



# AU AUGUSTANA UNIVERSITY

**ANNUAL SECURITY & FIRE SAFETY REPORT 2021-2022**



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Augustana is committed to providing equal access to and participation in employment opportunities and in programs and services, without regard to race, color, religion, creed, sex, pregnancy, sexual orientation, gender identity, genetic information, national origin, ancestry, age, veteran status, or disability. Augustana complies with Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Rehabilitation Act, and other applicable laws providing for nondiscrimination against all individuals. Augustana will provide reasonable accommodations for known disabilities to the extent required by law.

This policy covers nondiscrimination in employment and in access to educational opportunities. Therefore, any member of the campus community, guest or visitor who acts to deny, deprive or limit the educational, employment, residential and/or social access, benefits and/or opportunities of any member of the campus community on the basis of their actual or perceived membership in the protected classes listed above is in violation of Augustana policy on nondiscrimination. When brought to the attention of Augustana, any such discrimination will be appropriately remedied by Augustana according to the procedures below. This Policy is not intended to create a contract between Augustana University and any other person.

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## **CAMPUS SAFETY AND SECURITY**

### ***“A Shared Responsibility”***

*Campus Safety and Security at Augustana University is a shared responsibility. Clearly, the best protection against campus crime is an aware, informed, alert campus community – students, faculty and staff who use reason and caution – along with a strong security presence.*

The vast majority of our students, faculty, staff and visitors do not experience crime while at Augustana University. However, despite our best efforts, crimes sometimes occur. This information is provided because of our commitment to campus safety and in compliance with the federal law, The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (The Clery Act). It is meant to be useful to you. If you have concerns, questions or comments about federal law requirements or Augustana University's compliance with these laws, please contact the Director of Campus Safety at 605.274.4499.

### **DEPARTMENT OF CAMPUS SAFETY MISSION STATEMENT**

The mission of the Augustana University Department of Campus Safety is to promote and maintain a safe and secure environment in which the University's educational mission can be successful. The Department contributes to the University's Mission through safety procedures that promote the intellectual, social, spiritual, physical and recreational aspects of students' lives. The department cultivates mutual trust and encourages members of the Augustana Community to share responsibility for maintaining an environment that is conducive to learning, working and personal development.

### **AUGUSTANA UNIVERSITY CAMPUS**

Augustana University is located in Sioux Falls, South Dakota, a city of more than 165,000 in a metropolitan area of over 252,000. The campus is situated on 100 acres in south central Sioux Falls surrounded by a residential area. Approximately 1,800 full- and part-time students, primarily of traditional age, come from 25 states and more than a dozen foreign countries. The main northern part of the campus is bordered by 28th St. on the north, 33rd St. on the south, Grange Ave. on the west and Summit Ave. on the east. The southern part of the campus which includes all athletic facilities is bordered by 33rd St. on the north, 37th St. on the south, Lake Ave. on the west and Grange Ave. on the east. Most campus residential properties are located on the main campus however campus residential properties are spread within a three block radius of the main campus.

### **AUGUSTANA UNIVERSITY CAMPUS NEIGHBORHOOD**

The Augustana University campus neighborhood is defined as being located within these boundaries:

26th St. on the north  
38th St. on the south  
Spring Ave. on the east  
West Ave. on the west

### **DEPARTMENT OF CAMPUS SAFETY**

The Department of Campus Safety is committed to enhancing the quality of life of the campus community, integrating the best practices of public and private policing with state-of-the-art security technology. The department consists of the Director of Campus Safety, a staff of officers (full- and part-time) and other office personnel necessary to support our comprehensive security program which maintains 24/7 patrols on campus – by foot, motor vehicle and bicycle. The Department of Campus Safety works closely with the Sioux Falls Police Department as both agencies patrol and respond to requests for service within the campus neighborhood. Campus Safety officers are not sworn police officers and do not carry firearms. Campus Safety officers are empowered to enforce Augustana University policies and regulations and can make a citizen's arrest under state law. Campus Safety officers respond to all emergency calls on campus and frequently respond to neighbor complaints in the surrounding neighborhood.

Department of Campus Safety officers are trained to professionally respond to situations they are confronted with and involve other authorities when needed. Campus Safety officers receive training when hired and are encouraged to continue their professional development throughout the year. Campus Safety officers are not only responsible for enforcement issues on campus but also work to address other public safety concerns to include fire safety and emergency medical services. Training opportunities include classes sponsored by the Sioux Falls Police Department, South Dakota Law Enforcement Training Commission, International Association of Campus Law Enforcement Administrators (IACLEA) and various other law enforcement, emergency services and leadership seminars. The Department of Campus Safety meets as a full staff for training and department related topics once a month. Preparations to include proper training are a vital part of maintaining a safe campus community.

The Director of Campus Safety serves as the law enforcement liaison with city, state and federal law enforcement officials, neighborhood watch groups, community and civic organizations and other security professionals in our community.

Department of Campus Safety officers respond to all reports of criminal activity on the Augustana University campus. When an arrest or additional investigation is required the Sioux Falls Police Department becomes the primary agency. Campus Safety officers will conduct an on-campus investigation and will provide all information developed to the primary investigating agency for review and potential criminal charges.

### **DISPATCH AND SECURITY CENTER**

The Department of Campus Safety maintains a 24 a day, 365 days a year Dispatch and Security Center that uses modern technology to keep abreast of activities on campus. The Center receives all calls made to the Department of Campus Safety. A dispatcher will take the initial information and dispatch an officer and other appropriate responding emergency services or disseminate the information to the appropriate person. The Dispatch and Security Center also maintains the fire alarms system on campus, intrusion alarms, emergency call boxes, panic alarms, critical facilities alarms and the surveillance camera system. The Dispatch and Security Center is staffed by professional staff 16 hours a day and trained student staff 8 hours a day. All students, faculty and staff are encouraged to program the Campus Safety phone number, 605.274.4014, into their cell phones in case of an emergency.

### **SPECIAL SERVICES**

The Department of Campus Safety provides safety and security coverage for a wide range of special events held on campus during the academic and calendar year.

Department of Campus Safety officers are assigned to work athletic events at Kirkeby-Over Stadium, the Elmen Center and on occasion off-campus at the Sioux Falls Arena. Campus Safety officers assist with maintain gate integrity and also patrol the event to assist with questions, concerns, medical issues and enforcement issues. The Department of Campus Safety has one registered paramedic on staff at all large venue events. In addition to athletic events, Campus Safety officers assist with other student activities to include dances.

Campus Safety officers also play a vital role during speaking appearances by local, national and international VIPs. The Department of Campus Safety has worked closely with a number of agencies to provide personal protection for high profile speakers coming to the campus. These agencies have included the United States State Department, United States Secret Service, United States Marshal Service, Scotland Yard, Federal Bureau of Investigation, Sioux Falls Police Department, South Dakota Highway Patrol, as well as other agencies dedicated to the protection of specific VIPs.

Requests for Campus Safety coverage during a special event should be directed to the Director of Campus Safety.

## **FIRE AND EMERGENCY SERVICES**

The Department of Campus Safety works closely with Sioux Falls Fire Rescue and Paramedics Plus to provide fire and medical emergency coverage for the campus.

The Department of Campus Safety works with the Fire Inspectors from Sioux Falls Fire Rescue to monitor and enhance compliance with local, state and federal codes through periodic building inspections. The Department of Campus Safety also works closely with university facilities staff to ensure alarms systems and other fire prevention equipment is functional and effective.

The department provides numerous additional services, including monitoring emergency fire drills, fire safety training for students and staff, and developing building-specific crisis management action plans.

The Department of Campus Safety serves as a first responder for medical emergencies on campus. Officers receive annual training as first responders to include basic medical emergency training, CPR and AED (automated external defibrillator). The Department provides additional services to the campus community to include establishing a campus wide AED program, providing CPR/AED training for faculty/staff and students and additional paramedic coverage for special events on campus.

## **SECURITY AND TECHNICAL SERVICES**

The Department of Campus Safety has the primary responsibility for developing and implementing the University's security management plan. The department provides guidance and oversight for the design and installation of all electronic security for the University. The department works closely with the University's Information Technology Services Department to provide campus-wide electronic security systems administration and support. Currently, this includes emergency blue light telephones, building alarm systems, electronic access control systems and closed circuit video (CCTV) monitoring for safety and security purposes.

## **REPORT A CRIME**

The Department of Campus Safety is maintained 24 hours a day, seven days a week, 365 days a year. All criminal, fire-related and injury related incidents should be report to the Department of Campus Safety for response and documentation. Campus Safety Officers will conduct an initial investigation and will assist the crime victim with filing a report with the Sioux Falls Police Department.

The relationship and exchange of information with city, state and federal authorities are extremely important, and are ongoing processes. The Sioux Falls Police Department alerts the Department of Campus Safety to reported incidents in the neighborhoods that surround the campus. The Department of Campus Safety also works closely with Sioux Falls Police Criminal Analysts to document incidents in the campus neighborhood.

To report a crime or request information please contact the Department of Campus Safety, which is staffed 24/7, by trained dispatchers who support the on-duty officers in all emergency and non-emergency situations. The Department of Campus Safety can be reached by dialing 605.274.4014 from any phone or by using one of the emergency call boxes located on campus.

You can also report a criminal incident in person at the Department of Campus Safety, located in the Morrison Commons on the east side of the main level, which is staffed 24/7.



## SEXUAL ASSAULT, DATING VIOLENCE, DOMESTIC VIOLENCE, AND STALKING

Augustana University encourages all students and employees to take responsibility for creating a safe campus community, as well take precautions to keep themselves as safe as they can. Nationally, between 20 to 25 percent of university women experience sexual assault prior to graduation, and victimization rates for stalking and dating violence are similarly high. Men, too can be victimized.

Augustana University affirms its commitment to promote the goals of fairness and equity in all aspects of the educational enterprise. University policies and procedures related to sexual assault, dating violence, domestic violence, and stalking are designed to promote principles of global human dignity with an emphasis on meaningful remedies, social justice, victim empowerment and advocacy, comprehensive investigation and prompt, humane, non-adversarial resolution.

Augustana University uses the following components in its various prevention efforts:

- 1) Provide a clear definition of sexual assault, dating violence, domestic violence, and stalking as crimes and violations of the student code with penalties;
- 2) Provides information about on- and off-campus services available to victims and how they can access those services, which can include but do not require the option to report;
- 3) Encourages behaviors to prevent perpetration and protect yourself from victimization; and
- 4) Empowers bystanders to intervene in situations that are potentially harmful.

### Definitions

Since laws may vary from state to state and over time (i.e., stalking was not considered a crime until the 1990s in most states), the language used is commonly accepted definitions in lay terms.

The University prohibits all forms of sexual harassment including, but not limited to, the acts of sexual assault, dating violence, domestic violence and stalking. The University's definitions of those prohibited acts, along with its definition of consent:

**Sexual Assault** is any sexual contact without consent. Consent is a clear and freely given yes, not the absence of a no. Sexual assault can range from forcible fondling to penetration without consent, which is also known as rape.

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

- dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence** is defined as a felony or misdemeanor crime of violence committed

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

**Stalking** is a "course of conduct" that causes the victim to experience serious emotional distress or to fear bodily injury or death. Conduct may include: sending the victim unwanted items or gifts; repeated calls, emails or texts; showing up at the victim's home, workplace, or class.



## **Consent**

Consent is knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct.

A person cannot consent if he or she is unable to understand what is happening or is disoriented, helpless, asleep or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this policy.

It is not an excuse that the individual accused of sexual misconduct was intoxicated and, therefore, did not realize the incapacity of the other.

Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction). This policy also covers a person whose incapacity results from mental disability, involuntary physical restraint and/or from the taking of incapacitating drugs.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced. Silence or the absence of resistance alone is not consent.

A person can withdraw consent at any time during sexual activity by expressing in words or actions that he or she no longer wants the act to continue, and, if that happens, the other person must stop immediately.

In the State of South Dakota, a minor (meaning a person under the age of 16 years) cannot consent to sexual activity. This means that sexual contact by an adult with a person younger than 16 years old is a crime, as well as a violation of this policy, even if the minor consents to engage in the act.

Acts of sexual assault, dating violence, domestic violence, and stalking not only violate University policy, but can be crimes as well.

## **South Dakota State Law**

Acts of sexual assault, dating violence, domestic violence and stalking occurring within the context of interpersonal relationships may be criminal offenses under the South Dakota Criminal Code.

## **Sexual assault**

Under the South Dakota Codified Laws, the crime most closely corresponding to sexual assault is rape.

22-22-1. Rape–Degrees–Felony–Statute of limitations. Rape is an act of sexual penetration accomplished with any person under any of the following circumstances:

- (1) If the victim is less than thirteen years of age; or
- (2) Through the use of force, coercion, or threats of immediate and great bodily harm against the victim or other persons within the victim's presence, accompanied by apparent power of execution; or
- (3) If the victim is incapable, because of physical or mental incapacity, of giving consent to such act; or
- (4) If the victim is incapable of giving consent because of any intoxicating, narcotic, or anesthetic agent or hypnosis; or
- (5) If the victim is thirteen years of age, but less than sixteen years of age, and the perpetrator is at least three years older than the victim.

A violation of subdivision (1) of this section is rape in the first degree, which is a Class C felony. A violation of subdivision (2) of this section is rape in the second degree which is a Class 1 felony. A violation of subdivision (3) or (4) of this section is rape in the third degree, which is a Class 2 felony. A violation of subdivision (5) of this section is rape in the fourth degree, which is a Class 3 felony. Notwithstanding the provisions of § 23A-42-2, no statute of limitations applies to

any charge brought pursuant to subdivisions (1) or (2) of this section. Otherwise a charge brought pursuant to this section may be commenced at any time prior to the time the victim becomes of age twenty-five or within seven years of the commission of the crime, whichever is longer.

### **Dating Violence**

There is no specific definition or prohibition of “dating violence” in the South Dakota Codified Laws. However, physical violence by one person against another would be considered assault.

22-18-1. Simple assault–Misdemeanor–Felony for subsequent offenses. Any person who:

- (1) Attempts to cause bodily injury to another and has the actual ability to cause the injury;
  - (2) Recklessly causes bodily injury to another;
  - (3) Negligently causes bodily injury to another with a dangerous weapon;
  - (4) Attempts by physical menace or credible threat to put another in fear of imminent bodily harm, with or without the actual ability to harm the other person; or
  - (5) Intentionally causes bodily injury to another which does not result in serious bodily injury;
- is guilty of simple assault. Simple assault is a Class 1 misdemeanor. However, if the defendant has been convicted of, or entered a plea of guilty to, two or more violations of § 22-18-1, 22-18-1.1, 22-18-26, or 22-18-29 within ten years of committing the current offense, the defendant is guilty of a Class 6 felony for any third or subsequent offense.

### **Domestic Violence**

South Dakota Codified Laws defines domestic violence as:

25-10-1. Definitions. Terms used in this chapter mean:

"Domestic abuse," physical harm, bodily injury, or attempts to cause physical harm or bodily injury, or the infliction of fear of imminent physical harm or bodily injury when occurring between persons in a relationship described in § 25-10-3.1.

25-10-3.1. Persons entitled to apply for protection order. Any person who is involved in one of the following relationships with another party:

- (1) Spouse or former spouse;
- (2) Is in a significant romantic relationship;
- (3) Has a child or is expecting a child with the abusing party;
- (4) Parent and child, including a relationship by adoption, guardianship, or marriage;
- (5) Siblings, whether of the whole or half blood, including a relationship through adoption or marriage; is entitled to apply for a protection order or a temporary protection order pursuant to the provisions of this chapter.

### **Stalking**

22-19A-1. Stalking as a misdemeanor–Second offense a felony. No person may:

- (1) Willfully, maliciously, and repeatedly follow or harass another person;
- (2) Make a credible threat to another person with the intent to place that person in reasonable fear of death or great bodily injury; or
- (3) Willfully, maliciously, and repeatedly harass another person by means of any verbal, electronic, digital media, mechanical, telegraphic, or written communication.

A violation of this section constitutes the crime of stalking. Stalking is a Class 1 misdemeanor. However, any second or subsequent conviction occurring within ten years of a prior conviction under this section is a Class 6 felony.

For more information, please refer to the Augustana University Equal Opportunity (Civil Rights) Policies and Procedures and section in this handbook titled Policy on Sexual Misconduct.

## **SEX OFFENDER REGISTRY IN SOUTH DAKOTA**

The South Dakota Sex Offender Registry is maintained by the South Dakota Division of Criminal Investigation. The website offers several methods to which individuals can search the registry. In addition, the website also provides answers to questions such as who has to register, when does an offender has to re-register, and what other actions would require an offender to update their registry information.

The purpose of the registry is to inform the general public about the identity, location and appearance of sex offenders who live, work, or study in South Dakota. The registry, as well as detailed information about South Dakota's laws governing the Sex Offender Registry, is available at [www.sorsd.gov](http://www.sorsd.gov).

## **TIMELY WARNINGS**

When the Department of Campus Safety becomes aware of criminal incidents that, in the judgment of the University's senior leadership, constitute an ongoing or continuing threat to the campus community, the Department of Campus Safety issues a Crime Alert to notify the campus community. Depending on the particular circumstances, a timely warning will be issued by the Department of Campus Safety and the information may be disseminated by using one or a combination of the following: e-mail distribution; posters; and/or activation of the Augustana University Emergency Notification System (ENS) to advise the campus community of the situation.

## **EMERGENCY NOTIFICATION SYSTEM**

The Augustana University Emergency Notification System enables the University to quickly notify the campus community of critical information during a major emergency.

Currently, the University can notify all Augustana University faculty, staff and students via personal electronic devices (e.g. cell phones, pda handhelds, etc.) through text messaging, land line phone and e-mail.

When a major emergency occurs that impacts the campus community, the University will use the its main webpage to provide current and continuous updates acting as a central reference point for accurate information. This information is useful for those both on- and off-campus.

The Emergency Notification System will be used for two types of notifications. The first type would be to announce the status of the campus during inclement weather. In the event the campus must close due to dangerous weather conditions the Emergency Notification System will be used as one method to notify the campus community not to venture outside. The second type is for serious emergencies which are confirmed by emergency personnel and with the approval of the University's senior leadership. Once it is determined to use the Emergency Notification System the proper message is selected and sent to the appropriate audience. A Emergency Notification can only be sent by one of several initiators who are trained by the Department of Campus Safety. Furthermore, the Emergency Notification System is tested annually to ensure all faculty, staff and students are familiar with emergency alerts and what their individual roles are during an actual situation.

Participation in the Emergency Notification System is voluntary. All faculty, staff and students are encouraged to sign up to receive these important notices. Faculty and staff can register by going to [my.augie.edu](http://my.augie.edu), sign in and go the Human Resources tab. You will find a link to register for the Emergency Notification System. Students can register by also going to [my.augie.edu](http://my.augie.edu) and clicking on the student services tab. You will find a link to register for the Emergency Notification System. The system is only as good as the information provided by faculty, staff and students. The information provided is not shared with other entities and will be kept private and confidential for use only during emergency situations.

## **EMERGENCY PREPAREDNESS**

Emergency preparedness at Augustana University is managed by the Department of Campus Safety. Emergency preparedness means to prevent, prepare for, respond to and recover from any and all emergencies that could affect Augustana University and the surrounding campus community. It means having a comprehensive plan extending from all levels of emergency personnel down through the individuals that make up our community to prevent situations that cause emergencies; it means preparing people on the procedures to follow should a crisis occur; it means having a well collaborated response approach from University officials to City, State and Federal agencies to effectively mitigate any crisis; and finally it means being ready and able to recover quickly from emergency events to keep the mission of Augustana University actively moving forward.

## **MISSING PERSONS**

If a member of the Augustana University community has reason to believe that a student is missing, whether or not the student resides in campus housing, all possible efforts are made to locate the student to determine their state of health and well-being through the collaboration of the Dean of Student's Office and the Department of Campus Safety.

If the student lives in university housing, the Department of Campus Safety will secure authorization from the Dean of Student's Office to make a welfare entry into the student's room. If the student lives off-campus, the Department of Campus Safety will informally enlist the aid of the law enforcement agency having jurisdiction.

University officials will attempt to determine the student's whereabouts through contact with friends, associates, faculty, and/or employers of the student. Whether or not the student has been attending classes, labs, recitals, and scheduled organizational or academic meetings; or appearing for scheduled work shifts will be established.

If located, verification of the students' state of health and intention to return to the University is made. When and where appropriate, a referral will be made to Student Health and Counseling Services.

If not located, notification of the student's family within 24 hours of receiving the initial report is made to determine if they know of the whereabouts of the student. If the student lives off-campus, appropriate family members or associates are encouraged to make an official missing person report to the law enforcement agency with jurisdiction. The Department of Campus Safety will cooperate, aid, and assist the primary investigative agency in all ways possible.

In addition to the primary investigative agency, the Department of Campus Safety will also open an official investigation.

Upon closure of the missing person investigation, all parties previously contacted will be advised of the status of the case.

## **ON-CAMPUS HOUSING**

Augustana University offers a variety of housing options on campus to include traditional residence halls, theme houses and apartments. The six traditional residence halls are located on the main portion of the campus. The majority of the theme houses are located directly across from the main campus with one being located within on block of the campus. The majority of the apartment buildings are also located directly across from the campus with two apartment buildings being located within three blocks of the campus.

The Department of Campus Safety patrols the surrounding neighborhood that includes the University owned housing facilities located off the main campus. Campus Safety Officers conduct regular checks of these facilities and the parking lots. The Department of Campus Safety works closely with Residence Life to assist with issues that main arise inside residential buildings.

The Department of Campus Safety also has regular contact with the Department of Facilities and Grounds to ensure shrubs, bushes and greenery throughout the campus are appropriate and well maintained and that lighting on and near campus is appropriate.

## CRIME PREVENTION EDUCATION AND AWARENESS

The Department of Campus Safety provides services and sponsors seminars, forums and other presentations on campus safety and security to those living and working in the campus community.

These services and programs include:

A personal protection escort service is available to faculty, staff and students 24 hours a day, 365 days a year. Escorts are not to be used for convenience purposes such as it being too cold outside or you are running late for a class. The primary goal of the escort service is to enable students, faculty and staff to travel from point to point on campus and in the defined campus neighborhood with a greater sense of security. Requests for an escort can be made in the following ways:

- Ask any Campus Safety Officer on patrol or inside a building.
- Call the Department of Campus Safety at 605.274.4014.
- Use one of the many building phones or call boxes located on campus.

The Department of Campus Safety also sponsors seminars, forums, and other presentations on personal protection for women, office safety and security, crime prevention through environmental design (CPTED), and other security related topics.

## OTHER SERVICES PROVIDED

The Department of Campus Safety provides other several other services to the campus community. These services include:

**Vehicle Jumpstarts:** Faculty, staff and students who find their vehicle battery needs a jumpstart can call the Department of Campus Safety for assistance. Officers carry a portable battery jumpstart kit in each patrol vehicle. Requests for a jumpstart can be made 24 hours a day.

**Vehicle Lock-outs:** Faculty, staff and students who find they have locked their vehicle keys inside the vehicle can call the Department of Campus Safety for assistance. Officers carry tools designed to gain access to locked vehicle doors. With the improving technology used on some vehicles to protect the locking system, officers may not be able to gain access to every vehicle. Officers will attempt to gain access and if they are unsuccessful will assist the caller in locating a locksmith or other service that can help open the vehicle door.

## **PARKING**

The Augustana University campus is centrally located in Sioux Falls within walking or biking distance of banks, grocery stores, restaurants, and other common destinations. Sioux Area Metro (SAM) transit system also has a bus stop located on campus near the intersection of Grange Ave. and Commons Drive. So while having a car can be helpful for getting around, it isn't necessary to get places.

Parking on campus requires a permit with some visitor parking available. Students who wish to park a vehicle on campus must purchase a parking permit from the Department of Campus Safety. Residential parking permit requests are only handled at the beginning of each semester as the allotted permits are sold out quickly. In parking lots in which more requests than spaces have been made a lottery system is utilized. Unfortunately there is not enough parking for every student to park a car on campus. Students who do not purchase a permit or are not awarded a permit must find off-campus parking to include parking on the surrounding city streets.

Incoming students have the option of requesting a permit for the parking lot adjacent to their residence hall or requesting a permit for the Elmen Center parking lot.

Parking permits can be purchased by stopping at the Department of Campus Safety or by requesting a parking permit online within the student portal under the Incoming Students tab (choose Permit Parking Request within Billing Statement ). At the beginning of the academic year permits for residential students are distributed on a seniority basis to juniors and seniors, and by lottery to first-year students and sophomores.

The Department of Campus Safety enforces all parking regulations on campus property. The City of Sioux Falls enforces all parking ordinances related to city street parking. Both the Department of Campus Safety and Sioux Falls Police Department enforce city ordinance parking violations on campus (i.e. parking in a fire lane, handicapped parking violations).

When parking on streets surrounding the campus you must check for parking signage that provides time frames for parking in that specific area. Some streets surrounding the campus have two hour limits which require cars to be moved every two hours or be subject to ticketing and towing. City ordinance also requires vehicles on any city street be moved every 24 hours. A vehicle parked in the same place for more than 24 hours will be considered abandoned and subject to ticketing and towing.

Parking citations issued by the City of Sioux Falls are yellow in color and payment must be made to the City of Sioux Falls. For questions or concerns about city street parking you may contact City of Sioux Falls Public Parking at 605.367.7024. Parking citations issued by the Department of Campus Safety are orange in color and in the case of a faculty member, staff or student the citation will be billed to your campus account. Questions or concerns about parking can be referred to the Department of Campus Safety at 605.274.4014.

The Department of Campus Safety works closely with the student senate of the Augustana Student Association (ASA) to address parking questions and concerns from the student body. The president of ASA appoints a parking appeal board each academic year that consists of three to four students. The parking appeal board meets on a regular basis and reviews the parking appeals filed by students. The parking appeal board has the authority to dismiss the ticket, require full payment or cut the fine in half.

## THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT (THE CLERY ACT)

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (The Clery Act) requires Augustana University to provide students and employees with information on its security policies and procedures and specific statistics for certain criminal incidents, arrests and disciplinary referrals and to make the information and statistics available to prospective students and employees upon request. This information is available by calling the Department of Campus Safety at 605.274.4014 or online at [www.augie.edu/campuslife/campus-safety](http://www.augie.edu/campuslife/campus-safety).

The crime statistics reported under the Jeanne Clery Act include the following:

### **Criminal Homicide**

- Murder
- Non-negligent manslaughter

### **Sex Offenses**

- Forcible
  - Rape
  - Sodomy
  - Sexual assault with an object
  - Fondling
- Non-forcible
  - Incest
  - Statutory rape

### **Robbery**

### **Aggravated Assault**

### **Burglary**

### **Motor Vehicle Theft**

### **Arson**

**Hate Crimes:** The law requires the release of statistics by category of prejudice concerning the occurrence of hate crimes in the crime classifications listed in the preceding section and for other crimes involving bodily injury to any person in which the victim is selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim.

*In August of 2008 HEOZ S 488, 20 U.S.C. S 1092 (f) (1) F (ii) modified the above hate crimes to include the following additional crimes under the hate crime category:*

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

**Threats:** Intimidation (includes Stalking) To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

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

**Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

## **Incidents of Crime Known to the University**

The statistics reported in the following table reflect incidents which fall within uniform crime categories used by all universities and universities. This report indicates actual incidents that were investigated by the University and/or law enforcement agencies and may or may not have resulted in an arrest or conviction unless specifically identified as such. Also, reported incidents may or may not have involved students, faculty or staff as perpetrators or victims.

*\*None of the crimes identified above manifested evidence of prejudice as prescribed by the Hate Crimes Statistics Act (28 U.S.C. 534).*



## Crime Report Glossary

**Aggravated Assault:** An 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.

**Arson:** Any willful or malicious burning or attempt to burn a house, building, motor vehicle or personal property of another.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft.

**University-Owned Housing:** Incidents reported in this category occurred in residence halls, apartments and theme houses.

**Drug Law Violation:** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics - manufactured narcotics which can cause true addiction (Demerol, Methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

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

**Judicial System Referrals:** All reported judicial system referrals are incidents that have been investigated and/or formally addressed by Augustana University.

**Liquor Law Violations:** Augustana University holds students in violation of the Code of Student Conduct if they are present in a residence hall room or like space where an alcoholic beverage is found, regardless of whether a student consumed or was in possession of the alcoholic beverage. Reported data includes only those students under the age of 21 who violated the alcoholic beverage policy per federal reporting guidelines.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

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

**Negligent Manslaughter:** The killing of another person through gross negligence.

**On-Campus:** Crimes/incidents reported in the "on-campus" category occurred on property owned by Augustana University including university-owned housing.

**Public Property:** Crimes/incidents reported in the "public property" category occurred on property adjacent to the campus but not owned by the University.

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

**Sex Offenses, Forcible:** Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. Incidents reported in this category may also include forcible rape - the carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity, or because of his/her youth), forcible sodomy, sexual assault with an object, or forcible fondling - the touching of the private body parts of another person for the purpose of sexual gratification.

**Sex Offenses, Non-forcible:** Unlawful, non-forcible sexual intercourse. Incidents reported in this category may also include incest - non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law, and statutory rape - non-forcible sexual intercourse with a person who is under the statutory age of consent.

## CAMPUS CRIME REPORT FOR CALENDAR YEARS 2018-2020

	On	Campus		College	Owned	Housing		Public	Property
	2018	2019	2020	2018	2019	2020	2018	2019	2020
<b>Crime Reports</b>									
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses, Forcible	4	5	5	4	5	5	0	0	0
Sex Offenses, Non-forcible	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	2	0	0	1	0	0	0
Burglary	1	1	2	1	1	2	0	0	0
Motor Vehicle Theft	1	0	2	0	0	1	0	0	0
Arson	1	0	0	1	0	0	0	0	0
Dating Violence	3	1	1	3	1	0	0	0	0
Domestic Violence	1	0	0	1	0	0	0	0	0
Stalking	1	0	0	1	0	0	0	0	0
Hate Crimes	0	2	0	0	0	0	0	0	0
<b>Criminal Arrests</b>									
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Drug Law Arrests	2	0	2	0	0	0	0	0	0
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0
<b>Disciplinary Referrals to Campus Judicial System</b>									
Liquor Law Judicial System Referrals	24	28	56	24	28	56	1	0	0
Drug Law, Judicial System Referrals	20	20	14	18	20	14	1	0	0
Illegal Weapons, Judicial System Referrals	0	0	1	0	0	1	0	0	0

• Statistics no longer include numbers provided by the Sioux Falls Police Department. In 2016, Marsy's Law was passed changing the information the Sioux Falls Police Department could share with the University.

## DAILY CRIME AND FIRE LOG

The Department of Campus Safety maintains a combined Daily Crime and Fire Log of all incidents reported to the Department of Campus Safety. This includes all crimes, fire-related incidents and other incidents that occur on campus, including areas jointly patrolled by the Department of Campus Safety and the Sioux Falls Police Department, in non-campus buildings or properties, on public property or within the Campus Safety Patrol Zone.

The Daily Crime and Fire Log includes the incident type, date incident is reported, date and time of occurrence, and general location of each reported incident type.

The Daily Log can be found on the Campus Safety website or by stopping by the Department of Campus Safety and viewing the log.

## ANNUAL FIRE SAFETY REPORT

**The Higher Education Opportunity Act (HEOA)** requires two (2) new safety-related requirements on institutions that participate in federal student financial aid programs which follow:

1. Fire Log: Institutions must keep a fire log that states the nature of the fire, date, time, and general location of each fire in on-campus student housing facilities. Augustana University complies with this rule by including all fire-related incidents in the Daily Crime and Fire Log.
2. Annual Fire Safety Report: Institutions with on-campus student housing facilities must publish annually a fire safety report that provides information on campus fire safety practices and standards. Augustana University complies with this regulation by including all fire-related incidents at on-campus student housing facilities as part of the Annual Security and Fire Safety Report. Information contained in this annual fire safety report includes: number and cause of fires at all on-campus student housing facilities; number of fire-related deaths; related injuries; value of fire-related property damage; information on evacuation procedures; fire safety education and training programs; fire safety systems in each student housing facility; number of regular mandatory supervised fire drills; and policies on portable electrical appliance, smoking and open flames. The Annual Security and Fire Safety Report must include three (3) years of data.\*

*\*Revisions to the Higher Education Opportunity Act (HEOA) for Fire Safety and reporting were proposed in 2008. Therefore, only one year of data is currently available.\**

If a fire occurs in any building, community members should immediately notify Campus Safety by dialing 4014 from a campus phone or 605.274.4014 from any cell phone. Campus Safety will initiate a response as the department by Sioux Falls Fire Rescue. If a member of the Augustana University community finds evidence of a fire that has been extinguished, and the person is not sure whether Campus Safety has already responded, the community member should immediately notify Campus Safety to investigate and document the incident.

The campus fire alarm systems alert community members of potential hazards. Community members are required to heed an activated fire alarm system, and evacuate a building immediately. Use the nearest available exit to evacuate the building. Gather outside at a safe point that does not obstruct responding emergency vehicles and personnel.

When a fire alarm is activated, do not use the elevators. Occupants should use the stairs to evacuate the building. If you are caught in the elevator, use the emergency phone found in the elevator. A emergency contact list is maintained in each elevator near the phone.

## Fire Protection Equipment/Systems

All residential buildings are equipped with automatic fire detection and alarm systems which are monitored by the Department of Campus Safety, 24 hours a day, 365 days a year.

## Health and Safety Inspections

The Department of Campus Safety assists the Residence Life Staff while performing residential inspections at mid-year, usually during a break. Residents are notified beforehand of the inspection process. The inspections are conducted to identify safety violations as well as conditions which may be detrimental to the health or well being of the wider residential community.

The inspections include a visual examination of electrical cords, sprinkler heads, smoke detectors and other life safety systems. In addition, each room is examined for the presence of prohibited items such as candles, halogen lamps, open coiled appliances, pets, etc. Rooms are also examined for evidence of prohibited activity such as smoking in the room, removal of door closers, unauthorized door locking or alarm mechanisms, removal of security screens or other equipment, tampering with life safety equipment, etc. This inspection also includes a general assessment of cleanliness of the room, including food and waste storage.

Conditions warranting follow up are reported to the Dean of Students Office and Residence Life staff. The Residence Life staff is expected to communicate with those residents, apply sanctions which can range from fines to expulsion from housing; and to document such follow up.

The resident's signature on the Housing Contract, required in order to take occupancy, signifies their acceptance of and responsibility for abiding by residential and University policies as provided through all printed publications, web sites, email and other vehicles. Per the agreement, Residence Life staff may enter any room at any time for the purposes of inspection, establishment of order, maintenance, extermination, inventory correction, cleaning, or in case of emergency or other reasonable purposes.

## Fire Definitions

**Fire:** Rapid oxidation of combustible material accompanied by heat, light and smoke of combustible material, which is found outside of its normal appliance, whether or not it is extinguished prior to arrival of emergency.

**Fire-related Deaths:** Number of persons who were fatalities because of a fire incident, including death resulting from a natural or accidental cause while involved in fire control, attempting a rescue, or persons escaping from the fire scene (an individual who dies within one (1) year of injuries sustained as a result of a fire).

**Fire-related Injuries:** Number of persons receiving injuries from fire-related incidents, including an injury from a natural or accidental cause who received medical treatment at a local medical facility. This includes first responders attempting to control the fire, attempting a rescue, or persons escaping from the fire scene. Persons may include students, faculty, staff, visitors, firefighters, or any other individuals.

**Estimated U.S. Dollar Loss Related to Fire Incidents:** Estimated total U.S. dollar loss of both contents and structure or property destroyed because of a fire incident, not loss of business.

**Evacuation Procedures Posted:** When a fire alarm is activated, evacuation is mandatory. DO NOT use elevators; evacuate the building using the nearest available exit and proceed to the Building Area of Refuge (B.A.R.) to begin an accountability and assessment process.

**Fire Alarms Monitored by the Department of Campus Safety:** Fire alarms are monitored 24 hours a day, seven days a week, 52 weeks a year within the Department of Campus Safety Dispatchers.

**Fire Safety Training Programs Delivered:** Number of training programs delivered by the Department of Campus Safety or other responsible persons of authority within the University or city of Sioux Falls to occupants of residence halls, academic buildings and other buildings on campus concerning fire prevention and preparedness.

**Buildings Equipped with Fire Alarm Systems and Smoke Detectors:** Buildings that have functional fire alarm systems and smoke detectors installed.

**Buildings Protected with Automatic Sprinkler System Throughout:** Indicates an automatic sprinkler system protects all areas of a building.

**Emergency Evacuation Drills (formerly known as Fire Drills):** The number of supervised scheduled drills or actual events at campus residence halls that are facilitated and certified by the Department of Campus Safety in cooperation with assigned University building personnel. Various drills are conducted throughout the year to familiarize students, faculty and staff with emergency procedures and individual roles. Each year the Department of Campus Safety facilitates four (4) emergency drills targeting all residential halls. All academic and administrative buildings undergo one (1) emergency drill each year.

All students and guests are expected to respond appropriately whenever a fire alarm is sounded. Each person is expected to observe the fire safety guidelines. *Whenever an alarm sounds:* 1) leave lights on in the room; 2) close and lock the door; 3) all individuals must leave the building using the nearest exit; 4) remain outside until the staff gives the all-clear. Students who fail to leave the building during a drill are fined and the incident is turned over to the campus judicial system.

## **Fire Policies for On-Campus Student Housing Facilities**

1. **Portable Electrical Appliances:** Hot plates, halogen lamps, immersion coils, air conditioners, microwaves, and open-coil appliances are prohibited in University residences as they pose a threat of electrical overload and/or fire.

Space heaters may only be used when installed by Facilities.

Computers, stereos, televisions, radios, irons, non-commercial hairdryers, and other similar appliances are permitted, unless specifically prohibited by the residence life staff. All appliances must have a manufacturer's label that show the electrical ratings and listing by a nationally recognized testing laboratory (e.g., ETL, UL, etc). We strongly recommend the use of surge protectors(s).

Microfridges may be rented from the Housing Office; see the Housing website for contact information. No more than one refrigerator may be installed per room or apartment, not including those provided by the University.

Caution should be taken to prevent fire hazards resulting from excessive use of appliances and over-dependence on power strips and extension cords.

Candles, incense, oil lamps, etc., (generally anything utilizing a wick or flame or consuming flammable material, including such things as decorative candles, potpourri simmer pots, and terno cans), are NOT allowed in residence hall rooms, University owned apartments or houses. Storage of volatile materials or other flammables (e.g., gasoline) is likewise not permitted.

2. **Smoking:** Smoking, including hookahs and other smoking paraphernalia, is prohibited in all residential buildings, and outdoors within 20 feet of windows and doors.
3. **Open Flames:** Fire or smoke producing articles, such as Bunsen burners, portable stoves, kerosene lamps, cut trees, incense and candles are prohibited in residence. Possession of hibachi, barbecue grills, smokers, potpourri burning units or other fire-starting devices/ substances is prohibited in residences, as is their use in residential areas or adjacent outdoor space without supervision.
4. **Fire Safety Equipment:** Fire extinguishers, fire alarms, smoke detectors, sprinklers, and other fire and safety equipment are placed in the halls for the safety of the residents in the building. Misuse of fire and safety equipment is a serious violation of both city and University codes.

## **Fire Safety Improvements and Upgrades**

Augustana University continually reviews the fire systems in our residential facilities and has established a plan to upgrade older systems over a period of time. These upgrades, repairs or revisions are address when a problem has been identified.

**2020 AUGUSTANA UNIVERSITY CAMPUS FIRE AND LIFE SAFETY REPORT**

Location	Date	Cause of fire or alarm	Disposition of incident	Number of injuries	Number of deaths	Value of property damage caused by fire
	<b>2020</b>					
Bergsaker Hall – 2 Incidents	1/12/2020	Burnt Food	Cleared	0	0	0
	9/13/2020	Laundry Machine Overloaded	Referred to Maintenance	0	0	0
Beaver Creek Church	12/01/2020	Gas Furnace Issue	Referred to Maintenance	0	0	0
Duluth Avenue Apartments – 2 Incidents	1/27/2020	Burnt Food	Cleared	0	0	0
	3/09/2020	Burnt Food	Cleared	0	0	0
Madsen Center	10/15/2020	Alarm Malfunction	Referred to Maintenance	0	0	0
Mikkelsen Library	12/05/2020	Alarm Malfunction	Referred to Maintenance	0	0	0
Morrison Commons	04/01/2020	Garbage Fire	Extinguished with Fire extinguisher	0	0	0
Norse Inn – 2 Incidents	3/13/2020	Burnt Food	Cleared	0	0	0
	12/30/2020	Burnt Food	Cleared	0	0	0
Stavig Hall – 3 Incidents	6/21/2020	Battery Fire	Extinguished	0	0	\$100
	12/3/2020	Heat Malfunction	Referred to Maintenance	0	0	0
	12/14/2020	Alarm Malfunction	Referred to Maintenance	0	0	0
2008 S. Grange Ave.	10/21/2020	Carbon Monoxide Alarm	Cleared	0	0	0

## CODE OF CONDUCT

Augustana University's code of conduct is committed to fostering a campus environment that promotes informed citizenship, respect for human community and fairness. Every student bears responsibility for their conduct and to assume reasonable responsibility for the behavior of others.

The Code of Conduct process at Augustana protects the interest of the community and challenges those behaviors that are not in accordance with university policies. Sanctions (resolutions and remedies) are intended to challenge students' moral and ethical decision making and to help bring their behaviors into accord with the University's expectations.

Augustana strives to respond to all reports of violations in a prompt manner with an emphasis on non-adversarial resolution, reasonable determination of consequences, and meaningful implementation of remedies.

### **Policies, Standards and Rules**

The following statements of policy, standards and rules define inappropriate conduct for the Augustana University community. These behavioral expectations apply to all students, whether undergraduate, or graduate. Augustana encourages all members of the community to report incidents that violate the Code of Conduct.

The Code of Conduct applies to behaviors that take place on the campus, at university-sponsored events and may also apply off-campus and to actions online when the off-campus conduct affects a substantial university interest.

**Alcoholic Beverages.** The possession and use of alcoholic beverages on campus and at university sponsored functions is prohibited, except in designated university-owned houses and apartments when students are 21 years of age or older. This alcoholic beverage policy defines the following actions as violations:

1. Intoxication and other alcohol-related behavior is not condoned.
2. Alcoholic beverage paraphernalia such as beer bong used for drinking contests are prohibited.
3. The possession of alcoholic beverage containers, either full or empty, is taken as a presumption of use and possession and is considered a policy violation.
4. Students are accountable for a violation, even if they do not have actual possession of alcohol, when they are present in a specific location such as a residence hall room where alcoholic beverage containers are present.
5. Advertising of which the primary purpose is to promote the use of alcoholic beverages is not permitted.
6. Student organization funds may not be used for the purchase of alcohol or the sponsorship of an event where alcohol is available.

The University is committed to preventing alcohol abuse and the unlawful possession, use, and distribution of alcoholic beverages. In compliance with the Drug Free Schools and Communities Act of 1989 (Public Law 101-226), information concerning applicable laws and consequences pertaining to the unlawful possession, use, and distribution of illicit drugs and alcohol is made available each year.

It is unlawful in the State of South Dakota for persons under the age of 21 to possess or consume alcoholic beverages. It is also illegal to sell or distribute alcoholic beverages to persons under the age of 21. Augustana's annual safety and security report contains an overview of policies and program, a summary of state and federal laws, and consequences that may be imposed for illegal conduct. A copy of this publication is distributed by the Dean of Students Office and Department of Campus Safety.

**Assault** is any conduct which threatens or endangers the health or safety of a person by acts that are painful, injurious, intimidating, insulting or offensive. This includes any willful attempt or threat to inflict physical or emotional harm, with an apparent ability to commit the act.

**Bullying and cyber-bullying** is a repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or emotionally.



**Computer Use Policy (Responsible Use of Technology Resources).** The use of technology resources provided by Augustana University is a privilege made available to students, faculty, staff and approved guests of the University to facilitate and enhance their work, teaching, learning and scholarly research. These resources include university-owned hardware, software, accompanying network resources, and technology support personnel. The University strives to direct its efforts to the enhancement of technology resources and not the policing of the use of those resources.

Email - Augustana uses university-issued email accounts as a primary form of communicating with students, faculty and staff. It is expected that all students, faculty and staff will check their university assigned email regularly.

Violations of this policy may result in the loss of technology privileges and if actions are determined to violate state or federal law, persons may be referred to appropriate law enforcement authorities.

**Dishonesty** includes but is not limited to cheating, knowingly furnishing false information to university officials, forgery, and misuse of university documents or instruments of identification with intent to defraud.

**Disorderly, indecent and obscene conduct** is prohibited on university-owned and/or controlled property, and at university-sponsored activities.

**Disruptive conduct** is any action that intentionally obstructs teaching, research, administration, disciplinary procedures, freedom of movement, and other lawful activities on the campus and at university-sponsored events. Augustana University will not permit any individual or group from inside or outside the campus to violate the personal or civil rights of others or to obstruct the normal life and functions of the University through the use of force, violence, or obstructive behavior. The University believes that violence in any form, in any measure, under any circumstances, is an intolerable and an illegitimate means of expression.

**Drugs.** The University prohibits the use, possession, distribution, or sale of drugs (i.e. narcotics, stimulants, depressants and hallucinogens) which are illegal except when prescribed by a physician. The possession of drug-related paraphernalia such as bongs and pipes are a violation of South Dakota law and is prohibited. This policy is in accordance with state and federal laws including the Drug-Free Schools and Communities Act of 1989. A violation of this policy is also subject to state and federal laws and will be referred to law enforcement officials.

Medical Amnesty - The University believes that the importance of seeking medical assistance when faced with an alcohol or drug related emergency far outweighs the consequences of a university policy violation. No student seeking medical assistance for themselves or for another will be subject to disciplinary action for the sole violation of an alcohol or other drug violation provided the student acts in good faith and cooperates with university officials.

**Failure to comply** with directives of university officials (or designates) or law enforcement officials acting in the performance of their duties.

**Fire Safety.** The University identifies the following as acts with potential to threaten the safety of others. This policy is also subject to city and state fire codes and violations may be referred to local authorities.

1. Tampering with fire safety equipment such as extinguishers, smoke detectors, alarms and building fire exits.
2. Fireworks - the possession and/or discharge of fireworks.
3. Candles, the burning of incense and other acts involving an open flame in university-owned/operated housing facilities.

**Harassment** constitutes a form of discrimination that may be created by oral, written, graphic, or physical conduct that interferes with, limits or denies the ability of an individual to participate in or benefit from university-sponsored programs, activities, or opportunities.

**Hazing** is an act likely to cause physical or psychological harm or social ostracism, when related to the initiation, pledging, joining, or any other group-affiliation activity on the basis of actual or perceived membership.

**Intimidation** is an implied threat or act that causes an unreasonable fear of harm in another.

**Retaliation** includes intimidation, threats, or harassment against any person reporting a student conduct incident and/or cooperating in the investigation of an incident including witnesses.

**Sexual Misconduct.** Augustana University is committed to a safe environment that promotes dignity and respect and will not tolerate sexual misconduct in any form. Sexual misconduct is a violation of not only an individual's rights and dignity, it is an act that affects our entire university community. A number of acts constituting a violation of the University's sexual misconduct policy (i.e., sexual harassment, non-consensual sexual intercourse, non-consensual sexual contact, and sexual exploitation) are presented below in detail.

Sexual Harassment is a form of sex/gender discrimination and, therefore, is an unlawful discriminatory practice. The University has adopted the following definition of sexual harassment, in order to address the special environment of an academic community not only for students but for faculty and staff as well. Sexual harassment is unwelcome, sexual or gender-based verbal, written, online and/or physical conduct. Sexual harassment creates a hostile environment, and may be disciplined when it is:

- Sufficiently severe, persistent/pervasive and objectively offensive that it has the effect of unreasonably interfering with, denying the ability to participate in or benefit from the University's educational, social and/or residential program, or limits employment opportunities.
- Based on power differentials (quid pro quo), the creation of a hostile environment or retaliation.

This policy also prohibits consensual relationships of a romantic or sexual nature between a university employee and a current student, or between supervisors and those they supervise, may be construed as, or may in fact be, sexual harassment, and are prohibited. Because a unique position of power or control exists in such relationships, then term "consent" is made ambiguous. Consequently, to claim a consensual relationship is not an acceptable defense against charges of sexual harassment.

Non-Consensual Sexual Intercourse is defined as any sexual penetration or intercourse (anal, oral or vaginal), however slight, with any object, by a person upon another person, that is without consent and/or by force. Sexual penetration includes vaginal or anal penetration by a penis, tongue, finger or object, or oral copulation by mouth to genital contact or genital to mouth contact.

Non-Consensual Sexual Contact is any intentional sexual touching, however slight, with any object, by a person upon another person without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

Sexual Exploitation refers to a situation in which a person takes non-consensual<sup>5</sup> or abusive sexual advantage of another, and situations in which the conduct does not fall within the definitions of Sexual Harassment, Non-Consensual Sexual Intercourse or Non-Consensual Sexual Contact. Examples of sexual exploitation include, but are not limited to:

- Sexual voyeurism (such as watching a person undressing, using the bathroom or engaged in sexual acts without the consent of the person observed).
- Taking pictures or video or audio recording another in a sexual act, or in any other private activity without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent).
- Prostitution.
- Sexual exploitation also includes engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or other sexually transmitted disease (STD) and without informing the other person of the infection, and further includes administering alcohol or drugs (such as "date rape" drugs) to another person without his or her knowledge or consent.

### **Standard of Proof**

All decisions are made on the basis of a preponderance of evidence standard (i.e., whether it is more likely than not that the accused individual committed the alleged violation).

**Stalking** is defined as a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear.

**Theft** from, damage to, or malicious misuse of university-owned or controlled property or the property of any member or guest of the University community is prohibited.

**Unauthorized entry** into or exit from university owned or controlled facilities by unauthorized persons.

**Weapons.** Firearms, air guns, sling shots, bows, knives with blades over 6 inches in length, etc. are prohibited on university property and at university-sponsored activities in off-campus settings. A storage locker is provided for the storage of hunting weapons in the Campus Safety Office.

## **A RESOURCE GUIDE FOR STUDENTS ON SEXUAL MISCONDUCT: CAMPUS POLICIES, PROCEDURES AND VICTIM SERVICES**

### **IF YOU HAVE EXPERIENCED SEXUAL MISCONDUCT**

1. Go to a safe location as soon as you are able.
2. Seek immediate medical attention if you are injured, or believe you may have been exposed to an STI/STD or potentially pregnant.
3. Contact any of the following Augustana resources for immediate assistance:
  - a. Campus Safety 605-274-4014
  - b. Dean of Students Office 605-274-4124
  - c. Title IX Coordinator 605-274-4044
  - d. Counseling Services 605-334-2696 (Confidential Resource)
  - e. Campus Clinic 605-274-5552 (Confidential Resource)
  - f. Center for Campus Life 605-274-5215
  - g. Campus Pastors 605-274-5403 (Confidential Resource)
  - h. Violence Prevention Coordinator 605-274-4341 (Confidential Resource)

Note that campus officials may contact on-call staff from other departments when their offices are closed or they are otherwise unavailable to assist immediately.

If you are off-campus and experiencing an emergency situation you can call local police by dialing 911. You may also call the local police department's non-emergency line at 605-367-7212.

4. It is important to preserve physical evidence that may include tissue and fluid samples, evidence of violence, sheets, towels, clothing, ect. You may choose to avoid washing, bathing, urinating, ect, until after being examined at the campus clinic or hospital, if possible. Because evidence of a sexual assault can deteriorate quickly, you may choose to seek a medical exam as soon as possible. Evidence collection should be completed within 120 hours of an assault, but fluids, hair samples, and DNA can be collected for a long time thereafter. Even if you have washed, evidence can often still be obtained. After 120 hours, it may still be helpful to have a medical attention, even if you are not trying to obtain evidence of an assault. Sexual Assault Nurse Examiners (SANE) are trained in the collection of forensic evidence, and can check for injuries and exposure to sexually transmitted diseases. If you are still wearing any clothes worn during the assault, wear them to the hospital, but bring a change of clothes, as the hospital will keep the clothes you are wearing as evidence. If you have changed clothes, bring the ones you were wearing during the assault to the hospital in a clean paper bag (not plastic) or wrapped in a clean sheet. Leave sheet/towels at the scene of the assault. Police will collect them. Typically, police will be called to the hospital to take custody of the rape kit, but it is up to you whether you wish to speak with them or file a criminal complaint.
5. Choose how to proceed. You have the options, and are encouraged to contact any of the confidential resources to discuss your options: 1) Do nothing until you are ready; 2) Pursue resolution by the university; and/or 3) Initiate criminal proceedings; and/or 4) Initiate a civil process against the perpetrator. You may pursue whatever combination of options that are best for you. You can contact Augustana's Title IX Coordinator for information on the university process. Those who wish incidents to be handled criminally should contact Campus Safety or local police where the assault occurred.

## ABOUT CONFIDENTIALITY

*To make informed choices, all parties should be aware of confidentiality and privacy issues, as well as institutional mandatory reporting requirements.*

### ABOUT CONFIDENTIALITY

If students reporting on a situation wish that details of an incident be kept confidential they have four options available for them.

#### Confidential Reporting:

On-campus

- Counseling Center
- Campus Clinic
- Campus Pastors
- Violence Prevention Coordinator

Off-Campus

- The Compass Center- Community based resource; Dial 211

### MANDATORY REPORTING

All Augustana University employees who are not designated above as confidential reporters, are mandatory reporters for all the details of which they are aware about an incident. They share this information with the Title IX Coordinator. Giving a mandated reporter notice of an incident constitutes official notice to the institution. Incidents of sexual misconduct will be taken seriously when official notice is given to the institution. Such incidents of sexual misconduct will be investigated and resolved in a prompt and equitable manner under the University's resolution procedures, which are discussed in a later section of this brochure.

You may request confidentiality and/or the Title IX Coordinator can provide you with remedies and resources without initiating a formal resolution process. The coordinator will weigh requests for confidentiality against the institutional need to address and remedy discrimination under Title IX. Generally, the University will be able to respect your wishes, unless it believes there is a threat to the community based on the use of weapons, violence, pattern, predation, or threatening conduct by the person being accused.

In cases where your request for confidentiality is granted, the University will offer you available resources, supports, and remedies. You are not obligated to pursue formal resolution in order to access the resources that are available. If the University decides that it is obligated to pursue a formal resolution based on the notice you have given, you are not obligated to participate in the resolution process. However, the ability of the University to enforce its policies or provide some remedies may be limited as a result of your decision not to participate.



#### INCIDENTS INVOLVING MINORS:

Please be aware that institutional duties with respect to minors (those under the age of 18 may require reporting sexual misconduct incidents to state agencies and/or local law enforcement. As a result, confidentiality cannot be guaranteed in sexual misconduct incidents involving minors.

## POLICY

Sexual misconduct, including sexual harassment, sexual violence, sexual exploitation, intimate partner violence, and stalking are violations of Augustana University Code of Conduct and its sexual misconduct policy. A number of federal laws and regulations, including Title IX, the Violence Against Women Act, and the Clery Act mandate how institutions respond to such allegations. Many types of sexual misconduct also constitute violations of South Dakota law.

Members of the campus community, guests, and visitors have a right to be free from sexual misconduct. All members of the community must conduct themselves in a way that does not infringe upon the rights of others. The University's sexual misconduct policy is intended to define expectations for appropriate conduct and outline resolution processes to address conduct that does not meet these expectations. When individuals accused of sexual misconduct are found to be in violation of the policy, the University will impose serious sanctions, as noted on the next page.

All members of the campus community, guests, and visitors are protected by this policy regardless of their sexual orientation or gender identity. The University has jurisdiction over all acts of sexual misconduct involving members of the campus community, no matter where they occur, whether on- or off-campus. For more details on this policy, please visit [[www.augie.edu/titleix](http://www.augie.edu/titleix)].

Additional information about campus crime, state laws, and disclosures related to sexual misconduct can be found online in the campus Annual Security Report. Access it here: <http://www.augie.edu/safety>

## SEXUAL MISCONDUCT VIOLATIONS

### SEXUAL HARASSMENT

Both the Equal Employment Opportunity Commission and the State of South Dakota regard sexual harassment as a form of sex/gender discrimination and, therefore, as an unlawful discriminatory practice. Augustana has adopted the following definition of sexual harassment, in order to address the special environment of an academic community, which consists not only of employer and employees, but of students as well.

Sexual harassment is unwelcome, sexual or gender-based verbal, written, online and/or physical conduct.

### HOSTILE ENVIRONMENT

Sexual harassment creates a hostile environment, and may be disciplined when it is sufficiently severe, persistent/pervasive and objectively offensive that it;

- has the effect of unreasonably interfering with, denying or limiting employment opportunities or the ability to participate in or benefit from Augustana's educational, social and/or residential program, and is
- based on power differentials (quid pro quo), the creation of a hostile environment or retaliation.

*Sanctions range from warning, probation, suspension, expulsion, withholding diploma, revocation of degree and/or organizational sanctions. A link to full descriptions can be found at <http://www.augie.edu/campus-life/dean-students-office/sexual-misconduct/resolution-procedures-and-remedies>*

### NON-CONSENSUAL SEXUAL INTERCOURSE

Non-Consensual Sexual Intercourse is defined as any sexual penetration or intercourse (anal, oral or vaginal), however slight, with any object by a person upon another person that is without consent and/or by force. Sexual penetration includes vaginal or anal penetration by a penis, tongue, finger or object, or oral copulation by mouth to genital contact or genital to mouth contact.

### NON-CONSENSUAL SEXUAL CONTACT

Non-Consensual Sexual Contact is any intentional sexual touching, however slight, with any object, by a person upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth or other bodily orifice of another individual, or any other bodily contact in a sexual manner.



## **SEXUAL EXPLOITATION**

Sexual Exploitation refers to a situation in which a person takes non-consensual or abusive sexual advantage of another, and situations in which the conduct does not fall within the definitions of Sexual Harassment, Non-Consensual Sexual Intercourse or Non-Consensual Sexual Contact.

Examples of sexual exploitation include, but are not limited to:

- Sexual voyeurism (such as watching a person undressing, using the bathroom or engaged in sexual acts without the consent of the person observed).
- Taking pictures or video or audio recording another in a sexual act, or in any other private activity without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent).
- Prostitution.
- Sexual exploitation also includes engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or other sexually transmitted disease (STD) and without informing the other person of the infection, and further includes administering alcohol or drugs (such as "date rape" drugs) to another person without his or her knowledge or consent.

## **INTIMATE PARTNER VIOLENCE**

Intimate partner violence is: violence or emotional and/or psychological abuse between those in an intimate relationship toward each other;

*Sanctions range from warning, probation, suspension, expulsion, withholding diploma, revocation of degree and/or organizational sanctions.*

## **OTHER CIVIL RIGHTS OFFENSES** (when the act is based upon the status of a protected class)

- a. Threatening or causing physical harm, extreme verbal abuse or other conduct which threatens or endangers the health or safety of any person on the basis of their actual or perceived membership in a protected class
- b. Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of their actual or perceived membership in a protected class
- c. Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another on the basis of actual or perceived membership in a protected class
- d. Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the campus community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the hazing policy) on the basis of actual or perceived membership in a protected class; hazing is also illegal under South Dakota State law and prohibited by university policy
- e. Bullying, cyber-bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally on the basis of actual or perceived membership in a protected class



- f. Violence between those in an intimate relationship to each other on the basis of actual or perceived membership in a protected class (this includes romantic relationships, dating, domestic and/or relationship violence)
- g. Stalking, defined as a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear
- h. Any other rules, when a violation is motivated by the actual or perceived membership of the victim on the basis of sex or gender or in a protected class, may be pursued using this policy and process.

*Sanctions for the above-listed "Other Civil Rights Behaviors" behaviors range from reprimand up through and including expulsion (students) or termination of employment.*

### **RETALIATION**

Retaliation is defined as any adverse action taken against a person participating in a protected activity because of their participation in that protected activity. Augustana prohibits any retaliation against any person making a report or against any person cooperating in the investigation of an incident including witnesses. Retaliation includes intimidation, threats, or harassment. Acts of alleged retaliation should be reported immediately and will be promptly investigated. Augustana is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

## CONSENT

Consent is knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. A person cannot consent if he or she is unable to understand what is happening or is disoriented, helpless, asleep or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this policy. It is not an excuse that the individual accused of sexual misconduct was intoxicated and, therefore, did not realize the incapacity of the other.

### INCAPACITATION

Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction). This policy also covers a person whose incapacity results from mental disability, involuntary physical restraint and/or from the taking of incapacitating drugs.

### FORCE

Force is defined as direct or indirect use of physical violence and/or imposing physically on someone to gain sexual access. Force, unless part of mutually-permissible kink, is a clear demonstration of a lack of consent.



## YOUR RIGHTS

*Augustana University strives to provide members of the campus community with fair and equitable resolution processes that include both formal and informal options.*

### STATEMENT OF THE RIGHTS OF A PARTY BRINGING A GRIEVANCE

- To be treated with respect by Augustana officials.
- To take advantage of campus support resources (such as counseling services, campus ministry, and Augustana's health service, or EAP services for employees).
- To experience a safe living, educational and work environment.
- To have an advocate during this process.
- To refuse to have an allegation resolved through conflict resolution procedures.
- To receive amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.
- To be free from retaliation.
- To have grievances heard in substantial accordance with these procedures.
- To full participation of the injured party in any EGP process whether the injured party is serving as the party bringing a grievance or Augustana is serving as party bringing a grievance.
- To be informed in writing of the outcome/resolution of the grievance, sanctions where permissible and the rationale for the outcome where permissible.
- Refer to law enforcement and have assistance.
- Housing and living accommodations.
- No contacts.

### STATEMENT OF THE RIGHTS OF THE RESPONDING PARTY

- To be treated with respect by Augustana officials.
- To take advantage of campus support resources (such as counseling services, campus ministry, and Augustana's health service, or EAP services for employees).
- To have an advocate during this process.
- To refuse to have an allegation resolved through conflict resolution procedures.
- To have grievances heard in substantial accordance with these procedures.
- To be informed of the outcome/resolution of the grievance and the rationale for the outcome, in writing.

### REPORTING

- Reporting parties have the right to notify law enforcement of incidents and to receive assistance from campus personnel in doing so.
- Reporting parties may decline to report to law enforcement if they so wish.
- Reporting parties have the right to have their allegations investigated and resolved internally by the University.

## **FAIRNESS**

- All members of the campus community have the right to have reported incidents addressed according to the published university procedures.
- All parties have equal opportunities to have a support person of their choosing or offered by the institution present throughout all resolution proceedings (including intake, interviews, hearings, etc.). This person can be an advisor, advocate, attorney, family member, friend, faculty member, etc.
- All parties have the right to written notice of the outcome of sexual misconduct resolution proceedings.
- Reporting parties and witnesses will receive amnesty for minor infractions (e.g., alcohol and drug violations) that are secondary to incidents of sexual misconduct.
- Reporting parties, their supporters, and witnesses have a right to be free from retaliation.

## **SUPPORT**

- Students have a right to be notified of their ability to access campus counseling and health services.
- Students and employees have a right to be notified of on-and off-campus supportive resources.
- All parties involved in sexual misconduct allegations will receive the information and assistance needed to effectively participate in all proceedings.
- Reporting parties have the right to seek orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by criminal, civil, or tribal courts, and may seek the help of Campus Safety in requesting and/or enforcing.

## **REMEDIES**

Augustana University may take whatever steps are deemed necessary to appropriately respond to allegations of sexual misconduct, protect students' rights, and keep members of the campus community safe from further harm. Measures include, but are not limited to:

- Issuing interim suspensions pending a hearing.
- Reporting incidents to local police and/or prosecutors.
- Referring to counseling and Campus Clinic.
- Referring to the Employee Assistance Program.
- Providing education to the community.
- Altering the housing situation of the reporting or responding party.
- Altering work arrangements for employees.
- Providing campus escorts.
- Providing transportation assistance.
- Implementing contact limitations between the parties.
- Offering adjustments to academic deadlines, course schedules, etc.

These measures are available regardless of whether a reporting party seeks formal resolution or makes a crime report.



## PROCEDURES

Augustana University procedures are detailed fully at:  
<http://www.augie.edu/policy-and-procedures>

Augustana will act on any formal or informal grievance or notice of violation of the policy on Equal Opportunity, Harassment and Nondiscrimination, that is received by a Title IX Coordinator, deputy/deputies, a member of the Equity Grievance Panel or a member of the administration.

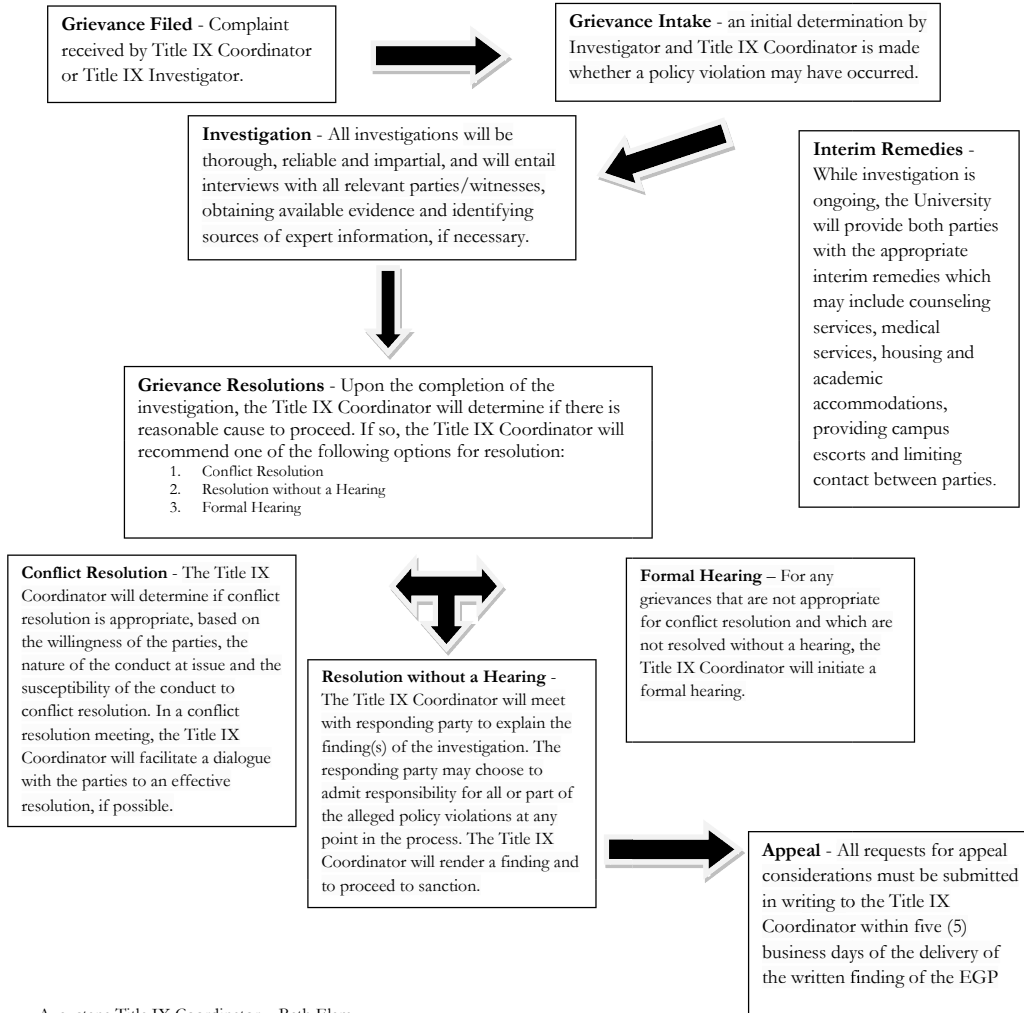
The procedures described below will apply to all grievances involving students, staff or faculty members. Redress and requests for responsive actions for grievances brought involving non-members of the Augustana community are also covered by these procedures.

Therefore, Augustana reserves the right to amend, supplement, interpret, rescind, or deviate from any policies or portions of the Resource Guide from time to time as it deems appropriate based upon the facts and circumstances surrounding each situation, in its sole and absolute discretion. As changes to the Resource Guide are made during the course of an academic year, this website and all of its linked contents will serve as an essential resource for policies, procedures and resources.

## Resolution Procedures & Remedies

Augustana will act on any formal or informal grievance or notice of violation of the policy on Equal Opportunity, Harassment and Nondiscrimination, that is received by a Title IX Coordinator, deputy/deputies, a member of the Equity Grievance Panel or a member of the administration.

The following is a snapshot of the University's procedures, for a complete description, please visit [www.augie.edu/titleix](http://www.augie.edu/titleix).

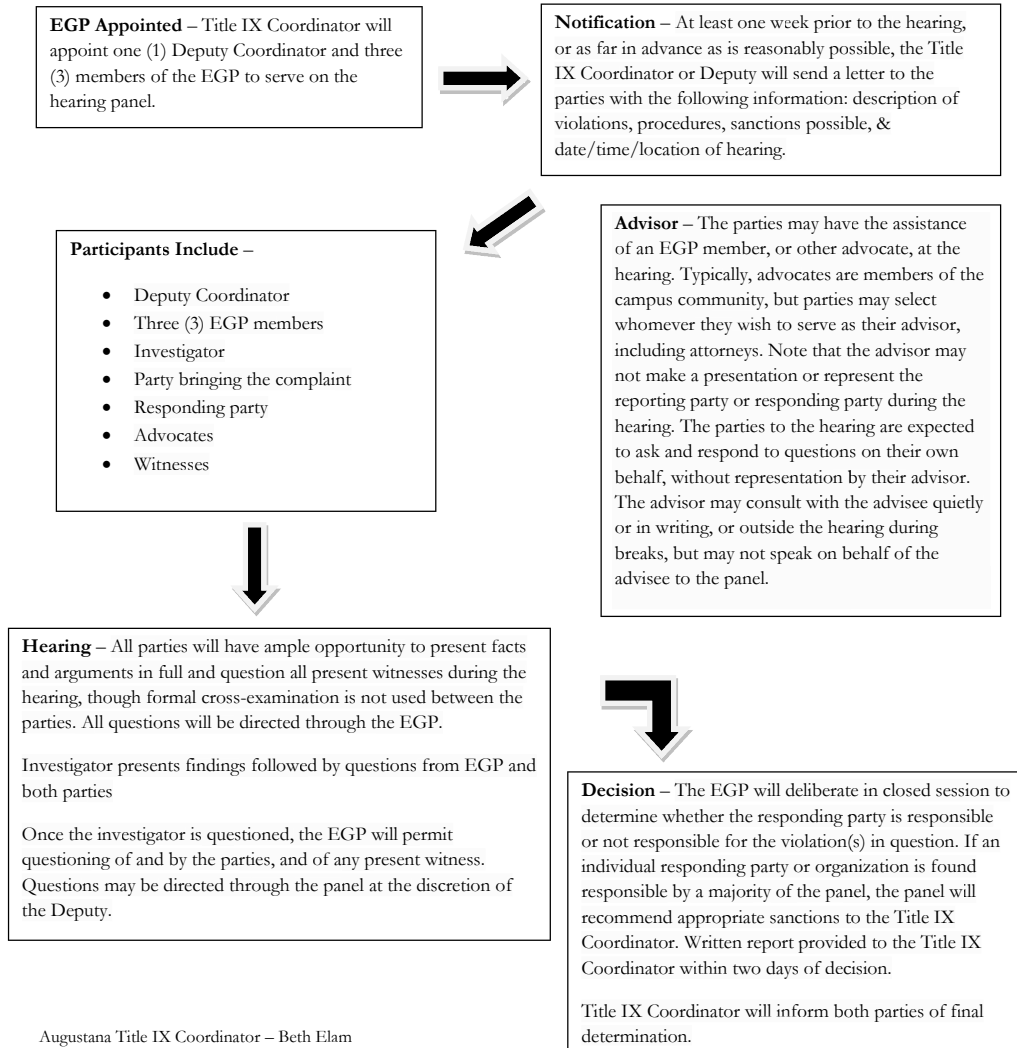


Augustana Title IX Coordinator – Beth Elam  
 Phone Number: 605-274-4044  
 Email: [belam@augie.edu](mailto:belam@augie.edu)  
 For complete description of procedures, please visit [www.augie.edu/titleix](http://www.augie.edu/titleix)

## Formal Hearing Procedures

Augustana will act on any formal or informal grievance or notice of violation of the policy on Equal Opportunity, Harassment and Nondiscrimination, that is received by a Title IX Coordinator, deputy/deputies, a member of the Equity Grievance Panel or a member of the administration.

The following is a snapshot of the University's procedures, for a complete description, please visit [www.augie.edu/titleix](http://www.augie.edu/titleix).



Augustana Title IX Coordinator – Beth Elam  
Phone Number: 605-274-4044  
Email: [belam@augie.edu](mailto:belam@augie.edu)  
For complete description of procedures, please visit [www.augie.edu/titleix](http://www.augie.edu/titleix)

For further information visit <http://www.augie.edu/campus-life/dean-students-office/sexual-misconduct/resolution-procedures-and-remedies>



## **RISK REDUCTION**

### **RISK REDUCTION FOR INTIMATE PARTNER VIOLENCE, STALKING, SEXUAL HARASSMENT, AND SEXUAL VIOLENCE**

While victim-blaming is never appropriate and Augustana University fully recognizes that only those who commit sexual misconduct are responsible for their actions, Augustana University provides the suggestions that follow to help individuals reduce their risk of being victimized and their risk of committing acts of sexual misconduct.

#### **REDUCING THE RISK OF VICTIMIZATION**

- ✓ Make any limits/boundaries you may have known as early as possible.
- ✓ Clearly and firmly articulate consent or lack of consent.
- ✓ Remove yourself, if possible, from an aggressor's physical presence.
- ✓ Reach out for help, either from someone who is physically nearby or by calling someone. People around you may be waiting for a signal that you need help.
- ✓ Take affirmative responsibility for your alcohol and/or drug consumption. Alcohol and drugs can increase your vulnerability to sexual victimization.
- ✓ Look out for your friends, and ask them to look out for you. Respect them, and ask them to respect you, but be willing to challenge each other about high-risk choices.

#### **REDUCING THE RISK OF BEING ACCUSED OF SEXUAL MISCONDUCT**

- ✓ Show your potential partner respect if you are in a position of initiating sexual behavior.
- ✓ If a potential partner says "no," accept it and don't push. If you want a "yes," ask for it, and don't proceed without clear permission.
- ✓ Clearly communicate your intentions to your potential sexual partners, and give them a chance to share their intentions and/or boundaries with you.
- ✓ Respect personal boundaries. If you are unsure what's OK in any interaction, ask.
- ✓ Avoid ambiguity. Don't make assumptions about consent, about whether someone is attracted to you, how far you can go with that person, or if the individual is physically and mentally able to consent. If you have questions or are unclear, you don't have consent.
- ✓ Don't take advantage of the fact that someone may be under the influence of drugs or alcohol, even if that person chose to become that way. Others' loss of control does not put you in control.
- ✓ Be on the lookout for mixed messages. That should be a clear indication to stop and talk about what your potential partner wants or doesn't want to happen. That person may be undecided about how far to go with you, or you may have misread a previous signal.
- ✓ Respect the timeline for sexual behaviors with which others are comfortable, and understand that they are entitled to change their minds.
- ✓ Recognize that even if you don't think you are intimidating in any way, your potential partner may be intimidated by or fearful of you, perhaps because of your sex, physical size, or a position of power or authority you may hold.
- ✓ Do not assume that someone's silence or passivity is an indication of consent. Pay attention to verbal and non-verbal signals to avoid misreading intentions.
- ✓ Understand that consent to one type of sexual behavior does not automatically grant consent to other types of sexual behaviors. If you are unsure, stop and ask.
- ✓ Understand that exerting power and control over another through sex is unacceptable conduct.

## PROGRAMS AT AUGUSTANA UNIVERSITY

**Step UP! Bystander Intervention:** a prosocial behavior and bystander intervention program that educates students to be proactive in helping others. The goals of Step UP! are to raise awareness of helping behaviors, increase motivation to help, develop skills and confidence when responding to problems or concerns and ensure the safety and well-being of self and others. All incoming students at Augustana will receive this educational programming opportunity.

**Sex Signals:** Sex Signals has become one of the most popular sexual assault prevention programs on college campuses through its unorthodox, humor-facilitated approach to examining our culture, sex, and the core issue of bystander intervention. All incoming students at Augustana will receive this programming opportunity in the fall of the academic year.

**Haven:** the premier online program addressing the critical issues of sexual assault, relationship violence, stalking, and sexual harassment – among students, faculty and staff. All incoming students will receive this online training prior to their arrival on campus.

**Ongoing Campaigns:** Augustana participates in the national, White House initiative, It's On Us - campaign to end sexual assaults on college campuses. This student organization provides educational, awareness and prevention programs in the areas of domestic violence, dating violence, sexual assault and stalking.

### KEY CONTACTS

*Title IX Coordinator*

**Beth Elam**

605.274.4124

*Director of Campus Safety*

**Rick Tupper**

605.274.4014

## OTHER RESOURCES

- |                                   |              |                        |
|-----------------------------------|--------------|------------------------|
| • Augustana Campus Safety         | 605.274.4014 | 24 hours/7 days a week |
| • Violence Prevention Coordinator | 605.274.4341 |                        |
| • Campus Clinic                   | 605.274.5552 |                        |
| • Counseling Services             | 605.334.2696 |                        |
| • Dean of Students Office         | 605.274.4124 |                        |
| • Center for Campus Life          | 605.274.5215 |                        |
| • Campus Pastors                  | 605.274.5403 |                        |
| • Compass Center                  | 605.339.0116 |                        |

Augustana adheres to all federal and state civil rights laws banning discrimination in institutions of higher education.

Augustana is committed to providing equal access to and participation in employment opportunities and in programs and services, without regard to race, color, religion, creed, sex, sexual orientation, gender identity, national origin, ancestry, age, veteran status, or disability. Augustana complies with Title IX of the Education Amendments of 1972, the Americans with Disabilities Act, the Rehabilitation Act, and other applicable laws providing for nondiscrimination against all individuals. Augustana will provide reasonable accommodations for known disabilities to the extent required by law.

This policy covers nondiscrimination in employment and in access to educational opportunities. Therefore, any member of the campus community, guest or visitor who acts to deny, deprive or limit the educational, employment, residential and/or social access, benefits and/or opportunities of any member of the campus community on the basis of their actual or perceived membership in the protected classes listed above is in violation of Augustana policy on nondiscrimination. When brought to the attention of Augustana, any such discrimination will be appropriately remedied by Augustana according to the procedures below. This Policy is not intended to create a contract between Augustana University and any other person.



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## **ALCOHOL AND DRUGS: POLICY, PROCEDURES AND SUPPORT**

Augustana University recognizes the serious problems related to the abuse of alcohol and the illicit use of drugs in our society today. In response to this concern, the University is committed to a campus environment that reflects a desire to address alcohol and drug related behaviors for the purpose of providing a healthy, safe, and secure place to live, work, and study.

The University acknowledges and supports local, state, and federal laws pertaining to alcohol abuse and the illicit use of drugs. In particular, the University is guided by the federal Drug-Free Schools and Communities Act of 1989 (Public Law 101-226.) This legislation mandates that Augustana will:

- Establish policies that prohibit drug use and alcohol abuse.
- Create a program of strategies to address drug, alcohol, and tobacco problems on the campus and conduct periodic reviews of these strategies.
- Cooperate with local law enforcement officials to ensure that laws on alcohol and drugs are enforced fairly and consistently.

### **Alcohol and Drug Policies**

#### **Alcoholic Beverage Policy**

The possession and use of alcoholic beverages on campus and at university sponsored functions is prohibited, except in designated university-owned houses and apartments when students are 21 years of age or older. This policy includes the following provisions:

- Intoxication and other alcohol-related behaviors are not condoned.
- Alcoholic beverage paraphernalia such as beer bong used for drinking contest are prohibited.
- The possession of alcoholic beverage containers, either full or empty, is taken as a presumption of use and possession and is considered a policy violation.
- Students are held accountable, even if they do not have actual possession of alcohol, when they are present in a specific location such as a residence hall room where alcoholic beverage containers are present.
- Advertising of which the primary purpose is to promote the use of alcohol is not permitted.
- Student organization funds may not be used for the purchase of alcohol or for the sponsorship of an event where alcohol is available.
- Guidelines to determine disciplinary responses for students who violate the alcohol policy are published in the student handbook. Judicial system consequences emphasize personal responsibility and accountability to other members of the campus community. Most disciplinary situations are addressed by administrative staff via informal hearings.
- Augustana University seeks to reduce barriers to obtaining emergency assistance because alcohol- and drug-related emergencies are potentially life threatening. In cases of dangerous intoxication and/or alcohol poisoning, it is imperative that medical assistance be summoned. The University believes that a call for medical assistance when faced with an alcohol- or drug-related emergency far outweighs the consequences of a university policy violation and therefore, no student seeking medical assistance for themselves or another will be subject to university discipline for the sole violation of using or possessing alcoholic beverages. However, the University may mandate education in order to reduce the likelihood of future occurrences.

#### **Drug Policy**

The University prohibits the use, possession, distribution, or sale of drugs (i.e. hallucinogens, narcotics, stimulants, and depressants) which are illegal except when prescribed by a physician. The possession of drug-related paraphernalia such as bong and pipes are a violation of South Dakota law and are prohibited. This policy is in accordance with state and federal laws including the Drug-Free Schools and Communities Act of 1989. Most violations of this policy are referred to a law enforcement agency in accordance with civil and criminal law.

Augustana University's policy on drugs has a primary concern for the health and safety of students. In cases of a drug-related overdose, intoxication and/or poisoning, individuals are encouraged to call for medical assistance for themselves or for a friend/ acquaintance who is in danger. No student seeking emergency medical treatment for themselves or for another will be subject to university discipline for the sole violation of using or possessing alcohol or drugs.

### **Education & Programming**

Augustana's alcohol program is led by a council representing staff and students from a variety of student life departments and student organizations. The purpose of the Alcohol Advisory Council is to promote health, safety and academic success of all students through a variety of strategic initiatives that emphasize responsible choice-making, personal accountability and accurate information.

### **Health Risks**

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgement and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters to becoming alcoholics.

### **Support**

Students: For additional information regarding health, counseling and treatment resources, contact Health and Counseling Services (605.274.5552) or the Dean of Students Office (605.274.4124); for information about the University's policies on alcohol and other drugs, contact the Dean of Students Office.

Faculty and Staff: For additional information regarding health, counseling and treatment resources including information about the University's Employee Assistance Program, contact Human Resources (605.274.4110).

### **Parent Notification Policy**

Parents or guardians of students under the age of 21 may be notified if their son/daughter violates the University's drug policy and those alcohol-related violations that result in an assessment for chemical dependency, probation, or a more severe sanction, as permitted under FERPA regulations.

### **Local, State and Federal Laws**

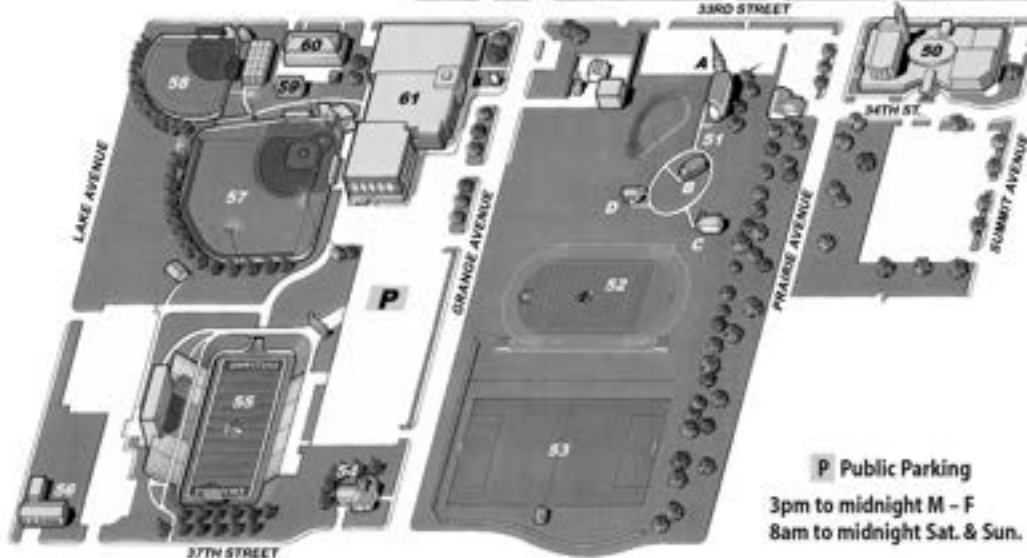
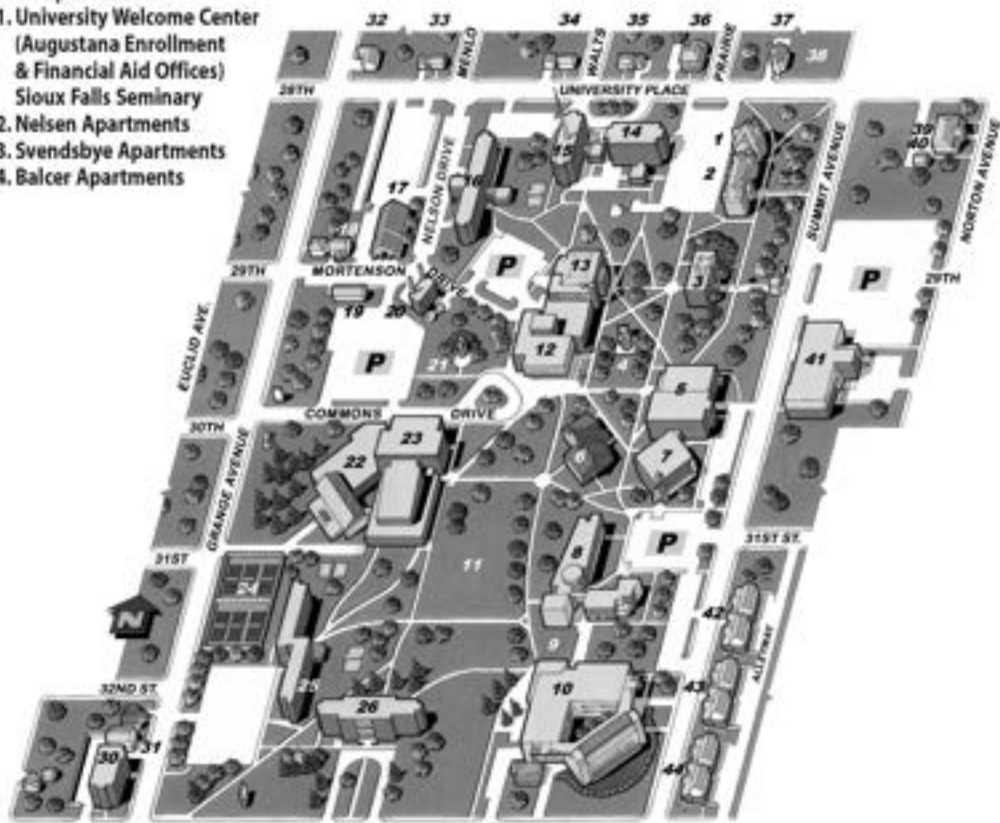
Criminal proceedings and consequences may interrupt university enrollment for an academic term or longer. Convictions for drug or alcohol related crimes may also result in a permanent criminal record which can affect academic study, financial aid eligibility and future employment opportunities.

## NORTH CAMPUS

1. Old Main
2. East Hall
3. Administration Building
4. Ole Statue
5. Mikkelsen Library
6. Chapel of Reconciliation  
SD Synod Office and  
Lutherans Outdoors SD
7. Center for Western Studies  
(Fantle Building)
8. Madsen Social Science Center
9. Outdoor Classroom
10. Frolland Science Complex
11. Campus Green
12. Morrison Commons
13. Edith Mortenson Center (Theatre)
14. Granskou Hall
15. Stavig Hall
16. Turve Hall
17. Nelson Service Center
18. Archeology Lab
19. Archeology Lab Annex
20. Service Center Annex
21. Moses Statue
22. Center for Visual Arts  
(Eide-Dalrymple Gallery)
23. Fryxell Humanities Center  
(Hamre Recital Hall &  
Midco® Media Center)
24. Huether Tennis Centre
25. Solberg Hall
26. Bergsaker Hall

## PERIMETER CAMPUS

30. Costello Hall
31. Norse Inn
32. Nobel House
33. Menlo Annex
34. Terning House
35. Olsen House
36. Valhalla House
37. Lookout House
38. Campus Garden
39. Campus Offices
40. Campus House
41. University Welcome Center  
(Augustana Enrollment  
& Financial Aid Offices)  
Sioux Falls Seminary
42. Nelsen Apartments
43. Svendsbye Apartments
44. Balcer Apartments



## SOUTH CAMPUS

50. Our Savior's Lutheran Church  
(Campus Learning Center)
51. Heritage Park; buildings A,B,C,D
52. Larson Track & Field Complex
53. Morstad Soccer Field
54. Fellows' Presidential Residence
55. Kirkeby-Over Stadium
56. Bill Hall Baseball-Softball Complex
57. Ronken Baseball Field
58. Bowden Softball Field
59. Baseball & Softball  
Concession/Restrooms
60. Schoeneman Apartments
61. Elmen Center/Hall Football  
Complex/Sanford Gymnasium

**P** Public Parking

3pm to midnight M - F  
8am to midnight Sat. & Sun.



## IMPORTANT NUMBERS

**All Emergencies . . . . . 911 from a campus phone**

### **Department of Campus Safety**

Campus Safety Office . . . . . 605.274.4014  
Dispatch Center . . . . . 605.274.4014  
Shift Supervisor . . . . . 605.274.4614  
Director of Campus Safety . . . . . 605.274.4499

### **Other University Phone Numbers**

President's Office . . . . . 605.274.4111  
Dean of Students Office . . . . . 605.274.4124  
Student Health and Counseling Services . . . . . 605.274.5552  
Human Resources . . . . . 605.274.4110  
Department of Facilities and Grounds . . . . . 605.274.4326  
Creative Services . . . . . 605.274.4328  
Campus Mailroom . . . . . 605.274.4328  
Commons Desk . . . . . 605.274.4413