Moorhead Police Department, will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Once authorization has been granted, the emergency notification system may be administered by:

- The Director of Public Safety
- The Director of Risk Management
- The Director of Online Communications
- The Systems Administrator for Infrastructure Services

The Office of Communications and Marketing will notify the media and community at large.

The emergency notification system will be tested twice per year. Documentation of these tests may be viewed at the Campus Public Safety Department.

4. POLICIES AND PROCEDURES CONCERNING SAFETY OF AND ACCESS TO CAMPUS FACILITIES:

Building access and maintenance:

The college campus is for the use of the students, faculty, staff and their invited guests and those on official business.

The college campus covers approximately 120 acres and includes 42 buildings that are open to students and staff during normal business hours. Normal business hours vary significantly from building to building. Academic buildings remain open later. Access to some of the buildings, depending on their schedule, is limited in the evening, holidays, breaks and weekends. Room reservations are made through Campus Information. If you would like access to an area after normal operating hours a reservation is necessary. Passes for access to classrooms or labs should be arranged with the faculty in charge of the area.

Students, faculty, staff and visitors are encouraged to report needed repairs or concerns to Facilities Management.

These precautions include nightly security patrols of the campus, providing escorts, inspecting the campus for potentially unsafe areas and implementing programs to inspect campus lighting and shrubbery. In addition, educational programs concerning sexual assault awareness are provided by residence hall staff, Campus Public Safety, health center and counseling offices.

Policies and procedures for safe access to buildings:

Keys are only issued to authorized faculty, staff and students.

Locked outside doors should not be propped open.

Building evacuation is mandatory for all fire alarms.

Individual academic buildings are normally open from 7AM until after evening classes and for scheduled weekend classes and special events.

Employees and students in buildings after normal working hours should have their college I.D. and shall present the I.D. when asked.

If a faculty or staff member is the last person in the building, he/she should ask unauthorized people to leave the premises or contact Campus Public Safety (218-299-3123). The building should be locked when the last person leaves. Outside windows should be closed and locked before leaving the building.

On-campus telephones are located in common areas in some buildings for emergency calls to Campus Public Safety. These telephones are also capable of dialing 9-911.

Problems caused by people in buildings after hours should be reported to Campus Public Safety (218-299-3123) immediately.

Policies and procedures for safe access to residence halls:

Residence hall doors are locked 24 hours a day with electronic door access control. All Concordia residential students have access to residence halls, with a staffed desk, 24 hours a day. The following buildings are only accessible to the assigned residents and other individuals authorized by Residence Life: Brown Hall, Bogstad East & Manor, Boe-Olsen and Townhouse East & West.

Residents shall not prop doors open.

Visitors of the opposite sex are permitted in the residence hall lounges and student rooms during established visiting hours.

5. EMERGENCY OPERATIONS PLAN AND EVACUATION PLAN:

The Concordia Emergency Operations Plan utilizes the National Incident Management System and Incident Command System template to manage all college emergencies. The design of this plan is intended to be easily understood and incorporated by every member of the campus community. A copy of the plan is available at the Campus Public Safety Office or at the following website:

<http://www.cord.edu/emergencyplan>.

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The Emergency Operations Plan is tested on an annual basis. Notification of this test and a copy of the plan are distributed to the campus community electronically. A review and assessment is conducted after each test. Copies of this assessment are available for viewing at the Campus Public Safety Department. Tests of the emergency operations plan, the emergency notification system, evacuation plans, and fire drills may be announced or unannounced.

In cooperation with the Campus Department of Public Safety, the Campus Risk Management Department conducts evacuation drills in academic and administrative buildings on a routine basis. Designated evacuation coordinators in each building assist with the evacuation drill. Documentation of evacuation drills is available at the Campus Public Safety Department.

Residence Hall fire drills are conducted two times per year in each residence hall. Each fire drill conducted is documented. This documentation is available for viewing at the Campus Public Safety Department.

6. PERSONAL SECURITY RECOMMENDATIONS:

Campus Public Safety staff is available to assist you by providing regular foot and/or vehicle patrols, safety and security programs, and various safety and security posters and brochures. However, only you can protect yourself by being aware of your surroundings and taking appropriate steps to prevent crime.

Call for an Escort. Campus Public Safety services are available 24 hours a day. Escort services are available by calling Campus Public Safety at 218-299-3123.

Be aware of when patrol is on duty. Officers normally patrol the campus between the hours of 4 PM and 8AM weekdays and 24 hours on weekends. The Campus Public Safety Office (218-299-3123) is staffed 24 hours a day.

Protect your room or apartment.

Lock your door - even if you are only going out for a short time or only going a short distance.

Always lock your door when you are asleep. You are also encouraged to lock your door when you are awake.

Do not prop open locked doors. These doors are locked for your protection and protection of other residents.

Never open doors for strangers or non-residents. Always escort your guests to and from the main entrance.

Do not loan your keys to anyone - even classmates or friends. They may not be careful and may misplace them, giving the wrong person access.

Do not leave your keys in public places or in your jacket pocket when you are not wearing it.

Do not put your name or address on key rings, this may give the wrong person access to your room.

Protect your property.

Personal property (purses, briefcases, laptops, media players, calculators, etc.) should never be left unattended. Take them with you when leaving the office or classroom. Do not leave unattended in common areas.

Lock your door whenever you leave your room or office. Always lock your door when you are sleeping. Always lock your car doors. Do not leave valuables visible in a vehicle, store in the trunk, a storage compartment or remove and store in your room or office.

Protect all valuables in your room or office. Do not leave valuables in plain view, store in a secure drawer or area.

Take valuables home with you during vacations.

You are encouraged to open a savings or checking account rather than having large sums of money in your room. If you have a checking account, remember the number of the last check written. Theft of a check can go undetected until you receive the bank statement. Monitor your credit card balances online for unauthorized activity.

DO NOT provide personal or credit information over to random callers. Your financial institution will contact you via mail with appropriate details for you to respond to them. If there is a question, contact them directly to verify if this is valid request for information.

Park your bike where you can keep an eye on it when possible. Always lock your bike. Good anti-theft devices are available, case-hardened heavy locks and chains provide the best protection. This is an example of "you get what you pay for". Document your bicycle information and keep a copy in your room. Register your bicycle with Parking Services; they will use the documentation to assist Campus Public Safety if there is a need to investigate a loss or theft.

Protect your automobile:

Always lock your car doors and never leave your keys in your car.

Try to park in a well-lit area.

Avoid leaving valuables in plain sight.

Protect yourself while walking and jogging, day or night:

Don't walk or jog alone after dark. If you must walk alone at night, call for an escort from Campus Public Safety (218-299-3123). Escorts are provided in a three block perimeter of campus.

Don't take shortcuts, walk where there is plenty of light and traffic.

If you have a cell phone, keep it within easy reach, program important safety numbers for one-touch dialing.

Be aware of your surroundings. If you think you are being followed, go in a different direction or to the other side of the street and yell for help. Quickly go to a lighted area or to a group of people.

Have your keys ready when returning to your room and keep your personal or valuable items concealed and close to your body.

Help us protect you:

Watch for suspicious persons in and around buildings and parking lots. Do not pursue them. Call Campus Public Safety immediately at 218-299-3123. Call Campus Public Safety if you find a stranger in your room, regardless of the "story" supplied. Authorized service personnel are expected to have a visible name/photo badge.

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Suspicious activity:

If you see any suspicious activity or people on or near campus, contact Campus Public Safety immediately (218-299-3123). Do not assume the activity is innocent or that it has already been reported.

Do not assume the person is a visitor or college staff member.

Suspicious people may be:

Loitering about at unusual hours and locations; running, especially if something of value is being carried.

Exhibiting unusual mental or physical symptoms. Person(s) could be under the influence of drugs or may need medical or psychiatric assistance.

Carrying property that might be suspicious, depending on the circumstances, going from room to room trying door handles.

Door-to-door soliciting is not permitted in college residence facilities.

Rule violations should be reported to your hall director immediately.

Immediately report all thefts and losses of property to Campus Public Safety (218-299-3123). Lost and found property is located at Campus Information (218-299-4000)

Be security conscious at all times, if something doesn't "feel right" trust your instincts and report the situation. Let professionals determine if there is a need to act or not.

7. POLICIES CONCERNING CAMPUS PUBLIC SAFETY AND LAW ENFORCEMENT:

Campus Public Safety staff are employees of the college; they are not certified or sworn peace officers. Campus Public Safety staff are authorized, when necessary, to make a citizen's arrest. Typically, such arrests are made only in the presence of a sworn peace officer.

Campus Public Safety works closely with the Moorhead Police Department, Clay County Sheriff's Department, and the State and Federal law enforcement agencies to track and respond to campus criminal activity. Currently, a mutual aid agreement does not exist with local law enforcement.

All criminal activity on campus **should be reported immediately** to Campus Public Safety (218-299-3123) and/or the Moorhead Police Department (9-911). The Moorhead Police Department is the primary investigative agency for reported criminal activity.

The college will assist in completing criminal reports.

The college will accept the third party reports in certain cases, like reportable sex offenses. The college prefers to receive reports from the victim because the detail from the victim is often more accurate.

Preserve all physical evidence. Do not wash off or destroy evidence that may be critical.

The victim of an incident of a sex offense, domestic violence, dating violence, sexual assault or stalking will be informed of legal resources regarding orders of protection, no contact orders, restraining orders and similar lawful orders issued by criminal, civil or tribal courts as well as the internal availability of no contact orders and process to obtain such. The College will honor lawful orders of protection, etc. issued by criminal, civil and tribal courts in addition to those no contact orders issued by the College.

Report as much detail as possible. If you are a victim of a crime, your immediate recall is often the best. Write down as much information as you can after a crime. If you cannot identify the perpetrator by name, list as many details as possible, including:

Gender	Approximate Age	Height	Weight/Build
Dress/Clothing	Facial Hair	Glasses	Jewelry
Description of face include: eye color, hair color, hair style, other (tattoos, ear/nose/tongue ring(s), etc.)			
Voice	Distinguishing walk	Distinguishing marks including scars	

The College maintains a written, daily crime log that records, by the date the crime was reported, any crime that occurred on campus, non-campus building or property, public property, or within the patrol jurisdiction of the Campus Public Safety department, and that was reported to Campus Public Safety. The crime log for the most recent 60-day period is open to public inspection during normal business hours. The college will make any portion of the log older than 60 days available within two business days of a request for public inspection.

8. PROGRAMS TO EDUCATE THE COLLEGE COMMUNITY REGARDING SECURITY AND TO INFORM THE COLLEGE COMMUNITY ABOUT PREVENTING CRIME:

Educational Programming on Campus:

The college encourages students and employees to be responsible for their security and the security of others.

Campus Public Safety provides assistance in presenting programs on campus security and safety. Campus Public Safety will assist in presenting educational programs in the area of crime prevention, sexual assault awareness, personal safety, fire prevention, etc. Campus Public Safety will also work with the Moorhead Police Department and Rape and Abuse Crisis Center in presenting needed programs. This assistance may be scheduled with the Director of Public Safety, please allow appropriate amount of time to prepare material for the presentation.

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The College Health Center and Counseling Center provide staff to aid students in coping with alcohol and drug abuse.

The link to the annual campus security report may be found on-line and printed as needed at <http://www.concordiacollege.edu/cleryreport>. It is required by the Jeanne Clery Act for this institution to have updated statistics on crime from the previous calendar year reported by October 1st of each year. Details of the act may be found at <http://www.securityoncampus.org>. Campus Public Safety also reminds the community of security concerns via e-mail announcements and C-News.

Educational Programming in Residence Halls: At the beginning of each academic year, residence hall staff will review security and safety procedures.

9. MONITORING AND RECORDING ACTIVITY AT OFF-CAMPUS LOCATIONS:

The college has recognized organizations exclusively on campus. While the Language Villages are located in Bemidji, MN and other locations, they shall report any crimes and fires to the college.

10. POLICIES REGARDING THE ILLEGALITY OF ALCOHOLIC BEVERAGES AND DRUGS ON CAMPUS AND ENFORCEMENT OF UNDER-AGE DRINKING LAWS AND FEDERAL AND STATE DRUG LAWS:

The college seeks to promote healthy living in community and individual life. The college recognizes that the issues and abuse of alcohol and other chemicals is a serious health problem affecting every aspect of human life. Therefore, Concordia accepts the responsibility to provide education about alcohol and other drug use and to intervene in situations where individuals are losing control of their chemical use and/or where that use is harming them and others in any way. The college will intervene to help out of concern for both the individual and the college community. Concordia sets aside its campus and college owned housing with the intention of providing an alternative environment to living off campus in unsupervised housing. The college is also committed to providing alternatives to chemical use through social and recreational opportunities. Therefore, the possession, use, and/or sale of alcohol or illegal chemicals by any person or group using college facilities will not be permitted. Students possessing or using alcoholic beverages or illegal chemicals on campus or in college owned housing, and students selling illegal chemicals or persuading others to use them will be subject to disciplinary action. Similarly, Concordia College does not allow alcohol use off campus by registered campus organizations or at college sponsored events off campus. In instances where college officials are informed that Concordia students have caused a disturbance off campus in connection with the use of alcohol or that Concordia students have been found to be in possession, using or distributing illegal chemicals off campus, the college reserves the right to take disciplinary action.

The college enforces the Minnesota and Federal drinking laws, including the prohibition of use by persons less than 21 years of age, and the college's policy. The college prohibits possession or consumption of alcohol on campus and students possessing or using alcohol are subject to disciplinary action. Disciplinary sanctions can include, but is not limited to monetary fines.

The college enforces both Minnesota and Federal drug laws regarding the use, possession, and sale of illegal drugs.

11. DRUGS AND ALCOHOL ABUSE EDUCATION PROGRAMS:

The purpose of this policy is to set forth the college's policy regarding alcohol and other drug use, including unlawful drug use or abuse in the workplace in accordance with the Drug Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D) and Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101-226). A copy of the Drug Free Workplace information may be obtained from Student Development & Campus Life or Human Resources Offices. Interested individuals may obtain a copy of the brochure as it lists policies and programs. The college recognizes the existence of chemical dependency and is aware of its occasional presence in the college community. Counseling and prevention programs are provided to the college community. The college provides reasonable assistance to any student, faculty or staff member seeking information on chemical dependency or treatment. Various offices on campus, including Kjos Health Center, Counseling Center, and Campus Pastors, provide information and prevention programs for those seeking help with substance abuse. The college counseling staff makes off-campus referrals to area agencies and professionals specializing in chemical dependency.

12. SEXUAL MISCONDUCT POLICY:

Prelude

Concordia College is committed to diverse community in an atmosphere of mutual respect and appreciation of differences. In accordance with Title IX, this policy addresses the college's prohibition of sex discrimination. Sexual harassment, sexual assault, and other forms of sexual misconduct are forms of sex discrimination. Not only are they prohibited by this policy, but they are also prohibited by various federal and state laws, including Title IX of the Educational Amendments of 1972 and the Minnesota Human Rights Act.

Non-Discrimination Statement

Concordia College does not discriminate on the basis of race, color, creed, sex, religion, national origin, age, disability, genetic information, status with respect to public assistance, or sexual orientation in administration of its educational policies, financial aid program, athletics and all other programs. Harassment based upon an individual's legally protected status is a form of prohibited discrimination.

Sexual Harassment includes a variety of unwelcome behaviors of a sexual nature, and in its most severe form includes sexual misconduct. Examples of sexual misconduct include, but are not limited to: sexual assault, domestic violence, dating violence, and stalking.

Inquiries regarding compliance may be directed to the Human Resources Director/Title IX Coordinator, Peggy Torrance, titleix@cord.edu, Concordia College, Office 150, Lorentzen Hall, Moorhead, MN 56562, (Phone) 218-299-3339.

Questions or concerns may also be directed to the Office of Civil Rights of the United States Department of Education at:

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U.S. Department of Education

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

Policy Prohibiting Sexual Misconduct

Concordia College is committed to a safe and healthy environment and as such will not tolerate sexual misconduct in any form. Any form of sexual misconduct is a violation of federal and state laws and a violation of individual rights and dignity. Members of the Concordia community, guests, and visitors have the right to be free from sexual misconduct. The college will promptly respond to complaints of sexual misconduct to stop the conduct, ensure that such actions are not repeated and address the effects the misconduct on any individual or the college community. All members of the community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The Concordia Sexual Misconduct Policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated.

Scope of Policy

The sexual misconduct policy applies to all students, employees, volunteers, contractors and guests of Concordia College - regardless of the sexual orientation or gender identity of any of the parties – and covers incidents that may adversely impact an employee's work, a student's educational environment, and/or other's participation in the institution's programs or activities. This policy also applies to off campus conduct that the college has determined may cause or threaten to cause an unacceptable disruption to the college or which may infringe on an individual's right to a non-discriminatory educational and work environment.

Concordia College is committed to addressing sexual misconduct and encourages individuals to report incidents to designated College authorities. Individuals found responsible for sexual misconduct are subject to disciplinary action deemed appropriate by the college; up to an including termination for employees, contractors, and volunteers; and including no trespass orders, and prohibition from employment or volunteering for guests.

Students are subject to sanctions including expulsion, suspension, probation, monetary fines/restitution, removal from housing, warnings/reprimands, educational sanctions, counseling, ban from campus, removal from housing or change in location of housing, dismissal/termination/restrictions regarding college employment, restitution, issuance of no contact orders, and restrictions in access to college facilities and activities.

Sanctions for staff or faculty members deemed to have violated this policy include a disciplinary warning, unpaid suspensions, suspension of promotion and salary increments, loss of prospective benefits, major fines, reduction in salary, suspension from service, suspension or withdrawal of privileges, demotion and/or termination of employment, and any other sanction appropriate to the incident.

Responsibilities of the Title IX Coordinator

Pursuant to Title IX of the Educational Amendments of 1972 and 34 C.F.R. Part 106, the Concordia College Title IX Coordinator is the designated representative of the college with primary responsibility for coordinating college Title IX compliance efforts, including the college's efforts to end sexual misconduct, prevent its recurrence, and address its effects. The responsibilities of this position are critical to the advancement, implementation, and monitoring of college-wide efforts to comply with Title IX legislation, regulation, and case law. The Title IX Coordinator is the college agent who is charged with the responsibility to oversee and monitor Title IX related policies and developments; the implementation and oversight of grievance processes and procedures, including notification, investigation and adjudication of complaints; oversight of provision of educational materials and training for the campus community; conducting and/or overseeing investigations of complaints received pursuant to Title IX; ensuring a fair and neutral process for all parties; and monitoring all other aspects of the college's Title IX compliance.

Definitions

Complainant: The individual who has experienced an alleged instance of sexual misconduct.

Respondent: The individual(s) who has/have been accused of sexual misconduct.

Force: The use of physical violence, threats, or intimidation to gain sexual access.

Sex Discrimination: Sex discrimination is conduct based upon an individual's sex that excludes an individual from participation, denies the individual the benefits of, treats the individual differently or otherwise adversely affects a term or condition of, an individual's employment, education, living environment or participation in a program or activity. Sex discrimination encompasses all forms of sexual harassment, sexual misconduct, differential treatment, and gender-based harassment.

Sexual Harassment: Sexual harassment includes unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement, or
2. Submission to such conduct is used as a basis for employment or academic decisions, or
3. The behavior has the purpose or effect of unreasonably interfering with work or creating an intimidating, hostile or offensive working environment, or
4. The conduct is so severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program, interferes with academic performance, or creates an intimidating, hostile or offensive college environment.

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Sexual harassment is distinguished from a voluntary sexual relationship by the introduction of the element of coercion, threat, hostility, or unwanted attention of a sexual nature. Actions that can constitute sexual harassment include:

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

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

1. Is offensive, unwanted or both;
2. Interferes with one's ability to enjoy his or her employment or academic environment;
3. Interferes with job or academic performance; or
4. Causes unnecessary discomfort, humiliation or harm to oneself or others around one.

Sexual harassment can occur anywhere, anytime between and among students, faculty, staff and coworkers, in consensual and nonconsensual relationships; it occurs in situations where one person abuses the power he or she has over another person, violating the boundaries and trust implicit in that relationship. It can occur between peers where no power differential exists. It can occur between members of the opposite or same sex.

Sexual Misconduct: A form of sexual harassment that includes sexual assault and other sexual violence, dating violence, domestic violence, stalking, peeping, voyeurism and actions beyond the boundaries of consent. Sexual misconduct may also include nonconsensual sexual contact. (Speech which is threatening or intimidating, and which meets the definition of sexual harassment, constitutes sexual misconduct). Photographs, video and other visual and auditory records of sexual activity made or shared without explicit consent constitute sexual misconduct even if the activity documented was consensual.

Sexual Assault: Sexual assault is any sexual contact, including but not limited to sexual penetration, with another person who does not or cannot give consent. This may or may not include force. For purposes of this policy, "sexual contact" shall have the same meaning as it has under Minnesota law, and includes, but is not limited to, the intentional touching by the respondent of the complainant's breasts, inner thighs, buttocks, genitals and/or groin area, whether clothed or unclothed; or the coerced touching by the complainant of another's intimate parts. Sexual contact also includes the intentional removal or attempted removal of clothing covering the complainant's intimate parts. Sexual assault includes, but is not limited to:

1. Rape (the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of any person, without the consent of the victim);
2. Fondling (the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim);
3. Incest (sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law);

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

Consent: In order for individuals to engage in sexual activity of any type with each other, there must be clear consent. Consent is conduct or words that indicate a person agrees to engage in a particular sexual act at the time of the act.

1. Consent is informed, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity.
2. Consent to some form of sexual activity cannot be automatically taken as consent to any other sexual activity.
3. Silence - without actions demonstrating permission- cannot be assumed to show consent.
4. Consent cannot be inferred from a prior or existing sexual, romantic or marital relationship. Past consent does not imply future consent.

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5. Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercing someone into sexual activity violates this policy just as much as physically forcing someone into sex. Coercion, force, or threat invalidates consent.
6. Sexual activity with someone one knows to be, or should know to be, mentally or physically incapacitated (by alcohol or other drug use, unconsciousness, sleep, blackout, or any other means) or because of an intellectual or other disability that prevents another person from having the capacity to give consent, violates this policy.
7. Consent can be withdrawn at any time.
8. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
9. A person who is not of legal age (16 years old in Minnesota) cannot consent to sexual activity.

Alcohol or Drug Use: Use of alcohol or other drugs will never function to excuse behavior that violates this policy. If you were assaulted while under the influence of alcohol or other drugs, your intoxicated state does not excuse the behavior of your attacker.

Sexual Exploitation: Occurs when an individual takes non-consensual or abusive 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 other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

1. prostituting another individual;
2. non- consensual video or audio- taping of sexual activity;
3. non-consensual sharing of sexually explicit messages, photos, or video electronically or otherwise;
4. going beyond the boundaries of consent (such as allowing others to view consensual sex);
5. engaging in peeping tommery;
6. knowingly transmitting a sexually transmitted disease or sexually transmitted infection to another individual

Incapacitation: Sexual activity with someone one knows to be, or should know to be, mentally or physically incapacitated (by alcohol or other drug use, unconsciousness, sleep, blackout, or any other means). Incapacitation is a state where one cannot make a rational, reasonable decision because they lack the ability to understand the; who, what, when, where, why or how of their sexual interaction.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship will be determined based on consideration, as reported by the complainant, of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Dating violence is prohibited by Minnesota law. *See Minnesota Statutes Section 518B.01 et seq.*

Domestic Violence: A felony or misdemeanor crime of violence committed by the complainant's: 1.) parent, 2.) child, 3.) other blood relative, 4.) persons who have a child in common, regardless of whether they have been married or lived together in the past, 5.) a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or lived together in the past, and 6.) persons involved in a significant romantic or sexual relationship. *See Minnesota Statutes Section 518B.01 et seq.*

Stalking: (1) a course or pattern of unwelcome and unwanted conduct (2) that a person knows or has reason to know (3) would cause the victim under the circumstances to feel frightened, threatened, oppressed or intimidated or to suffer substantial emotional distress.

Stalking is prohibited by Minnesota law. *See Minnesota Statutes Section 609.749.* Stalking behavior includes, but is not limited to:

1. repeated, unwanted and intrusive communications by phone, mail, text message, email and/or other electronic communications, including social media;
2. repeatedly leaving or sending the victim unwanted items, presents or flowers;
3. following or lying in wait for the victim at places such as home, school, work or recreational facilities;
4. making direct or indirect threats to harm the victim or the victim's children, relatives, friends or pets;
5. damaging or threatening to damage the victim's property;
6. posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth; and/or
7. unreasonably obtaining personal information about the victim by accessing public records, using internet search services, hiring private investigators, going through the victim's garbage, following the victim, or contacting the victim's friends, family, work or neighbors, etc.

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

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Retaliation: Adverse action, treatment or conditions taken against an individual for making a good faith report of a violation of this policy, for supporting another person's report, or participating in an investigation or other proceedings based on the report.
Consensual Relations: Relationships between a faculty or staff member and a student should be considered that of the professional and client in which sexual relationships are inappropriate. The power differential in such relationships, as well as those between a supervisor and an employee, compromises the ability of the person in the position of less authority to freely decide or act. Such behavior is also unacceptable in terms of the values, standards and expectations of the college. The existence of a consensual relationship or prior consensual relationship between individuals of unequal status will not preclude a party from bringing a complaint of sexual harassment and/or the college from investigating such a matter.

Hostile Environment Caused by Sexual Harassment: Hostile environment sexual harassment occurs when verbal, non-verbal and/or physical conduct is:

1. sexual and/or based on sex, gender, gender identity or sexual orientation (actual or perceived).
2. unwelcome, and
3. sufficiently severe and pervasive to interfere with a person's work/learning/program performance or to create a hostile, intimidating or offensive environment.

Resources & Contact Information

National Sexual Assault Hotline: 800-656-4673

Moorhead

Emergency Contact on Campus

24-Hour Emergency On Campus
Public Safety - 218-299-3123
Knutson Campus Center Information
Desk,

macdonal@cord.edu

Bemidji

Emergency Contact on Site

24-Hour Emergency on Site
Warren Schulze - 218-586-8999
The Ginungagap Building
8659 Thorsonveien Rd. NE
Bemidji, MN 56601

wschulze@cord.edu

Emergency Contact Off Campus

Moorhead Police Department
218-299-5111 or 911

Emergency Contact Off Site

Beltrami County Sheriff
218-333-9111 or 911

Bemidji Police Department

218-333-9111 or 911

On Campus/On Site Places to Report Sexual Misconduct

Moorhead

Title IX Coordinator:
Peggy Torrance – 218-299-3339
150 Lorentzsen Hall
titleix@cord.edu

Bemidji

Director of Operations
Warren Schulze - 218-586-8502
The Ginungagap Building
8659 Thorsonveien Rd. NE
Bemidji, MN 56601
wschulze@cord.edu

Office of Student Development & Campus Life:

Laura Zeiher – 218-299-3455
101 Academy Hall
lzeiher@cord.edu

Department of Public Safety:
Bill MacDonald or any Public
Safety officer – 218-299-3123
Knutson Campus Center
Information Desk
macdonal@cord.edu

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Title IX Committee:
Roger Olson - 218-299-3682
236 Lorentzsen Hall
rolson@cord.edu

Lisa Sethre-Hofstad - 218-299-3455
101 Academy Hall
sethre@cord.edu

Rachel Bergeson - 218-299-4728
104A Memorial Auditorium
bergeson@cord.edu

Mikal Kenfield – 218-299-3899
110 Academy Hall
kenfield@cord.edu

William MacDonald – 218-299-3123
Knutson Campus Center
Information Desk
macdonal@cord.edu

On Campus Confidential Resources Moorhead

Kathy Benson
Nurse
Cheryl Ross
Nurse Practitioner
Kjos Health Center
218-299-3662
benson@cord.edu

Counselors
Counseling Center 218-299-3514
106 Academy Hall

Matthew Rutten
mrutten@cord.edu

Juihsien Kao
jkao@cord.edu

Megan Degenstein
mdegenst@cord.edu

Pastor
Rev. Elizabeth McHan
Office of Ministry and Spiritual Life
218-299-3298
202 Knutson Campus Center
emchan@cord.edu

Off Campus/Off Site Places to Report Sexual Misconduct Moorhead

Moorhead Police 218-299-5111 or 911

Sanford Medical Center 701-417-2000

Essentia Health 701-364-8000

Bemidji

Joanne Barfknecht - 218-586-8771
The Centrum Building
8659 Thorsonveien Rd. NE
Bemidji, MN 56601
jbarfkne@cord.edu

Bemidji

Sandra Amundsen
Health Services Manager
8630 Thorsonveien Rd NE
218-856-8777
Bemidji, MN 56601
samunds6@cord.edu

Bemidji

Beltrami County Sheriff
218-333-9111 or 911

Bemidji Police Department
218-333-9111 or 911

Sanford Medical Center
218-751-5430

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Off Campus/Off Site Confidential Resources

Moorhead

Rape & Abuse Crisis Center 701-293-7273

Bemidji

Sexual Assault Program, Beltrami, Cass,
& Hubbard Counties 800-708-2727

Battered Women's Shelter and Assistance
800-444-6229 or 218-444-1395

Victim Services & Legal Information

Moorhead

Rape & Abuse Crisis Center 701-293-7273

Bemidji

Sexual Assault Program, Beltrami,
Cass & Hubbard Counties 800-708-2727

Crime Victim Advocacy Program, Clay
County Attorney's Office 218-299-5035

Minnesota Crime Victims Reparations Board
651-201-7300 or 1-888-622-8799

Minnesota Crime Victim Reparations Board
651-201-7300 or 1-888-622-8799

General Information Resources on Campus/On Site

Moorhead

Human Resources 218-299-3339
Student Development & Campus Life 218-299-3455
Global Learning 218-299-3927
Student Support Services 218-299-3455
Office of Financial Aid 218-299-3010

Bemidji

Human Resources 218-299-3339

Confidentiality

Confidential vs. Non-Confidential Communications

In times of distress, it may be confusing to determine how to obtain personal support and clear information about options and resources. In making a decision about whom to contact for support and information, it is important to understand that **most Concordia employees are not confidential resources, and are therefore obligated to report to the college any information they receive about sex discrimination, sexual harassment, or sexual misconduct.** Student workers who become aware of sex discrimination, sexual harassment, or sexual misconduct as a result of their college employment are also not confidential resources, and in that capacity are also obligated to report to the college. Only a few employees are *confidential* resources who, in most circumstances, are not obligated to disclose such information. Below is additional information about confidential and non-confidential communications. Persons who have experienced sex discrimination, sexual harassment, or sexual misconduct are encouraged to consider this information in choosing whom to contact for information and support.

Confidential Communications

The college has designated specific persons as confidential resources for individuals who prefer to talk with someone confidentially about their concerns. These confidential resources include the following:

Moorhead

Matthew Rutten
mrutten@cord.edu

Juihsien Kao
jkao@cord.edu

Megan Degenstein
mdegenst@cord.edu

Counselors
Counseling Center and Disability Services
106 Academy Hall
218-299-3514

Bemidji

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Moorhead

Kathy Benson, Nurse
benson@cord.edu
Cheryl Ross, Nurse Practitioner
chross@cord.edu
Kjos Student Health Center
218-299-3662

Bemidji

Sandra Amundsen
samunds6@cord.edu
Health Services Manager, CLV
8630 Thorsonveien Rd. NE
Bemidji, MN 5660
218-856-8777

Pastor

Rev. Elizabeth McHan
emchan@cord.edu
Office of Ministry and Spiritual Life
202 Knutson Campus Center
218-299-3298

Individuals may discuss concerns in complete confidence with a confidential resource, so long as the allegations do not involve the physical or sexual abuse of a child or vulnerable adult or the threat of imminent harm to self or others. In addition, the college's Counseling Center staff can assist individuals with obtaining medical, emotional, and other support resources whether or not they decide to report their concerns to the college. Confidential resources must submit non-identifying information about incidents which may be violations of this policy to Concordia Public Safety for purposes of anonymous statistical reporting under the Clery Act.

Non-Confidential Communications with Faculty, Staff, and Student Employees of the College

Non-confidential communications are those communications with any college employee who is not a confidential resource as identified above. Only confidential resources can promise confidentiality. All other college employees who become aware of incidents or allegations of sex discrimination, sexual harassment, and sexual misconduct, including sexual assault, dating violence, domestic violence, or stalking, must report the matter to the college, even if the complainant requests confidentiality. Examples of non-confidential communications include those with:

1. Title IX Coordinator
2. Office of Student Development & Campus Life Staff
3. Residence Life Staff
4. Resident Assistants
5. Public Safety Staff
6. Human Resources Office Staff
7. All faculty members
8. Concordia Language Villages Deans
9. Coaches

Communications with Students

Students who receive information about sex discrimination, sexual harassment, or sexual misconduct in their capacity as college employees are not confidential resources, and are therefore obligated to report this information to the college. The college strongly encourages all other students to report to the college all incidents of sex discrimination, sexual harassment and sexual misconduct, including sexual assault, dating violence, domestic violence, and stalking, so that the college can investigate and respond to such reports.

Reporting Options and Considerations

Reports to the College

As indicated above, with the exception of confidential resources, all faculty, administrators and staff, and all students in their role as college employees are obligated to report to the college any information they may receive concerning sex discrimination, sexual harassment, or sexual misconduct. All other individuals are strongly encouraged to report to the college as well. An individual may choose not to make a complaint or report in his or her own case, even if he or she otherwise has reporting obligations (as a college employee or student worker) with regard to incidents involving others.

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Any individual may provide a report to the college by contacting any of the following designated college authorities:

Title IX Coordinator: Peggy Torrance, 218-299-3339, titleix@cord.edu
Deputy Title IX Coordinator, Laura Zeiher, 218-299-3455, lzeiher@cord.edu
Director of Residence Life: Mikal Kenfield, 218-299-3889, kenfield@cord.edu
Director of Public Safety: William MacDonald, 218-299-4358, macdonal@cord.edu
Human Resources Representative, CLV: Joanne Barfknecht, 218-586-8771, jbarfkne@cord.edu
Deputy Athletic Director: Rachel Bergeson, 218-299-4728, bergeson@cord.edu
Vice President of Student Development & Campus Life: Lisa Sethre-Hofstad, 218-299-3455, sethre@cord.edu

Reports to the college should include as much information as possible, including the names of the complainant and the respondent, and the date, time, place, and circumstances of the incident(s), to enable the college to respond appropriately. Reports can be made by telephone, in person, or online, and can be made anonymously as set forth in the “Anonymous Reports” section of this policy (below). College authorities including, but not limited to, those listed above, will assist individuals with reporting incidents of sex discrimination, sexual harassment, and sexual misconduct, including sexual assault, dating violence, domestic violence, and stalking, to the college. Upon receipt of a report, the college will initiate its response and resolution process as set forth herein.

Reports to Law Enforcement

Individuals who believe they may have been subject to criminal sexual misconduct are strongly encouraged to notify the Public Safety Office and/or local law enforcement authorities. Individuals will be assisted by campus authorities in notifying law enforcement authorities, if the individual so chooses. All complainants are encouraged to report the incident to the Moorhead Police Department or the Bemidji Police Department and file criminal charges. The filing of charges is optional and individuals may decline to notify such authorities. Individuals can still pursue the college process even if they choose not to make a report to law enforcement.

If filing charges is a consideration, sexual assault complainants should go to the Sanford (in both Fargo and Bemidji) or Essentia Hospital (in Fargo) as soon as possible to obtain a medical exam and preserve evidence that may be necessary for criminal prosecution. Sexual misconduct may be reported to law enforcement by contacting the Moorhead Police Department at 911.

Regardless of whether an incident of sexual misconduct is reported to the police or the college, Concordia strongly encourages individuals who have experienced sexual misconduct to preserve evidence to the greatest extent possible, as this will best maintain all options for them in the future. An individual should not bathe, shower, brush teeth, dispose of clothing or other physical evidence. If there is suspicion that a drink may have been drugged, inform a medical assistance provider and/or law enforcement as soon as possible so they can attempt to collect possible evidence (e.g., from the drink, through urine or blood sample).

Petition forms to apply for Harassment Restraining Orders and for Orders for Protection are available in the Public Safety Office and the Moorhead Police Department. These forms must be submitted to the Court Administrator in the Clay County Courthouse, 807 11th St. N., 1st Floor, Moorhead, MN 56560 during business hours. In Bemidji, the Court Administrator is located at the Beltrami County Judicial Center, 600 Minnesota Avenue, Suite 108, Bemidji, MN, 56601. Contact either the Title IX Coordinator Peggy Torrance (218-299-3339 or titleix@cord.edu) or Deputy Title IX Coordinator Laura Zeiher (218-299-3455 or lzeiher@cord.edu) for assistance with obtaining a no contact order.

The Director of Public Safety at the Moorhead campus and the Director of Operations at the Concordia Language Villages are available to assist victims of a crime with contacting the authorities, reporting claims, and pursuing restraining orders. The college will provide complete and prompt assistance to law enforcement authorities, at the direction of law enforcement, in obtaining, securing and maintaining evidence in connection with an incident of sexual assault.

Minnesota Crime Victims Bill of Rights

Under the Minnesota Crime Victims Bill of Rights, when a crime is reported to law enforcement, alleged victims have the right to: request that their identity be kept private in reports available to the public; be notified of crime victim rights and information on the nearest crime victim assistance program or resource; apply for financial assistance for non-property losses related to a crime; be informed of a prosecutor’s decision to decline prosecution or dismiss their case (along with information about seeking a protective or harassment order at no cost to the alleged victim); and protection against employer retaliation for taking time off to attend protection or harassment restraining order proceedings. Alleged victims of domestic abuse have the right to terminate a lease without penalty; alleged victims of sexual assault can undergo a confidential sexual assault examination at no cost, make a confidential request for HIV testing of a convicted felon, and are not required to undergo a polygraph examination in order for an investigation or prosecution to proceed. In cases of domestic abuse and violent crime where an arrest has been made, alleged victims also have the right to be provided notice of the release of the offender, including information on the release conditions and supervising agency. Additional rights include the right to protection from harm, the right to participate in prosecution, and the right to assistance from the Crime Victims Reparations Board and the Commissioner of Public Safety. Complete information about crime victims’ rights can be found at: <https://dps.mn.gov/divisions/ojp/help-for-crime-victims/Pages/crime-victims-rights.aspx>

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Complainant Requests for Confidentiality or Non-action

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

Although the college cannot guarantee confidentiality, it will strive to accommodate a complainant's requests to the extent possible consistent with the legal obligations of the college to investigate and respond effectively to reports and complaints, and to report campus crimes in accordance with applicable law. In addition, when the college is obligated to provide the college community with timely warnings, names of the persons involved are not used, and every effort will be made to avoid personally identifying information.

Interim Measures

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

1. Establishing a "no contact" order to prohibit any form of contact either between two individuals or to prohibit one individual from contacting another.
2. Prohibiting an individual from being on campus or at college events.
3. Changing a student's or employee's status.
4. Changing work, class, or other schedules.
5. Providing assistance with academic issues.
6. Issuing a timely warning of any substantial threat or danger to the community.
7. Making information about and providing assistance with respect to orders for protection and harassment restraining orders, including enforcement of such orders.

To request an accommodation or protective measure, complainants should contact the Title IX Coordinator or the Office of Student Development & Campus Life. The college will maintain as confidential any accommodations or protective measures provided to the complainant, to the extent that maintaining such confidentiality will not impair the ability of the college to provide the accommodations or protective measures. The college will also solicit feedback from the complainant as to the effectiveness of the accommodations or protective measures, and adjust the arrangements if necessary to ensure effectiveness.

Anonymous Reports

The college will accept anonymous reports of conduct alleged to violate this policy. Anonymous reports may be made on-line at: <https://www.concordiacollege.edu/directorios/offices-services/human-resources/title-ix/title-ix-anonymous-reporting-form> or at: Campus Conduct Hotline, 866-943-5787.

The individual making the report is encouraged to provide as much detailed information as possible to enable the college to investigate and respond. Insufficient information may limit the college's ability to conduct a meaningful investigation.

Amnesty

No student who reports, in good faith, an act of sexual harassment or sexual violence, or who otherwise participates in the investigation of or disciplinary proceedings regarding such a report, shall be sanctioned by the institution for admitting to a violation of the college's code of student conduct policy on the personal use of alcohol or drugs as a part of their report.

Prohibition of Retaliation

The college prohibits retaliation against any individual who makes a good faith report of a potential violation of this policy, who supports another person's report, or who acts as a witness in any investigation into a complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment. If either the complainant or respondent believes that she or he has been the subject of retaliation, she or he should contact the Title IX Coordinator or Deputy Title IX Coordinator. Any such request

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should include a description of the alleged retaliation. If the Title IX Coordinator or the Deputy Title IX Coordinator determines that there has been retaliation, the college will take appropriate action, up to and including termination for employees or volunteers, or dismissal for students, against any individual who retaliates against another person in violation of this policy.

Community Reporting and Warning Notifications

Community Reporting & Institutional Response

All members of the Concordia College community are encouraged to report incidents of suspicious or criminal activity to Public Safety (218-299-3123), the Moorhead Police Department (911), the Bemidji Police Department (218-333-9111 or 911) or the Beltrami County Sheriff (218-333-9111 or 911).

Those members of the Concordia College community identified as Mandatory Reporters, and also those who are Campus Security Authorities as defined by the Crime Awareness and Campus Security Act (Clery Act), including advisors to student organizations, athletic team coaches, members of the Public Safety Department, members of the Office of Student Development & Campus Life, members of the Residence Life Office, and other members of the college community who have significant responsibility for student and campus activities, are required to report crimes to Public Safety for inclusion in the Annual Security Report. It is critical that all reported crimes are included in the college's Annual Security Report (ASR). Compliance does not violate the Family Educational Rights and Privacy Act (FERPA).

Timely Warnings and Daily Crime Log

Under the Clery Act, the college must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. The college will make every effort to avoid disclosure of personally identifiable information, to the extent permissible by law, while still providing enough information for community members to make safety decisions in light of the danger. These alerts are sent by electronic mail directly to students, faculty, and staff of the college. In addition, a daily crime log listing all crimes reported to Public Safety is maintained in the Public Safety Office and is available for public review during normal business hours.

Immediate and Ongoing Assistance

Sex discrimination, sexual harassment, and sexual misconduct are grievous violations of an individual's dignity and may cause serious physical, psychological, and/or social harms. The college will seek to support any person impacted by sex discrimination, sexual harassment, or sexual misconduct. The college and the local community provide a variety of resources to assist and support individuals who have experienced sex discrimination, sexual harassment, and sexual misconduct. These resources, both immediate and ongoing, are available to all persons irrespective of their decision to report to the college or to law enforcement.

Support services that may be available include, but are not limited to, connecting the individual with appropriate on campus and off campus counseling and support services, making changes to academic, living, transportation, and/or working arrangements to protect the individual from contact with the alleged perpetrator, assistance in filing a criminal complaint and providing information about restraining orders, and other available protections and services. The college will provide written notification to affected individuals about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the college and in the community. An individual does not need to report sexual misconduct to law enforcement or initiate a complaint with the college in order to receive support services from the college. The college will provide assistance in preserving materials relevant to a campus disciplinary proceeding regarding sexual assault. The Deputy Title IX Coordinator (contact Laura Zeiher at 218-299-3455 or lzeiher@cord.edu) will upon request, provide a victim of sexual assault who chooses to transfer with information about support services at the institution to which she or he is transferring.

Hospital/health care sites where individuals can seek treatment for injuries, preventative treatment for STDs, access to a Sexual Assault Nurse Examiner, and other health services include:

Fargo/Moorhead

Sanford Medical Center 701-417-2000
5225 23rd Ave S
Fargo, ND 58122

Essentia Health 701-364-8000
3000 32nd Ave. S.
Fargo, ND 58103

Bemidji

Sanford Medical Center 218-751-5430
1300 Anne St.
Bemidji, MN 56601

Resources and support will also be made available to the respondent in sexual misconduct complaints. This includes, but is not limited to, notification of the availability of counseling, health services, mental health services, visa and immigration resources, assistance obtaining no contact orders, and legal assistance available in the community and on campus.

Those who are unsure where to go or what to do first are encouraged to contact the Counseling Center on the Moorhead campus and the Health Services Manager at CLV.

Note: Other support services are found in the Resources and Contact Information section on pages 12-16 of this policy.

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General Provisions for all Complaint Procedures

Complaints of a violation of this policy received by the college will be processed according to the following Sexual Misconduct Complaint Procedure, Sex Discrimination and Sexual Harassment Complaint Procedure, or Procedure for Complaints involving Third Parties, depending on the nature of the allegations and the nature of the relationship between the college and the parties. Generally, complaints or incidents of retaliation involving an employee respondent will be processed by Human Resources and complaints involving a student respondent will be processed by the Office of Student Development & Campus Life.

Treatment of Parties

All parties involved in investigations and/or disciplinary proceedings related to sexual misconduct complaints will be treated with dignity and respect. Alleged victims will not be subjected to actions that suggest they are at fault or that the alleged crime or violation could have been avoided through different behavior. All parties involved in the complaint procedure will be provided with nonjudgmental support, including fair and respectful health care, counseling services, or referrals to such services. Upon request, counseling services are available to students and the Employee Assistance Program is available to faculty and staff. Each party may decide when and when not to repeat his or her account of an alleged incident of sexual misconduct.

Right to Access Description of Incident

Any individual who reports an incident of sexual misconduct to the college shall be provided access to her or his description of the incident as it was reported to the institution, subject to compliance with the requirements of FERPA, the Clery Act, Title IX, and other federal or state law. Requests for an individual's description of the incident shall be made to the Title IX Coordinator (218-299-3339 or titleix@cord.edu) or the Deputy Title IX Coordinator (218-299-3455 or lzeiher@cord.edu).

Conflicts

If either the complainant or respondent believes that any person who is involved in the process has a conflict of interest, she or he may make a request to the Title IX Coordinator, Peggy Torrance at 218-299-3339 or titleix@cord.edu or Deputy Title IX Coordinator, Laura Zeiher, at 218-299-3455 or lzeiher@cord.edu, that the individual not participate. Any such request should include a description of the alleged conflict of interest. If the Title IX Coordinator or the Deputy Title IX Coordinator determines that conflict of interest exists, the Coordinator of Title IX or Deputy Title IX Coordinator will take steps to ensure that no conflicts of interest exist regarding anyone involved investigating or otherwise resolving a complaint under this policy. If the Title IX Coordinator has a conflict of interest with respect to a complaint, the college's President or the President's designee shall appoint an alternate person to oversee adherence to this policy with respect to the complaint at issue. If the President is a party to the complaint or has a conflict of interest with respect to a complaint, the Chair of the Board of Regents for the college shall appoint an alternate person to oversee adherence to this policy with respect to the complaint at issue.

Responding to Requests for Confidentiality or Non-Action

Upon receiving a report of a violation of this policy, the college will seek the consent of the complainant to proceed using the procedures described in the policy. The college strives to honor any request that a complainant may make to keep any such report confidential or for the college not to investigate such a report, but the college also has a legal obligation to respond to reports and complaints timely and appropriately, and to report certain crimes in accordance with applicable federal and state law.

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

Non-Participation and Silence

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

Timelines

Generally, the college will complete the investigation within 45 calendar days and adjudication processes outlined below within 15 calendar days of receiving a complaint or report of a violation of this policy. Some complaints, however, may take longer to investigate or resolve, for example when there are a large number of witnesses, when there is a concurrent legal investigation, during holidays or college breaks, when there are difficulties in scheduling meetings of the parties and college officials, and other unforeseen circumstances. The college is committed to investigating and resolving all matters as promptly as possible and strives to meet the timing requirements set forth in these procedures. However, in some cases, temporary extensions to the timing requirements may be necessary. The Title IX Coordinator or Deputy Title IX Coordinator may grant reasonable extensions to timing requirements in these procedures when warranted by the circumstances. If the

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investigation and/or adjudication exceed the stated timelines, the parties will receive written notice of the delay, including the reason for the delay.

Sexual Misconduct Complaint Procedure

Procedures for complaints of sexual harassment processed under a separate procedure that can be found on page 24.

Complaints involving allegations of sexual misconduct and sexual harassment will be handled under the sexual misconduct complaint procedure.

Initiation of Complaint

Complaints are generally initiated by individuals who believe that their rights under this policy have been violated, but any individual may initiate a complaint. In addition, circumstances may arise in which the college may proceed without a complainant. The Title IX Coordinator, the Operations Director at CLV, Deputy Title IX Coordinator, the Associate Dean of the College, the Interim Athletic Director, and the Director of Residence Life, are available to assist in filing a complaint. Complaint forms are available from the Title IX Coordinator, the Director of Operations at CLV, the Office of Student Development & Campus Life, Human Resources, Academic Affairs Office, Public Safety or on the college's website.

Advisor

The complainant and the respondent have the right to be assisted by an advisor of their choice. The purpose of the advisor is to support a complainant or respondent in the complaint process. Guidelines for advisors are as follows:

1. Advisors may confer with the person being advised, but they may not actively participate in the process. The advisor may accompany the complainant or respondent to all meetings relating to the complaint procedure. The advisor may not appear in lieu of the complainant or respondent or speak on his or her behalf in either in-person or written communications to the college. The advisor may not address the investigator, adjudicator, witnesses (other than his or her own advisee), or appeal official, and may not interrupt or otherwise delay the complaint proceeding.
2. Both the advisor and the individual for whom they serve as an advisor are expected to maintain the confidentiality of any student education records or other confidential information.
3. Violations of confidentiality or other forms of interference with the complaint procedure by the advisor may result in disqualification of an advisor.
4. The college will provide the parties with information regarding the selection of an advisor by another party, including if the other party's advisor is an attorney.

Availability of Formal and Informal Resolution Options

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

Informal Process and Resolution

If an informal resolution is pursued, the Title IX Coordinator (or her/his designee) will attempt to facilitate a resolution that is agreeable to all parties.

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

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

If all parties to the complaint and the college agree in writing to the terms and conditions of a recommended resolution within three (3) business days from receipt of the recommended resolution, the case will be resolved without further process under this

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procedure. If all parties to the complaint do not agree in writing to the terms and conditions of the recommended resolution within three (3) business days, the complaint will be referred to the formal process.

Criminal Complaint

An individual may initiate a criminal complaint to the police at any time. Assistance will be provided by the Director of Public Safety on the Moorhead campus and the Director of Operations at CLV in these cases. The college process will continue even when a criminal complaint is filed.

Formal Process

The Formal Process is generally initiated upon the request of the complainant, by the filing of a formal complaint. The college may also decide that it has an obligation to investigate a complaint and proceed without a named complainant in order to provide a safe and nondiscriminatory environment for all students, faculty and staff. The complainant and respondent shall be given timely notice of all meetings and proceedings and advised who will be present. The investigation and adjudication will be conducted by individuals who receive training on issues related to sexual misconduct (including sexual assault, dating violence, domestic violence, and stalking) and on how to conduct a complaint process that protects the safety of victims, protects the rights of each party, and promotes accountability.

Investigation

Normally, the investigation process shall include the following elements. The college reserves the right to modify the process if the circumstances of a particular complaint require it to do so.

Appointment of Investigator(s)

The Title IX Coordinator, or his or her designee, will appoint one or more investigators. The complainant and the respondent will be notified in writing of the identity of the investigator(s) assigned to their case.

Right to Request Removal of Investigator(s)

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

Complainant's Account of the Alleged Misconduct

The complainant has the right to determine when and when not to give an account of the misconduct; the complainant also has the right to participate or decline to participate in the process. Non-participation may hinder the ability of the college to undertake an investigation. If the complainant does participate in the process, the investigator(s) shall interview the complainant to obtain the complainant's account of the alleged misconduct. In addition, the complainant shall be invited to advise the investigator(s) of any witnesses he/she believes should be interviewed, and/or other evidence that he/she believes should be reviewed by the investigator(s). The investigator(s) may also request additional information from the complainant. As soon as possible after the interview, the investigator(s) shall prepare a written summary of the information provided by the complainant. The complainant shall have the opportunity to review the summary, make any necessary corrections, and then affirm it in writing as an accurate representation of the complainant's account and must do so within two (2) business days of receiving notification of the availability of the summary.

Respondent's Account of the Alleged Misconduct

The respondent has the right to participate or decline to participate in the process. Silence in response to an allegation will not necessarily be viewed as an admission of the allegation, but may leave the complainant's allegations undisputed. If the respondent does participate, the investigator(s) shall interview the respondent to obtain the respondent's account of the alleged misconduct. In addition, the respondent shall be invited to advise the investigator(s) of any witnesses he/she believes should be interviewed, and/or other evidence that he/she believes should be reviewed by the investigator(s). The investigator(s) may also request additional information from the respondent. As soon as possible after the interview, the investigator(s) shall prepare a written summary of the information provided by the

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respondent. The respondent shall have the opportunity to review the summary, make any necessary corrections, and then affirm it in writing as an accurate representation of the respondent's account, and must do so within two (2) business days of receiving notification of the availability of the summary.

Witness Statements, if applicable

The investigator(s) may interview any witnesses who may have information of relevance to the alleged misconduct. The investigator(s) may exercise discretion in the selection of witnesses to be interviewed. The naming of a witness by either party does not obligate the investigator(s) to interview that proposed witness. The investigator may conduct additional interviews with witnesses who were not suggested by either party. The investigator(s) may prepare a written summary of the information provided by the witness. If such a summary is prepared, the witness shall have the opportunity to review the summary, make any necessary corrections, and then affirm it in writing as an accurate representation of his or her statement, and must do so within two (2) business days of receiving notification of the availability of the summary.

Other Evidence

The investigator(s) may request and review other evidence of relevance to the alleged misconduct, such as video recordings, photographs, text messages, or other artifacts.

Investigator's Summary of the Investigation

The investigator(s) will prepare a written summary of the investigation to guide the adjudicator in her/his review of the information gleaned from interviews, affirmed summaries, and any other evidence provided. The complainant or respondent and their advisor together will be provided with notice of the opportunity to review the summary in the presence of the Title IX Coordinator, or Deputy Title IX Coordinator or designee.

Right of Each Party to Submit Written Response to the Investigation Summary

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

Following review of the investigation summary, each party may provide a written response to the investigation summary containing any comments or additional information the party would like the adjudicator(s) to consider. Each party's response shall not exceed 2000 words in length, must be in direct relevance to the investigation, and must be submitted within three (3) business days after the investigation file has been made available to the party. While the parties may be assisted by their advisors, the written response must be submitted by the party and cannot be submitted by someone else on a party's behalf. Once both parties have had the opportunity to review the investigation summary and submit responses, each party shall have an opportunity to review the other party's response to the investigation summary and provide a written rebuttal of not more than 1000 words within two (2) business days of the response being made available.

Additional provisions for investigation process

If a criminal complaint has been filed, the college's procedures, including any investigation, may be temporarily delayed up to two weeks to allow law enforcement to gather evidence. Such delay may only occur at the request of law enforcement and shall not be any longer than necessary for law enforcement to complete the gathering of evidence. In no case will the college wait for the conclusion of a criminal investigation or criminal proceeding to begin its own investigation.

In cases where there is an unknown assailant or it is determined that there is an on-going threat to the campus community, the college may notify law enforcement authorities of this information.

Adjudication

Normally, the adjudication process shall include the following elements. The college reserves the right to modify the process if the circumstances of a particular complaint require it to do so.

Appointment of Adjudicator(s)

The Title IX Coordinator, or his or her designee, will appoint an adjudicator to review the investigation summary and make a determination as to whether it is more likely than not that a violation of this policy occurred, and if so, what

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sanctions are warranted. The adjudicator appointed to a case may not also serve as an investigator for the same case. Normally, only a single adjudicator will be appointed; however, the college may appoint additional adjudicators to assist in making a determination in any given case. The complainant and the respondent will be notified in writing of the identity of the adjudicator(s) assigned to their case.

Right to Request Removal of Adjudicator(s)

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

Determination

The adjudicator(s) will render a decision based upon the investigation summary, any response to the investigation summary submitted by the complainant and/or respondent, and any other information the adjudicator(s) may deem appropriate and which is made available to both the complainant and respondent. The adjudicator may consult with the Title IX Coordinator or designee. The adjudicator(s) will use a preponderance of the evidence (“more likely than not”) standard in determining whether a violation of this policy has occurred.

If the decision is made that there is not sufficient basis to believe that it is more likely than not that the respondent violated this policy, the parties will be notified of that determination and the complainant will be informed of other resources that may be available to the complainant.

If the decision is made that it is more likely than not that the respondent violated this policy, the adjudicator(s) shall determine appropriate sanction(s) from those noted within this policy. The determination will include steps to take to prevent recurrence of any such violations, and as appropriate, remedies for the complainant.

Sanctions for Student Respondents

Sanctions imposed upon students found to have violated this policy include expulsion, suspension, probation, monetary fines/restitution, removal from housing, warnings/reprimands, educational sanctions, counseling, ban from campus, removal from housing or change in location of housing, dismissal/termination/restrictions regarding college employment, restitution, issuance of no contact orders, and restrictions in access to college facilities and activities.

Sanctions for Staff or Faculty Respondents

Appropriate sanctions for staff or faculty members found to have violated this policy include disciplinary warnings, unpaid suspensions, training programs, suspension of promotion and salary increments, loss of prospective benefits, major fines, reduction in salary, suspension from service, suspension or withdrawal of privileges, demotion and/or separation from employment, and other sanctions appropriate to the specific case.

Remedies and Protective Measures

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

1. Establishing a “no contact” order to prohibit contact of any form either between two individuals or to prohibit one individual from contacting another.
2. Prohibiting an individual from being on campus or at college events.
3. Changing a student’s or employee’s status.
4. Changing work, class, or other schedules.
5. Providing assistance with academic issues.
6. Issuing a timely warning of any substantial threat or danger to the community.
7. Making information about and providing assistance with respect to orders for protection and harassment restraining orders, including enforcement of such orders.

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To request an accommodation or protective measure, complainants should contact the Title IX Coordinator, Peggy Torrance at 218-299-3339 or titleix@cord.edu or the Deputy Title IX Coordinator, Laura Zeiher, at 218-299-3455 or lzeiher@cord.edu. The college will maintain as confidential any accommodations or protective measures provided to the complainant, to the extent that maintaining such confidentiality will not impair the ability of the college to provide the accommodations or protective measures. The college will also solicit feedback from the complainant as to the effectiveness of the accommodations or protective measures, and adjust the arrangements if necessary to ensure effectiveness.

In addition to the interim measures listed above, and when deemed appropriate, the college will take corrective action through the imposition of individual and community remedies designed to maximize a complainant's access to educational, co-curricular, employment or volunteer activities. Remedies may include targeted or broad-based educational programming or training.

Notification of Outcome

The parties shall receive a simultaneous written notice of the outcome of the complaint, to include the determination of the adjudicator(s); where a violation is deemed to have occurred, the sanctions imposed; rationales for the determination and sanctions; procedures for appeal and the date by which the result becomes final as provided below; any other steps the college has taken to eliminate the conduct and prevent its recurrence; and, in the complainant's notice, remedies offered or provided to the complainant.

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

Appeal

Following the communication of the decision by the adjudicator(s), the complainant or respondent (other than individuals who are not either students or employees of the college) may request an appeal of the decision. The request for an appeal must be submitted in writing to the Title IX Coordinator or designee within three (3) business days of receiving the notice of outcome. Failure to file a timely appeal constitutes a waiver of any right to an appeal.

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

1. Newly-discovered evidence which may substantially affect the outcome of the adjudication;
2. A procedural error, which substantially affected the outcome of the adjudication; and
3. The sanction was too lenient or too severe.

If the Title IX Coordinator or designee determines that the appealing party has demonstrated that one of the above grounds for appeal is satisfied, the matter will be returned for further review of the investigation summary by a new adjudicator(s). If the grounds for appeal relate to the investigation, or warrant additional investigation, the Title IX Coordinator or designee may refer the matter to further investigation before proceeding.

In the case of a faculty respondent, the adjudicator for an appeal shall be the president or designee. In the case of a faculty respondent where the sanction, after appeal, is the revocation of tenure, a second appeal may be made. The adjudicative body will be, in this case, the Executive Committee of the Board of Regents. The method of requesting both appeals is as described above. Such cases are handled under the college's Sexual Misconduct Policy rather than the procedures for other cases of faculty discipline/dismissal, and as is noted in the Faculty Handbook.

If there is not adequate reason to believe that one or more grounds for appeal have been satisfied, the Title IX Coordinator may dismiss the appeal. This decision is final and is not appealable.

Sex Discrimination and Sexual Harassment Complaint Procedure

The following process shall generally apply to complaints of a violation of this policy received by the college that involve allegations of sex discrimination and sexual harassment (other than allegations of sexual assault, domestic violence, dating violence and stalking) by or against a student, faculty, or staff member.

Individuals involved in the investigation and adjudication of sexual harassment complaints will have training and/or experience in handling such matters.

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Initiation of Complaint

Any individual may initiate the complaint procedure. Circumstances may arise in which the college may also decide that it has an obligation to investigate a complaint and proceed without a named complainant in order to provide a safe and nondiscriminatory environment for all students, faculty and staff. When a complaint is made under this policy, the college may ask that any report be confirmed in a written and signed complaint form. The Title IX Coordinator, Deputy Title IX Coordinator, the Associate Dean of the College, the Interim Athletic Director, the Director of Residence Life, the Director of Public Safety, and the Human Resources Representative at the Concordia Language Villages are available to assist in the completion of this form.

Availability of Formal and Informal Resolution Options

When a complainant or the college chooses to move forward with the complaint procedure set forth in this policy, there are two avenues for resolution of an alleged policy violation: formal and informal resolution. The complainant or the college has the option to proceed informally, when permissible. If a complaint is processed informally, the complainant, respondent or college has the option to move the complaint to the formal process at any time.

The Title IX Coordinator, or designee, is available to explain the informal and formal resolution procedures. In addition, the Title IX Coordinator or designee may also directly refer the matter to other institutional disciplinary procedures. This referral option will generally be used when: (1) the type of behavior that is alleged to have occurred does not constitute a violation of this policy or (2) the behavior that is alleged to have occurred is better handled under another disciplinary procedure. Every attempt will be made to determine the appropriate resolution in a timely manner.

Informal Process and Resolution

If an informal resolution is pursued, the Title IX Coordinator or designee will attempt to facilitate a resolution that is agreeable to all parties.

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

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

If all parties to the complaint and the college agree in writing to the terms and conditions of a recommended resolution within three (3) business days, the case will be resolved without further process under this procedure. If all parties to the complaint do not agree in writing to the terms and conditions of the recommended resolution within three (3) business days, the complaint will be referred to the formal process.

Formal Process

If a complaint is not processed through the informal process, or is not resolved through the informal process outlined above, the complaint shall be processed according to the formal complaint procedure described below:

Initiation of Complaint

Complaints are generally initiated by individuals who believe that their rights under this policy have been violated, but any individual may initiate a complaint. In addition, circumstances may arise in which the college may proceed without a complainant. The Title IX Coordinator, the Operations Director at CLV, Deputy Title IX Coordinator, the Associate Dean of the College, the Interim Athletic Director, and the Director of Residence Life are available to assist in filing a complaint. Complaint forms are available from the Title IX Coordinator, the Director of Operations at CLV, the Office of Student Development & Campus Life, Human Resources, Academic Affairs Office, Public Safety or on the college's website.

Advisor

The complainant and the respondent have the right to be assisted by an advisor of their choice. The purpose of the advisor is to support a complainant or respondent in the complaint process. Guidelines for advisors are as follows:

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1. Advisors may confer with the person being advised, but they may not actively participate in the process. The advisor may accompany the complainant or respondent to all meetings relating to the complaint procedure. The advisor may not appear in lieu of the complainant or respondent or speak on his or her behalf in either in-person or written communications to the college. The advisor may not address the investigator, adjudicator, witnesses (other than his or her own advisee), or appeal official, and may not interrupt or otherwise delay the complaint proceeding.
2. Both the advisor and the individual for whom they serve as an advisor are expected to maintain the confidentiality of any student education records or other confidential information.
3. Violations of confidentiality or other forms of interference with the complaint procedure by the advisor may result in disqualification of an advisor.
4. The college will provide the parties with information regarding the selection of an advisor by another party, including if the other party's advisor is an attorney.

Investigation

The investigation will be conducted by one or more investigators appointed by the Title IX Coordinator. Both parties shall be notified in writing of the appointment of the investigator.

The investigator(s) shall interview the complainant, respondent and/or other witnesses and may request additional information from the complainant, respondent or others. In addition, the complainant and respondent shall have an opportunity to advise the investigator(s) of any witnesses they believe should be interviewed, and/or other evidence that they believe should be reviewed by the investigator(s).

Right to Request Removal of Investigator(s)

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

Adjudication

Normally, the adjudication shall include the following:

Appointment of Adjudicator

Upon completion of the investigation, an adjudicator will be appointed by the Title IX Coordinator or designee.

The adjudicator will review the investigation summary, make a determination as to whether it is more likely than not that a violation of this policy occurred, and if so, what sanctions are warranted. The college reserves the right to appoint additional adjudicators to assist in making a determination.

Right to Request Removal of Adjudicator(s)

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

Review of Investigation Summary

The investigation summary will be made available to and reviewed by the adjudicator(s) following his/her/their appointment. Upon review of the investigation summary, the adjudicator(s) may, in his/her/their discretion, request additional investigation by the investigator(s).

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Determination

The adjudicator(s) will render a decision based upon the investigation file and any other information the adjudicator(s) deems appropriate. The adjudicator may consult with the Title IX Coordinator. The adjudicator(s) will use a preponderance of the evidence (“more likely than not”) standard in determining whether a violation of this policy has occurred.

If the decision is made that there is not sufficient basis to establish that it is more likely than not that the respondent violated this policy, the parties will be notified of that determination and the complainant will be informed of other resources that may be available to the complainant.

Sanctions

If it is determined that the respondent violated this policy, the adjudicator(s) shall determine appropriate sanction(s). The determination will include steps to take to prevent recurrence of any such violations, and as appropriate, remedies for the complainant.

Sanctions imposed upon students found to have violated this policy include expulsion, suspension, probation, monetary fines/restitution, removal from housing, warnings/reprimands, educational sanctions, counseling, ban from campus, removal from housing or change in location of housing, dismissal/termination/restrictions regarding college employment, restitution, issuance of no contact orders, and restrictions in access to college facilities and activities.

Appropriate sanctions for staff or faculty members found to have violated this policy include disciplinary warnings, unpaid suspensions, training programs, suspension of promotion and salary increments, loss of prospective benefits, major fines, reduction in salary, suspension from service, suspension or withdrawal of privileges, demotion and/or separation from employment, and other sanctions appropriate to the specific case.

Notification of Outcome

The parties shall receive a simultaneous written notice of the outcome of the complaint, to include the determination of the adjudicator(s); where a violation is deemed to have occurred, in the respondent’s notice, any imposition of sanctions, and in the complainant’s notice, any imposition of sanctions that directly relates to the complainant; procedures for appeal and the date by which the result becomes final, any other steps the college has taken to eliminate the conduct and prevent its recurrence; and, in the complainant’s notice, remedies offered or provided to the complainant.

Appeal

Following the communication of the decision by the adjudicator(s), the complainant or respondent (other than individuals who are not either students or employees of the college) may request an appeal of the decision. The request for an appeal must be submitted in writing to the Title IX Coordinator or designee within three (3) business days of receiving the notice of outcome. Failure to file a timely appeal constitutes a waiver of any right to an appeal.

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

1. Newly-discovered evidence which may substantially affect the outcome of the adjudication;
2. A procedural error, which substantially affected the outcome of the adjudication; and
3. The sanction was too lenient or too severe.

If the Title IX Coordinator or designee determines that the appealing party has demonstrated that one of the above grounds for appeal is satisfied, the matter will be returned for further review of the investigation summary by a new adjudicator(s). If the grounds for appeal relate to the investigation, or warrant additional investigation, the Title IX Coordinator or designee may refer the matter to further investigation before proceeding.

In the case of a faculty respondent, the adjudicator for an appeal shall be the president or designee. In the case of a faculty respondent where the sanction, after appeal, is the revocation of tenure, a second appeal may be made. The adjudicative body will be, in this case, the Executive Committee of the Board of Regents. The method of requesting both appeals is as described above.

If there is not adequate reason to believe that one or more grounds for appeal have been satisfied, the Title IX Coordinator may dismiss the appeal. This decision is final and is not appealable.

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Procedure for Complaints Involving Third Parties

When the college receives a complaint of a violation of this policy that involve allegations of sex discrimination, sexual harassment or sexual misconduct by a third party (an individual who is not a student, faculty, or staff member), the college, in consultation with the Title IX Coordinator or designee, may exercise discretion to determine an appropriate investigative and adjudication process based on the facts and circumstances. The college will document the report received, the process used, and the outcome and will submit such information to the Title IX Coordinator or designee. If it is determined that it is more likely than not that a third party violated this policy, appropriate sanction(s) may include but are not limited to: conditions upon presence on campus or at college events, no trespass and no contact orders, or other steps deemed necessary to protect the complainant and the campus community. The college will notify the parties of the outcome of the complaint. Third parties may not appeal the decision made. Any party with concerns about the process or outcome, however, should consult with the Title IX Coordinator or designee.

Prohibition of Retaliation

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

Alternative Procedures

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

The OCR office for colleges in the state of Minnesota is:

U.S. Department of Education

Office for Civil Rights

Citigroup Center

500 W. Madison Street, Suite 1475

Chicago, IL 60661-4544

Tel: 312.730.1560

TDD: 877.521.2172

Email: OCR.Chicago@ed.gov

College policies are subject to change at the discretion of the college.

Updated: August, 2016

Editorial updates: September 20, 2016

Editorial updates: April 20, 2017

13. SEXUAL MISCONDUCT AWARENESS AND PREVENTION PROGRAMS FOR NEW AND ALL EMPLOYEES AND FOR NEW AND ALL STUDENTS

Employees

Awareness and Prevention Programs for New Employees

All new employees are provided with awareness and prevention programming at Fall college orientation. Programs presented include general discrimination, including sexual misconduct and identified responsibilities for reporting and resources for supporting. Furthermore, online sexual misconduct training is offered through TrainED.

Ongoing Awareness and Prevention Programs for All Employees

All employees are provided with ongoing awareness and prevention programs during fall faculty and staff workshops regarding reporting concerns to ensure we create a community of support. In addition, an online sexual misconduct training programs is available and covers all requirements of the Title IX/VAVA and includes the sexual misconduct policy. Specific session is held with academic department chairs.

Students

Sexual Misconduct Awareness and Prevention Programs for New Students

All new students are provided with awareness and prevention programming at new student orientation that gives them information about College and legal policy, provides resources for support and assistance both on and off campus, and seeks to create an understanding not only of College policy but also of effective means for bystander intervention.

Sexual Misconduct Awareness and Prevention Programs for All Students

All students are provided with access to an electronic sexual misconduct awareness and prevention training program. The program provides a link to the College's sexual misconduct policy, defines terms and provides legal definitions appropriate to the locale of the College, provides resources both on campus and in the community, and provides educational scenarios to enhance awareness and prevention.

An active Student Working Group: It's on Us provides campus-wide programming regarding awareness and prevention and by-stander intervention, and also distributes emergency contact information and support office information to all students. A sexual assault awareness video involving students, faculty and staff has been developed and distributed to the campus community. Access to the College Sexual Misconduct Policy as well as resources is available for students and all members of the College community on the Student Development & Campus Life website. All residential students have access to educational programs provided by Residence Life.

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14. MISSING PERSONS POLICY:

The College has a policy and protocol for handling reports of missing persons. Each report of a missing person is taken seriously and responded to immediately. The initial responsibility of determining if a person is missing lies with the Director of Campus Public Safety or a designee. After a preliminary investigation, which will be conducted within two hours of the initial report of a missing person, Campus Public Safety will notify the Moorhead Police Department and the Dean of Students who will contact the parents, guardian, or designated contact person as appropriate. Once notified, the Moorhead Police Department will investigate. Campus Public Safety, as well as other college departments, will cooperate fully with the investigation.

Persons missing should be reported to:

The Director of Public Safety
The Office of Student Development & Campus Life
The Campus Health Center
The Campus Counseling Center
The Moorhead Police Department

Students may provide confidential contact information to the Director of Campus Public Safety for a person to be notified in the event the student is officially reported missing. This personal contact information will remain confidential and accessible only by campus officials and will only be disclosed to law enforcement during a missing persons investigation.

Reports of missing persons residing off-campus will immediately be reported to the law enforcement agency of residency.

15. INFORMATION REGARDING SEX OFFENDERS:

Law enforcement agency information by the state concerning registered sex offenders may be found at <https://mn.gov/doc/>.

Community Notification of Sexual Offenders

In 1996 the Minnesota Legislature passed the Community Notification Law (Minnesota Statutes 244.052) that permitted the release of information about certain offenders in Minnesota. The intent of the legislature was as follows: "If members of the public are provided adequate notice and information about an offender's release, the community can develop constructive plans to prepare themselves.

Prior to this law, most information regarding predatory offenders was known to law enforcement agencies, and others in the criminal justice system, but beyond those agencies and individuals the information about offenders was classified as either private or confidential.

Community Notification allows some information about some offenders to be converted from private or confidential information to public information. In Minnesota the amount of information, and the scope of individuals to whom information is released, is indicated by the risk level assigned to the offender by an End of Confinement Review Committee (ECRC) established by the notification law, and operated by the Department of Corrections (DOC). The higher number risk level assigned to the offenders, the more information can be released, and the broader the audience that will receive that information. Law enforcement agencies where the offenders reside have the responsibility for the notification of their communities under this law.

Information regarding Level 3 sex offenders can be found at <https://mn.gov/doc/family-visitor/search-offenders-fugitives/> and information regarding Level 2 offenders is available through the Moorhead Police Department.

Level 1

Level One offenders are offenders who are determined to be at a lower risk to re-offend. Police agencies may open a file on these offenders and may release information about the release of the offender to victim of, and witness to the crime, other law enforcement agencies, and anyone identified by the prosecuting attorney to receive the information.

Level 2

Level Two offenders are determined to be at a moderate risk to re-offend. Police agencies may release information to anyone included in the Level One information release, and in addition may notify organizations about the offender's release. These organizations may include schools, daycare centers, and other organizations where individuals who may become victims of the offender are regularly found. Law enforcement will make the decision on which organizations to notify based on the offender's past pattern of behavior. Law enforcement officials may also choose to notify certain individuals that they determine to be at possible risk from the offender, but this is not a wide spread community notification. Organizations notified about a Level Two offender are given this information to protect individuals in their care while they are on or near the premises of those organizations. The information is not to be re-distributed by those organizations that have been notified.

Level 3

Level Three offenders have been determined to be at the highest risk for reoffending out of all of the three risk levels. Law enforcement may notify all individuals and agencies included in Level One and Level Two notifications, and may also distribute information about the offender to everyone else in the community. In addition, officials may use the media and other distribution methods to get this information to the public. According to law enforcement policy, enforcement officials hold public meetings in the areas where Level Three offenders reside. At those meetings, information about the notification process, about the registration of predatory offenders, and information about the general population of these offenders is distributed and discussed. In addition, information about a specific offender or offenders is released. The information includes a general area of residence, a description of the offender (with photograph), and a description of the pattern of behavior that this offender has been known to display in the past. This disclosure does not apply to offenders that are in licensed residential facilities where staff have been trained to manage sexual offenders (halfway houses) nor does it apply to offenders in secure hospital facilities operated by the Department of Human Services (hospitals at Moose Lake and St. Peter, Minnesota).

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16. CRIME DEFINITIONS FROM THE UNIFORM CRIME REPORTING HANDBOOK:

Hierarchy Rule

There is a significance to the order in which the Part I offenses are presented, with criminal homicide being the highest in the hierarchy and arson being the lowest. The Part I offenses are as follows:

1. Criminal Homicide
 - a. Murder and Non-negligent Manslaughter
 - b. Manslaughter by Negligence
2. Sex Offenses
 - a. Rape or Sodomy, includes attempts
 - b. Sexual Assault with an object
 - c. Fondling
 - d. Non-forcible incest or statutory rape
3. Robbery
 - a. Firearm
 - b. Knife or Cutting Instrument
 - c. Other Dangerous Weapon
 - d. Strong-arm – Hands, Fists, Feet, etc.
4. Aggravated Assault
 - a. Firearm
 - b. Knife or Cutting Instrument
 - c. Other Dangerous Weapon
 - d. Hands, Fists, Feet, etc. - Aggravated Injury
5. Burglary
 - a. Forcible Entry
 - b. Unlawful Entry – No Force
 - c. Attempted Forcible Entry
6. Larceny-theft (except motor vehicle theft) **Not reported at this time in the Clery required statistics. May be found noted in the daily crime log maintained by Campus Public Safety.
7. Motor Vehicle Theft
 - a. Autos
 - b. Trucks and Buses
 - c. Other Vehicles
8. Domestic Violence
9. Dating Violence
10. Stalking
11. Arson
 - a.-g. Structural
 - h.-i. Mobile
 - j. Other

The experience of law enforcement agencies in handling UCR data shows that, for the most part, offenses of law occur singly as opposed to many being committed simultaneously. In these single-offense situations, law enforcement agencies must decide whether the crime is a Part I offense. If so, the agency must score the crime accordingly. However, if several offenses are committed at the same time and place by a person or a group of persons, a different approach must be used in classifying and scoring. The law enforcement matter in which many crimes are committed simultaneously is called a multiple-offense situation by the UCR Program. As a general rule, a multiple-offense situation requires classifying each of the offenses occurring and determining which of them are Part I crimes. The Hierarchy Rule requires that when more than one Part I offense is classified, the law enforcement agency must locate the offense that is highest on the hierarchy list and score that offense involved and not the other offense(s) in the multiple-offense situation.

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Crime Definitions from the Uniform Crime Reporting Handbook

<p><u><i>Criminal Homicide-Murder and Non-negligent Manslaughter</i></u> The willful (non-negligent) killing of one human being by another.</p>	<p><u><i>Dating Violence</i></u> Violence committed by a person who is or has been in a social relationship of a romantic intimate nature with the victim.</p>
<p><u><i>Criminal Homicide-Manslaughter by Negligence</i></u> The killing of another person through gross negligence.</p>	<p><u><i>Stalking</i></u> Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her safety or the safety of others; or suffer substantial emotional distress.</p>
<p><u><i>Robbery</i></u> 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.</p>	<p><u><i>Arson</i></u> Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.</p>
<p><u><i>Aggravated Assault</i></u> An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)</p>	<p><u><i>Weapon Law Violations</i></u> The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned</p>
<p><u><i>Burglary</i></u> The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.</p>	<p><u><i>Drug Abuse Violations</i></u> Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzadrine).</p>
<p><u><i>Motor Vehicle Theft</i></u> The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned - including joyriding.)</p>	<p><u><i>Liquor Law Violations</i></u> The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)</p>
<p><u><i>Domestic Violence</i></u> Crimes of violence committed by a current/former spouse of the victim; person with whom the victim shares a child in common; person who is cohabitating with or has cohabitated with the victim as a spouse; or person similarly situated to the spouse of the victim.</p>	

Sex Offenses Definitions from the National Incident-Based Reporting System (NIBRS)

Edition of the Uniform Crime Reporting Program

Sex Offenses:

Any sexual act directed against another person, forcibly and/or against that persons will; or not forcibly or against the persons will where the victim is incapable of giving consent.

Rape-The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Sodomy-Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault With An Object-The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

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

Sex Offenses: Non-forcible

Unlawful, non-forcible sexual intercourse.

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

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

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Crimes Reported to Concordia Officials and Other Law Enforcement Agencies

Report in accordance with the Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security and Campus crime Statistics Act

Statistics include counts for Language Village Programs outside of Moorhead MN as Non-Campus Buildings & Property

CATEGORY OF CRIMINAL ACT	Total for Reporting Year			Total On Campus			On Campus Excluding Residential			On Campus Residential Facilities			Non-Campus Buildings & Property			Public Property Adjacent to Campus		
	2016	2015	2014	2016	2015	2014	2016	2015	2014	2016	2015	2014	2016	2015	2014	2016	2015	2014
Criminal Homicide																		
Murder & Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses (breakdown below)																		
Rape	4	1	3	3	1	3	1	1	0	2	0	3	1**	0	0	0	0	0
Sodomy	0	0	1	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0
Sexual Assault with an object	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	1	2	1	1	2	0	0	1	0	1	1	0	0	0	1**	0	0	0
Sex Offenses, Non-Forcible (breakdown below)																		
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	1	2	2	1	2	1	1	1	0	0	1	1	0	0	1*	0	0	0
Motor Vehicle Theft	1	0	1	1	0	1	1	0	1	0	0	0	0	0	0	0	0	0
Domestic Violence	1	0	1	0	0	0	0	0	0	0	0	0	1*	0	1*	0	0	0
Dating Violence	1	2	2	1	2	2	1	0	1	0	2	1	0	0	0	0	0	0
Stalking	0	2	0	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
HATE CRIMES (BY PREJUDICE)	2016	2015	2014	2016	2015	2014	2016	2015	2014	2016	2015	2014	2016	2015	2014	2016	2015	2014
Race	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gender Identity	1	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	1	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
HATE CRIMES (BY OFFENSE)	2016	2015	2014	2016	2015	2014	2016	2015	2014	2016	2015	2014	2016	2015	2014	2016	2015	2014
Murder & Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses (breakdown below)																		
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sodomy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault with an object	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses, Non-Forcible (breakdown below)																		
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Property Damage/Destruction/Vandalism	1	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0
SPECIFIC ARRESTS	2016	2015	2014	2016	2015	2014	2016	2015	2014	2016	2015	2014	2016	2015	2014	2016	2015	2014
Liquor Law Violations	16	13	17	8	9	14	6	8	9	2	1	5	0	0	0	8	4	3
Drug Violations	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DISCIPLINARY REFERRAL	2016	2015	2014	2016	2015	2014	2016	2015	2014	2016	2015	2014	2016	2015	2014	2016	2015	2014
Liquor Law Violations	183	143	161	183	143	161	6	0	0	177	143	161	0	0	0	0	0	0
Drug Violations	14	5	4	14	5	4	0	0	0	14	5	4	0	0	0	0	0	0
Weapons Violations	0	2	1	0	2	1	0	0	0	0	2	1	0	0	0	0	0	0
	Total for Reporting Year			Total On Campus			On Campus Excluding Residential			On Campus Residential Facilities			Non-Campus Buildings & Property			Public Property Adjacent to Campus		

Explanation of Location

*Concordia Language Villages, Non-Campus

**Study Abroad, Non-Campus

No reports in 2014-2016 were defined as "Unfounded".