



**2023 ASFSR (Information for 2023-2024  
Academic Year)**

**WSU Annual Security & Fire Safety Report**

**Winona Campus**

**Rochester-RCTC Campus**

**Rochester-Broadway Campus**

## Table of Contents

Report Introduction.....	5
Reporting a Crime .....	6
Response to Reports .....	10
Responding Law Enforcement Agencies.....	13
WSU-Winona Campus .....	13
WSU-Rochester RCTC Campus.....	13
WSU-Rochester Broadway Campus.....	13
Voluntary Confidential Reporting .....	14
Campus Security Authorities (CSAs) and Reporting of Crimes.....	15
<a href="https://cm.maxient.com/reportingform.php?WinonaStateUniv&amp;layout_id=13">https://cm.maxient.com/reportingform.php?WinonaStateUniv&amp;layout_id=13</a> .....	17
Alternative crime reporting resources .....	17
Daily Crime and Fire Log .....	18
Geography.....	20
Types of Crimes required to be recorded Under the Clery Act.....	21
Crime Statistics (2022 – 2020).....	22
Violence Against Women Reauthorization Act (VAWA) statistics (2022– 2020) .....	25
Hate Crimes .....	26
Unfounded Crimes .....	26
Emergency Notification-WSU Alert.....	27
Emergency Response and Evacuation Procedures .....	33
Timely Warning.....	36
Crime Prevention and Educational Opportunities .....	38
Security & Access to Campus Facilities (Infrastructure Security).....	40
Residence Halls.....	42
Missing Student Policy .....	43
Sexual Assault and Related Offenses .....	44
The State of Minnesota criminal code: criminal sexual conduct, harassment, and stalking .....	49
Criminal Sexual Conduct in the First Degree (Minn. Stat. 609.342). .....	49
Criminal Sexual Conduct in the Second Degree (Minn. Stat. 609.343). .....	51
Criminal Sexual Conduct in the Third Degree (Minn. Stat. 609.344). .....	53
Criminal Sexual Conduct in the Fourth Degree (Minn. Stat. 609.345). .....	54
Criminal Sexual Conduct in the Fifth Degree (Minn. Stat. 609.3451). .....	55

Harassment; Stalking (Minn. Stat. 609.749): .....	55
Ongoing Prevention and Awareness.....	59
Primary Prevention and Awareness Programs.....	60
Ongoing Prevention and Awareness Campaigns .....	61
Bystander Intervention.....	62
Report an incident of sexual assault, dating or relationship violence, or stalking .....	64
Confidentiality .....	71
Accommodations and Protective Measures Available for Victims.....	75
Resources available to victims/survivors.....	76
Procedures for Campus Disciplinary Action for VAWA Offenses .....	78
Appeal .....	81
Parallel Proceedings.....	82
Campus Sex Crimes Prevention Act.....	85
Alcohol Policy.....	86
Drug Policy .....	87
Weapons Policy .....	88
Firearms Policy .....	88
WSU Alcohol & Other Drug Education & Prevention Programs .....	89
Substance Use Health Risks.....	96
Annual Fire Safety Report.....	99
Evacuation Procedures .....	108

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## Separate Campuses

All policy statements contained in this report apply to all campuses unless otherwise indicated.

## Report Introduction

Winona State University Security prepares an Annual Report that complies with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The Campus Security Report includes criminal reports made to Security, Winona Police Department, Winona County Sheriff's Office, Rochester Police Department, Olmsted County Sheriff's Office, and other law enforcement agencies who hold jurisdiction over property that Winona State University owns or controls. The report includes crimes that were reported to have taken place on campus, facilities owned or rented by the University, public property, and non-campus property as defined in the Jeanne Clery Disclosure Act. The report is prepared in cooperation with local law enforcement, Housing and Residence Life, Title IX Office, Human Resources, and the Office of Student Life & Development. Each entity provides updated information on their educational efforts and programs as required. Reported crimes will also be identified by location of occurrence.

Crimes that are included within this report include: Murder & Non-negligent Manslaughter, Manslaughter by Negligence, Aggravated Assault, Burglary, Robbery, Motor Vehicle Theft, Arson, Sexual Assault to include (including rape, fondling incest and statutory rape), Domestic Assault, Dating Violence, Stalking, Alcohol Offenses Arrests, Drug Arrests, Weapons Arrests, Disciplinary referrals for alcohol, drug and weapons violations, and Bias Motivated Crimes

WSU will report if any of the above criminal reports are also hate crimes. These reports shall be classified according to category of prejudice including race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability.

WSU reports the number of arrests on campus to the extent that the university is able to obtain such information from the Winona Police Department, Rochester Police Department, and other law enforcement agencies who hold jurisdiction over locations that Winona State University owns or controls property.

Crime Classification: The Director of Security serves as the primary liaison concerning campus safety, criminal activity, and security services with all law enforcement agencies. The Director shall defer to local law enforcement professionals and/or legal professionals regarding the appropriate crime classification of incidents taking place on campus or other required reporting areas. WSU also follows the FBI Uniform Crime Report "hierarchy rule". In reports with multiple alleged crimes, only the most serious crime will be counted for statistical purposes.

Winona State University publishes the Annual Security Report each year by October 1. The report is distributed to all potential students on the college application form and prospective employees on the job announcement via a direct link to the report. All current students, faculty, and staff are sent an email that briefly describes the report and a URL address where it can be found. Printed copies of the report are available, at no cost, upon request from the Director of Security at 507-457-5555 or email [ccichosz@winona.edu](mailto:ccichosz@winona.edu).

In 1990, Congress enacted the *Crime Awareness and Campus Security Act of 1990* (Title II of Public Law 101-542), which amended the *Higher Education Act of 1965 (HEA)*. This act required all postsecondary institutions participating in *HEA*'s Title IV student financial assistance programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998, 2000, and 2008. The 1998 amendments renamed the law the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* in memory of a student who was slain in her dorm room in 1986. It is generally referred to as the *Clery Act* and is in section 485(f) of the *HEA*.

On March 7, 2013, the *Violence Against Women Reauthorization Act of 2013 (VAWA)* (Public Law 113-14) was signed into law. *VAWA* includes amendments to the *Clery Act*. These changes require institutions to disclose statistics, policies, and programs related to dating violence, domestic violence, sexual assault, and stalking, among other changes.

Winona State University encourages all students and university community members to be fully aware of the safety issues on campus and to take action to prevent and report illegal and inappropriate activities. Personal safety practices are the foundation of a safe community.

Pursuant to the Student Right to Know and Campus Security Act, WSU monitors criminal activity, publishes this report, and maintains a three-year statistical history both on campus and at off-campus property or facilities owned or rented by WSU or recognized university organizations. The University will distribute a copy of and/or provide access to this report pursuant to Federal Law.

WSU has no authority to require the Winona Police Department, Rochester Police Department, or the Judicial Court to take any action in connection with a reported crime. WSU encourages prosecution of all criminal violations through the criminal courts and if appropriate, through the campus conduct process for violations committed on campus by any student.

The University currently has several policies and procedures relating to campus security and safety, and it expressly reserves the right to modify them or adopt additional policies or procedures at any time without notice. Such changes may appear in successive issues of this report.

WSU also monitors and may handle cases for disciplinary purposes committed by their students at off-campus locations.

## Reporting a Crime

### WSU-Winona Campus:

WSU Security is located on the main floor of Sheehan Hall, 264 W. Mark Street, Winona State University, Winona, MN 55987, and phone 507-457-5555. Campus Security is the official record for all criminal reports made on campus. Students, university employees, and visitors are encouraged to immediately report all criminal activity to WSU Security or the Winona Police Department, 201 W. 3rd Street, Winona, MN 55987, phone 507-457-6368, or in case of an

emergency call 911. In appropriate cases, reports will also be shared with the Dean of Students. Campus Security will assist the Winona Police Department with investigations by providing reports, video surveillance footage, and directory information when requested. WSU Security is staffed 24 hours a day and 365 days a year.

Crimes should be accurately and promptly reported to the Winona State University Security or the appropriate police agency, when the victim of a crime elects to, or is unable to, make such a report.

WSU Security works closely with the Winona Police Department, State, and Federal agencies to track and respond to criminal activity on campus. Criminal reports and any statement relating to these reports that are made to WSU Security will be forwarded to the Winona Police Department when necessary and required by law. WSU Security may also assist the respective law enforcement agencies with video footage review and collection for investigations.

Winona State University Security	507-457-5555	Sheehan Hall
Winona Police Department	507-457-6368	201 W. 3 <sup>rd</sup> Street, Winona
Winona Police Department (Emergency)	911	
Director of Security	507-457-5555	Sheehan Hall

If the victim chooses, an additional report can be filed with the appropriate local law enforcement agency. WSU Security or others listed above can assist the complainant in completing reports. Internal reports may be shared with other departments on campus as necessary to complete an investigation or to ensure the safety of the campus community. Depending on many factors WSU may or may not hold reports of crime in confidence and may be required by law to release information based on the events or nature of the crime. Whenever possible WSU will attempt to protect the identity of crime victims.

WSU Security is recognized as the primary department responsible for providing security services for students, faculty, staff, and campus visitors at the properties that are either owned, leased, or controlled by WSU within the City of Winona. The department is comprised of fulltime professional and student security guard officers. Security Guards are not licensed police officers and do not possess the power of arrest as defined by Minnesota State Statute. Security guards have been granted the authority by the Institution’s President to enforce institutional policy, which is not inconsistent with federal, state, or local law, and to make citizens arrests when appropriate under Minnesota State Statute 629.37.

WSU Security provides security services for Minnesota State College Southeast (MSC Southeast) at the Winona Campus, which is located at 1250 Homer Road Winona, MN 55987. MSC Southeast-Winona is considered part of WSU Security’s patrol jurisdiction and crimes reported to have taken place on the MSC Southeast-Winona property will be recorded on the daily crime log.

### WSU-Rochester RCTC Campus:

RCTC Security is in Coffman Hall room 102 at 851 30th Avenue Southeast Rochester, MN 55904, and phone 507-280-5050. RCTC Security is the official record for all criminal reports made on the WSU Rochester RCTC campus. Students, university employees, and visitors are encouraged to report all criminal activity immediately to RCTC Security or the Rochester Police Department at 507-328-6800. RCTC Security is available Monday-Friday 6:00 am-10:00 pm, Saturday 7:30 am-6:00 pm. RCTC Security is closed Sunday. WSU does not have an agreement with RCTC to provide security services from RCTC Security, for WSU students, staff, or visitors.

Crimes should be accurately and promptly reported to the RCTC Security or the Rochester Police Department (507-328-6800) when the victim of a crime elects to, or is unable to, make such a report.

WSU Security works closely with RCTC Security, Rochester Police Department, Olmsted County Sheriff's Department, and State and Federal agencies to track and respond to criminal activity on campus. Criminal reports and any statement relating to these reports that are made to WSU Security will be forwarded to the Rochester Police Department when necessary and required by law. WSU Security may also assist the respective law enforcement agencies with video footage review and collection for investigations.

RCTC Campus Security	507-280-5050	Coffman Hall 102 Rochester
Rochester Police Department MN	507-328-6800	101 4 <sup>th</sup> St. SE, Rochester,
Rochester Police Department (Emergency)	911	
WSU Director of Security	507-457-5555	Sheehan Hall

If the victim chooses, an additional report can be filed with the appropriate local law enforcement agency. WSU Security or others listed above can assist the complainant in completing reports. Internal reports may be shared with other departments on campus as necessary to complete an investigation and/ or to ensure the safety of the campus community. WSU Security or others listed above will assist the Rochester Police Department with investigations as required. Depending on many factors WSU may or may not hold reports of crime in confidence and may be required by law to release information based on the events or nature of the crime. Whenever possible WSU will attempt to protect the identity of crime victims.

RCTC Security is recognized as the primary department responsible for providing security services for students, faculty, staff, and campus visitors at the properties that are either owned, leased, or controlled by WSU on the RCTC campus in Rochester, MN. The department is comprised of full-time professional and student security guard officers. Security Guards are not licensed police officers and do not possess the power of arrest as defined by Minnesota State Statute. Security guards have been granted the authority by the Institution's President to enforce

institutional policy, which is not inconsistent with federal, state, or local law, and to make citizens arrests when appropriate under Minnesota State Statute 629.37.

WSU Security does not provide patrol services to the RCTC campus. On occasion, the Director of Security for WSU will visit the RCTC campus. WSU Security does not have extended patrol jurisdiction over the WSU-Rochester RCTC campus.

**WSU-Rochester Broadway Campus:**

There are no security services at the WSU-Rochester Broadway campus. Rochester Police Department is the official record for all criminal reports made on campus. Students, university employees, and visitors are encouraged to immediately report all criminal activity to the Rochester Police Department at 507-328-6800.

Crimes should be accurately and promptly reported to the Rochester Police Department (507-328-6800) when the victim of a crime elects to or is unable to make such a report.

WSU Security works closely with the Rochester Police Department, Olmsted County Sheriff's Department, and State and Federal agencies to track and respond to criminal activity on campus. Criminal reports and any statement relating to these reports that are made to WSU Security will be forwarded to the Rochester Police Department when necessary and required by law. WSU Security may also assist the respective law enforcement agencies with video footage review and collection for investigations.

Rochester Police Department MN	507-328-6800	101 4 <sup>th</sup> St. SE, Rochester,
Rochester Police Department (Emergency)	911	
Winona State University Security	507-457-5555	Sheehan Hall-Winona, MN
WSU Director of Security	507-457-5555	Sheehan Hall-Winona, MN

If the victim chooses, an additional report can be filed with the appropriate local law enforcement agency. WSU Security or others listed above can assist the complainant in completing reports. Internal reports may be shared with other departments on campus as necessary to complete an investigation and/ or to ensure the safety of the campus community. Depending on many factors WSU may or may not hold reports of crime in confidence and may be required by law to release information based on the events or nature of the crime. Whenever possible WSU will attempt to protect the identity of crime victims.

There are no regularly scheduled security services offered at the WSU-Rochester Broadway campus. If WSU security guards are on the WSU-Rochester Broadway campus, they are not licensed police officers and do not possess the power of arrest as defined by Minnesota State Statute. Security guards have been granted the authority by the Institution's President to enforce institutional policy, which is not inconsistent with federal, state, or local law, and to make citizens arrests when appropriate under Minnesota State Statute 629.37.

WSU Security does not provide patrol services to the WSU-Rochester Broadway campus. On occasion, the Director of Security for WSU will visit the WSU-Rochester Broadway campus. WSU Security does not have any additional extended patrol jurisdiction over the WSU-Rochester Broadway campus.

## Response to Reports

Every effort should be made to ensure that physical evidence is maintained and protected. Immediately making reports will assist in preserving evidence. Preserve the crime scene. Do not touch any items involved in the incident. Close off the area of the incident and do not allow anyone in the crime scene until Security or police arrive.

Obtain a description of the offender(s), including sex, age, race, hair, clothing, and other distinguishable features. Attempt to obtain a description and license number of any vehicle involved. Note the direction taken by the offenders or vehicles and report those to Security or the police. Report as much detail as possible to ensure accurate reporting. If you are a victim of a crime your immediate recall of the event is often the best. Write down as much information as you can remember after a crime. Keep in mind the following when attempting to recall suspects:

- Gender
- Approximate age
- Height
- Weight/build
- Description of face including eye color, hair color and hair style
- Dress/clothing
- Facial hair
- Glasses
- Distinguishing marks including scars, marks, tattoos, and a distinguishing gait if known
- Voice

### WSU-Winona Campus

When alleged perpetrators are identified as students, the case may be forwarded to the Dean of Students for investigation and appropriate action. Criminal investigation, arrest, and prosecution can occur independently and at the same time as the campus judicial process. All allegations will be investigated, if feasible. In response to a call, Winona State University Security will take the required action, either dispatching a security guard or asking the victim to report to Winona State University Security to file an incident report. All reported crimes will be investigated by the University and may become a matter of public record.

Members of the community are helpful when they immediately report crimes or emergencies to Winona State University Security and to the following list of PRIMARY Campus Security Authorities (CSAs) for purposes of including them in the annual statistical disclosure and assessing them for issuing Timely Warning Notices, when deemed necessary.

Winona State University Security	507-457-5555	Sheehan Hall
Dean of Students	507-457-5300	Kryzsko Commons
WSU Director of Security	507-457-5555	Sheehan Hall
WSU Title IX Coordinator	507-457-2766	Somsen Hall

Winona State University does not have any noncampus locations officially recognized by the institution, including student organizations with non-campus housing facilities.

The University normally requires a written complaint and the assistance of the complainant in the disciplinary process, unless the university determines that there is a clear danger to the victim and/or the university community. Individuals reporting criminal complaints to WSU Security who wish to file a complaint with the Winona Police Department will be provided with assistance from WSU Security upon request. The Director of Security will serve as the primary liaison between WSU Security and all law enforcement agencies. Criminal reports can also be made to:

Winona State University Security	507-457-5555	Sheehan Hall
Winona Police Department	507-457-6368	201 W. 3 <sup>rd</sup> Street, Winona
Director of Security	507-457-5555	Sheehan Hall

### WSU-Rochester Broadway Campus

When alleged perpetrators are identified as students, the case may be forwarded to the Dean of Students for investigation and appropriate action. Criminal investigation, arrest, and prosecution can occur independently and at the same time as the campus judicial process. All allegations will be investigated, if feasible. In response to a call, Winona State University Security will take the required action, either contacting Rochester Police Department or asking the victim to contact WSU Security in Winona, MN at 507-457-5555 to file an incident report. All reported crimes will be investigated by the University and may become a matter of public record.

Members of the community are helpful when they immediately report crimes or emergencies to Winona State University Security and to the following list of PRIMARY Campus Security Authorities (CSAs) for purposes of including them in the annual statistical disclosure and assessing them for issuing Timely Warning Notices when deemed necessary.

Winona State University Security	507-457-5555	Sheehan Hall
Dean of Students	507-457-5300	Kryzsko Commons
WSU Title IX Coordinator	507-457-2766	Somsen Hall-Winona, MN
Associate Vice President for Academic Affairs	507-535-2530	WSU Rochester Broadway #306
WSU Director of Security	507-457-5555	Sheehan Hall-Winona, MN

Winona State University monitors and records, through local police agencies, student criminal activity at non-campus locations of student organizations officially recognized by the institution, including student organizations with non-campus housing facilities. WSU receives a weekly

email from the Winona Police Department that contains the names of those who have been arrested or charged with crimes.

The University normally requires a written complaint and the assistance of the complainant in the disciplinary process, unless the university determines that there is a clear danger to the victim and/or the university community. Individuals reporting criminal complaints to WSU Security who wish to file a complaint with the Rochester Police Department will be provided with assistance from WSU Security upon request. The Director of Security will serve as the primary liaison between WSU Security and all law enforcement agencies. Criminal reports can also be made to:

Winona State University Security	507-457-5555	Sheehan Hall
Rochester Police Department MN	507-328-6800	101 4 <sup>th</sup> St. SE, Rochester,
WSU Director of Security	507-457-5555	Sheehan Hall

### WSU-Rochester RCTC Campus

When alleged perpetrators are identified as students, the case may be forwarded to the Dean of Students for investigation and appropriate action. Criminal investigation, arrest, and prosecution can occur independently and at the same time as the campus judicial process. All allegations will be investigated, if feasible. In response to a call, RCTC Security will take the required action, either contacting the Rochester Police Department or asking the victim to report to RCTC Security to file an incident report. All reported crimes will be investigated by RCTC Security and may become a matter of public record.

Members of the community are helpful when they immediately report crimes or emergencies to RCTC Security and to the following list of PRIMARY Campus Security Authorities (CSAs) for purposes of including them in the annual statistical disclosure and assessing them for issuing Timely Warning Notices when deemed necessary.

Winona State University Security	507-457-5555	Sheehan Hall
Dean of Students	507-457-5300	Kryzsko Commons
Associate Vice President for Academic Affairs	507-535-2530	WSU Rochester Broadway #306
Title IX Coordinator	507-457-2766	Somsen Hall-Winona, MN
WSU Director of Security	507-457-5555	Sheehan Hall

Winona State University monitors and records, through local police agencies, student criminal activity at non-campus locations of student organizations officially recognized by the institution, including student organizations with non-campus housing facilities.

The University normally requires a written complaint and the assistance of the complainant in the disciplinary process, unless the university determines that there is a clear danger to the victim and/or the university community. Individuals reporting criminal complaints to RCTC Security who wish to file a complaint with the Rochester Police Department will be provided with assistance from RCTC Security upon request. The WSU Director of Security will serve as the

primary liaison between RCTC Security, WSU Security, and all law enforcement agencies. Criminal reports can also be made to:

Winona State University Security	507-457-5555	Sheehan Hall- Winona, MN
Rochester Police Department	507-328-6800	101 4 <sup>th</sup> St. SE, Rochester, MN
Rochester Police Department (Emergency)	911	
WSU Director of Security	507-457-5555	Sheehan Hall-Winona, MN
RCTC Campus Security	507-280-5050	Coffman Hall 102 Rochester

## **Responding Law Enforcement Agencies**

### **WSU-Winona Campus**

The Winona Police Department (507-457-6302) patrols the WSU Winona campus and responds to calls on a 24-hour basis. WSU falls under the jurisdiction of the Winona Police Department who will respond to campus and conduct investigations relative to criminal activity reported by members of the campus community. No written memorandums with law enforcement officials or for investigations of crimes exist between WSU and the Winona Police Department. Members of the campus community may report criminal acts directly to the Winona Police Department. WSU Security will also conduct investigations and communicate those investigations and reports to law enforcement when appropriate and required by law.

### **WSU-Rochester RCTC Campus**

The Rochester Police Department (507-328-6810) patrols the WSU Rochester RCTC campus and responds to calls on a 24-hour basis. WSU-Rochester RCTC falls under the jurisdiction of the Rochester Police Department who will respond to campus and conduct investigations relative to criminal activity reported by members of the campus community. No written memorandums with law enforcement officials or for investigations exist between WSU-Rochester RCTC and the Rochester Police Department. Members of the campus community may report criminal acts directly to the Rochester Police Department. WSU Security or RCTC Security will also conduct investigations and communicate those investigations and reports to law enforcement when appropriate and required by law.

### **WSU-Rochester Broadway Campus**

The Rochester Police Department (507-328-6810) patrols the WSU-Rochester Broadway campus and responds to calls on a 24-hour basis. WSU-Rochester Broadway falls under the jurisdiction of the Rochester Police Department who will respond to campus and conduct investigations relative to criminal activity reported by members of the campus community. No written memorandums with law enforcement officials or for investigations exist between WSU-Rochester Broadway and the Rochester Police Department. Members of the campus community may report criminal acts directly to the Rochester Police Department. WSU Security will also

conduct investigations and communicate those investigations and reports to law enforcement when appropriate and required by law.

## Voluntary Confidential Reporting

### “I Witness” report form

WSU does accept voluntary confidential reporting by utilizing the [\*“I Witness”\*](#) report form. If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making a confidential report. With your permission, a Winona State University Security guard can file a report on the details of the incident without revealing your identity (except to the Title IX Coordinator in the event of a reported sex offense or sexual harassment). The purpose of a confidential report is to comply with your wish to keep the matter confidential while taking steps to enhance the future safety of yourself and others. With such information, the WSU can keep an accurate record of the number of incidents involving students, employees, and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution. Use the [\*“I Witness”\*](#) link or copy and paste the following address to access the report form.

[https://cm.maxient.com/reportingform.php?WinonaStateUniv&layout\\_id=5](https://cm.maxient.com/reportingform.php?WinonaStateUniv&layout_id=5)

Members of the campus community must be aware that reporting an incident anonymously or providing inadequate information may limit the University in conducting an investigation or resolving an issue.

In addition to reporting crimes, concerns regarding student welfare, hate incidents, university policy violations, and other concerns can be reported anonymously through the [\*“I Witness”\*](#) report form.

### [Anonymous Reporting at the WSU-Winona campus:](#)

The [\*“I Witness”\*](#) Program is not designed to replace the need to contact WSU Security directly with information about an emergency, crime in progress, or potentially harmful situation. During those situations, contact WSU Security immediately at 507-457-5555 or the Winona Police Department at 507-457-6492, or in case of an emergency call 911.

Use the [\*“I Witness”\*](#) link or copy and paste the following address to access the report form.

[https://cm.maxient.com/reportingform.php?WinonaStateUniv&layout\\_id=5](https://cm.maxient.com/reportingform.php?WinonaStateUniv&layout_id=5).

### [Anonymous Reporting at the WSU-RCTC campus:](#)

The [\*“I Witness”\*](#) Program is not designed to replace the need to contact RCTC Security directly with information about an emergency, crime in progress, or potentially harmful situation. During those situations, contact RCTC Security immediately at 507-280-5050 or the Rochester Police Department at 507-328-6800, or in case of an emergency call 911.

Use the [“I Witness”](#) link or copy and paste the following address to access the report form.  
[https://cm.maxient.com/reportingform.php?WinonaStateUniv&layout\\_id=5](https://cm.maxient.com/reportingform.php?WinonaStateUniv&layout_id=5)

### Anonymous Reporting at the WSU-Rochester Broadway campus:

The [“I Witness”](#) Program is not designed to replace the need to contact Rochester Police Department directly with information about an emergency, crime in progress or potential harmful situation. During those situations, contact the Rochester Police Department at 507-328-6800 or in case of an emergency call 911.

Use the [“I Witness”](#) or copy and paste the following address to access the report form.  
[https://cm.maxient.com/reportingform.php?WinonaStateUniv&layout\\_id=5](https://cm.maxient.com/reportingform.php?WinonaStateUniv&layout_id=5)

## **Campus Security Authorities (CSAs) and Reporting of Crimes**

The WSU Security compiles all required information and statistics for this report. Statistics are collected using incident reports and from other reporting authorities including, but not limited to, local law enforcement agencies and officials of Winona State University who have significant responsibility for student and campus activities. Those individuals who are identified as Campus Security Authorities are mandated to report to WSU Security those crimes falling within the Campus Security Act. All employees, faculty, or staff who become aware of an allegation in violation of university policy, student code of conduct or civil or criminal law should report the allegation to their supervisor and WSU Security.

Campus Security Authorities include (but are not limited to) the following categories of individuals at Winona State University and others who have a “significant responsibility for student and campus activities:” These university officials include individuals in departments such as:

- Security
- Resident Assistants, Hall Directors
- Dean of Students Office (Leaders in Student Affairs and Housing)
- Athletic Director and Coaches (including Assistant Athletic Directors and Assistant Coaches)
- Faculty or Staff Advisors to Student clubs on campus
- Building Access Monitors
- Contract Security Officers and Event Security Officers
- Staff & Faculty in Student Activities Office (handling extracurricular activities)
- Administrators at Branch/Satellite/Separate Campuses
- Center for Global Education (study abroad and international students)
- Faculty leaders of university-sponsored off-campus study programs
- Title IX Coordinator
- Director of Student Health Center
- Victim Advocates

### CSA reporting for WSU Winona campus:

These individuals should not attempt to investigate but should instead report and allow WSU Security or the Winona Police Department to investigate. All persons in the WSU community are encouraged to assist in the reporting of alleged criminal activity by contacting WSU Security at 507-457-5555 and/or the Winona Police Department at 507-457-6302, as well as helping in making the report.

It is Winona State University's position that all campus community members are responsible for reporting any criminal activity they become aware of to WSU Security located in Sheehan Hall 507-457-5555, or the *Winona Police Department 507-457-6302* or in case of an emergency call 911.

The online [CSA Report Form](#) is the desired crime reporting option for Winona State University CSAs.

[https://cm.maxient.com/reportingform.php?WinonaStateUniv&layout\\_id=13](https://cm.maxient.com/reportingform.php?WinonaStateUniv&layout_id=13)

### CSA reporting for WSU-Rochester Broadway campus:

These individuals should not attempt to investigate but should instead report and allow WSU Security or the Rochester Police Department to investigate. All persons in the WSU community are encouraged to assist in the reporting of alleged criminal activity by contacting WSU Security 507-457-5555 and/or the Rochester Police Department 507-328-6800, as well as providing assistance in making the report.

It is Winona State University's position that all campus community members are responsible for reporting any criminal activity they become aware of to WSU Security located in Sheehan Hall 507-457-5555, or the *Rochester Police Department 507-328-6800* in case of an emergency call 911.

The online [CSA Report Form](#) is the desired crime reporting option for Winona State University CSAs.

[https://cm.maxient.com/reportingform.php?WinonaStateUniv&layout\\_id=13](https://cm.maxient.com/reportingform.php?WinonaStateUniv&layout_id=13)

### CSA reporting for WSU- RCTC campus:

These individuals should not attempt to investigate but should instead report and allow RCTC Security or the Rochester Police Department to investigate. All persons in the WSU community are encouraged to assist in the reporting of alleged criminal activity by contacting RCTC Security at 507-280-5050 and/or the Rochester Police Department at 507-328-6800, as well as providing assistance in making the report.

It is Winona State University's position that all campus community members are responsible for reporting any criminal activity they become aware of to RCTC Security located in Coffman Hall 507-280-5050, or the *Rochester Police Department 507-328-6800* in case of an emergency call 911.

The online [\*CSA Report Form\*](#) is the desired crime reporting option for Winona State University CSAs.

[https://cm.maxient.com/reportingform.php?WinonaStateUniv&layout\\_id=13](https://cm.maxient.com/reportingform.php?WinonaStateUniv&layout_id=13)

Winona State University urges all campus entities that are excluded from mandatory reporting, such as professional mental health counselors and pastoral counselors, to advise clients who are victims of crime to report those incidents to campus or local law enforcement authorities. They are also encouraged to advise people they are counseling who are victims of crimes, that they can report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

According to the Federal Register, "the function of these administrators (significant responsibility) is not to determine whether a crime took place. That is the function of the law enforcement professionals working within the criminal justice system, but with respect to these regulations to report the alleged crime, that was received in good faith, to the appropriate law enforcement personnel, either campus or local police."

Campus Security Authorities who fail to report criminal activity to WSU Security in a timely manner may be subject to disciplinary action by the University. All University students and staff are encouraged to assist anyone in reporting alleged criminal activity by contacting WSU Security to file a criminal report.

### **Alternative crime reporting resources**

Crimes may also be reported to the following individuals and/or organizations:

#### **WSU-Winona Campus**

Winona State University Security	507-457-5555	Sheehan Hall-Winona, MN
Provost and Vice President	507-457-5010	Somsen Hall 211-Winona, MN
Dean of Students	507-457-5300	Kryzsko Commons-Winona, MN
VP for Enrollment Management & Student Life	507-457-5478	Maxwell Hall 225-Winona, MN
Winona Police Department	507-457-6368	201 W. 3 <sup>rd</sup> Street, Winona, MN
Winona Police Department (Emergency)	911	
Director of Security	507-457-5555	Sheehan Hall-Winona, MN
Title IX Coordinator	507-457-2766	Somsen Hall-Winona, MN

## WSU-Rochester Broadway Campus

Winona State University Security	507-457-5555	Sheehan Hall-Winona, MN
Provost and Vice President	507-457-5010	Somsen Hall 211-Winona, MN
Dean of Students	507-457-5300	Kryzsko Commons-Winona, MN
VP for Enrollment Management & Student Life	507-457-5478	Maxwell Hall 225-Winona, MN
Rochester Police Department	507-328-6800	101 4 <sup>th</sup> St. SE, Rochester, MN
Rochester Police Department (Emergency)	911	
Director of Security	507-457-5555	Sheehan Hall-Winona, MN
Title IX Coordinator	507-457-2766	Somsen Hall-Winona, MN

## WSU-Rochester RCTC Campus

Winona State University Security	507-457-5555	Sheehan Hall-Winona, MN
Provost and Vice President	507-457-5010	Somsen Hall 211-Winona, MN
Dean of Students	507-457-5300	Kryzsko Commons-Winona, MN
VP for Enrollment Management & Student Life	507-457-5478	Maxwell Hall 225-Winona, MN
Rochester Police Department	507-328-6800	101 4 <sup>th</sup> St. SE, Rochester, MN
Rochester Police Department (Emergency)	911	
WSU Director of Security	507-457-5555	Sheehan Hall-Winona, MN
Title IX Coordinator	507-457-2766	Somsen Hall-Winona, MN
RCTC Campus Security	507-280-5050	Coffman Hall 102 Rochester, MN

In most cases, it is possible for a CSA to fulfill their responsibilities while still maintaining victim confidentiality. Winona State University has also developed an online reporting system for Campus Security Authorities that will assist in expediting the process of reporting crimes to WSU Security. The online [CSA Report Form](#) is the desired crime reporting option for Winona State University CSA's.

[https://cm.maxient.com/reportingform.php?WinonaStateUniv&layout\\_id=13](https://cm.maxient.com/reportingform.php?WinonaStateUniv&layout_id=13)

The [CSA Report Form](#) is automatically routed to WSU Security and WSU Title IX once the report has been submitted.

## Daily Crime and Fire Log

WSU Security maintains a daily crime log that lists the identifying report number, initial classification, date, time, general location and if known, the disposition of each criminal report within two business days of being received. This information may be delayed in being placed on the daily log in cases where such disclosure is prohibited by the Minnesota Data Privacy Act or where such disclosure may jeopardize the confidentiality of the victim. Winona State University may temporarily withhold information only if there is clear and convincing evidence that the release of the information would;

- Jeopardize an ongoing investigation;

- Jeopardize the safety of an individual;
- Cause a suspect to flee or evade detection; or
- Result in the destruction of evidence.

Winona State University may disclose any information withheld once the adverse effect described above is no longer likely to occur. The institution can withhold only that information that would cause the adverse effect. Crime log entries include all crimes reported to WSU Security for the required geographic locations, not just Clery Act crimes.

#### WSU Winona Campus:

The daily crime log is combined with the campus fire log. WSU Security makes the crime and fire log for the most recent 60-day period open to public inspection during normal business hours. When a request for any portion of the crime and fire log older than 60 days is made WSU Security will make the requested portion of the crime and fire log available within two business days. To make a request for the crime and fire log contact the Director of Security at 507-457-5555 or email at [ccichosz@winona.edu](mailto:ccichosz@winona.edu). The Crime and Fire log for the WSU-Winona campus is held at WSU Security in Sheehan Hall.

#### WSU-RCTC Campus:

WSU does not have student residential housing on the RCTC Campus or in Rochester, MN and thus does not maintain a daily fire log. RCTC Campus Security posts the most recent 60-day period daily crime log statistics in the President's Office located at room SS204. Additionally, any portion of these crime logs that are older than 60 days is made available for public inspection within two business days of a request. The Daily Crime Log is available for review from 8 am to 4 pm, Monday through Friday, except holidays at the President's Office, SS204. To make a request for the crime log contact the President of the College, Dr Jeffery Boyd, at 507-285-7216 or email at [Jeffery.boyd@rctc.edu](mailto:Jeffery.boyd@rctc.edu).

WSU does not have an agreement with RCTC to provide security services from RCTC Security for WSU students, staff, or visitors. WSU does not maintain a Security presence on the RCTC campus, and thus does not maintain a separate Crime log specific to the WSU-RCTC campus.

#### WSU-Rochester Broadway Campus:

WSU does not have security personnel on the WSU-Rochester Broadway campus that provides a security function. WSU does not have student residential housing on the WSU-Rochester Broadway Campus. Therefore WSU-Rochester Broadway Campus does not maintain a daily crime or fire log.

## Geography

Pursuant to the Clery Act, WSU Security monitors criminal activity and publishes this report containing a three-year statistical history of select crimes or incidents that occur. The statistics are gathered from three specific geographic areas; 1) on campus, 2) on public property within or immediately adjacent to the campus, and (3) in or on non-campus buildings or property that the institution owns or controls.

The following definitions are taken from the Higher Education Act of 1965, 485(f) (20 U.S.C. 1092(f)), the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” and are used to classify the locations listed in the Winona State University Crime Statistics.

### Definitions:

- **On-Campus:** The term “campus” means 1) any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and 2) any building or property within the same reasonably contiguous geographic area identified in #1 of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).
- **Student Residences:** An institution that has on-campus student housing facilities must separately disclose two sets of on-campus statistics. The total number of crimes that occurred on campus, including crimes that occurred in student housing facilities. The number of crimes that occurred in on-campus student housing facilities as a subset of the total. **MSC Southeast does not maintain residential student housing.**
- **Non-Campus Building or Property:** Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- **Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus, or immediately adjacent to and accessible from the campus.

## **Types of Crimes required to be recorded Under the Clery Act** (See appendix 2 for definitions of the crimes)

### **Criminal Offenses:**

- Murder and Non-negligent manslaughter
- Manslaughter by Negligent
- Sex Offenses:
  - Rape
  - Fondling
  - Incest
  - Statutory rape
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson

### **Hate crimes(including):**

- Previously listed criminal offenses
- Larceny-theft
- Simple assault
- Intimidation
- Destruction/damage/vandalism of property

### **Category of Bias (included the victim's actual or perceived):**

- Race
- Gender
- Gender Identity
- Religion
- Sexual orientation
- Ethnicity
- National origin
- Disability

### **VAWA Offenses:**

- Dating violence
- Domestic violence
- Stalking

### **Arrests and Disciplinary Referrals(including):**

- Liquor law violations
- Drug law violations
- Weapons law violations

## Crime Statistics (2022 – 2020)

### WSU-Winona Campus

OFFENSE	YEAR	ON CAMPUS PROPERTY	PUBLIC PROPERTY	NON CAMPUS PROPERTY	RESIDENCE HALLS	TOTAL
MURDER/NON-NEGLIGENT MANSLAUGHTER	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
RAPE	2022	2	0	0	2	2
	2021	7	0	0	7	7
	2020	4	0	0	4	4
FONDLING	2022	15	0	0	15	15
	2021	1	0	0	1	1
	2020	0	0	0	0	0
INCEST	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
STATUTORY RAPE	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
ROBBERY	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
AGGRAVATED ASSAULT	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
BURGLARY	2022	9	0	0	4	9
	2021	5	0	0	1	5
	2020	4	0	0	1	4
MOTOR VEHICLE THEFT	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
ARSON	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
LIQUOR LAW ARREST	2022	1	0	0	1	1
	2021	28	0	0	27	28
	2020	0	0	0	0	0
LIQUOR LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	2022	62	0	0	62	62
	2021	166	0	0	166	166
	2020	154	0	0	154	154
DRUG LAW ARRESTS	2022	0	0	0	0	0
	2021	2	0	0	2	2
	2020	4	0	0	4	4
DRUG LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	2022	0	0	0	0	0
	2021	2	0	0	2	2
	2020	0	0	0	0	0
WEAPONS LAW VIOLATIONS-ARRESTS	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
WEAPONS LAW VIOLATIONS-REFERRED FOR DISCIPLINARY ACTION	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0

WSU-Rochester Broadway Campus

OFFENSE	YEAR	ON CAMPUS PROPERTY	PUBLIC PROPERTY	NON CAMPUS PROPERTY	TOTAL
MURDER/NON-NEGLIGENT MANSLAUGHTER	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
RAPE	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
FONDLING	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
INCEST	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
STATUTORY RAPE	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
ROBBERY	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
AGGRAVATED ASSAULT	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
BURGLARY	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
MOTOR VEHICLE THEFT	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
ARSON	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
LIQUOR LAW ARREST	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
LIQUOR LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
DRUG LAW ARRESTS	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
DRUG LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
WEAPONS LAW VIOLATIONS-ARRESTS	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
WEAPONS LAW VIOLATIONS-REFERRED FOR DISCIPLINARY ACTION	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

WSU-Rochester RCTC Campus

OFFENSE	YEAR	ON CAMPUS PROPERTY	PUBLIC PROPERTY	NON CAMPUS PROPERTY	TOTAL
MURDER/NON-NEGLIGENT MANSLAUGHTER	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
RAPE	2022	1	0	0	1
	2021	0	0	0	0
	2020	0	0	0	0
FONDLING	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
INCEST	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
STATUTORY RAPE	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
ROBBERY	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
AGGRAVATED ASSAULT	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
BURGLARY	2022	1	0	0	1
	2021	4	0	0	4
	2020	0	0	0	0
MOTOR VEHICLE THEFT	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
ARSON	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
LIQUOR LAW ARREST	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
LIQUOR LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
DRUG LAW ARRESTS	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
DRUG LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
WEAPONS LAW VIOLATIONS-ARRESTS	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
WEAPONS LAW VIOLATIONS-REFERRED FOR DISCIPLINARY ACTION	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

## Violence Against Women Reauthorization Act (VAWA) statistics (2022– 2020)

### WSU-Winona Campus (VAWA)

OFFENSE (VAWA)	YEAR	ON CAMPUS PROPERTY	PUBLIC PROPERTY	NON CAMPUS PROPERTY	RESIDENCE HALLS	TOTAL
DOMESTIC VIOLENCE	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
DATING VIOLENCE	2022	2	0	0	2	2
	2021	1	0	0	1	1
	2020	0	0	0	0	0
STALKING	2022	7	0	0	3	7
	2021	3	0	0	2	3
	2020	2	1	0	1	2

### WSU-Rochester Broadway Campus (VAWA)

OFFENSE (VAWA)	YEAR	ON CAMPUS PROPERTY	PUBLIC PROPERTY	NON CAMPUS PROPERTY	TOTAL
DOMESTIC VIOLENCE	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
DATING VIOLENCE	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
STALKING	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

### WSU-Rochester RCTC Campus (VAWA)

OFFENSE (VAWA)	YEAR	ON CAMPUS PROPERTY	PUBLIC PROPERTY	NON CAMPUS PROPERTY	TOTAL
DOMESTIC VIOLENCE	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
DATING VIOLENCE	2022	1	0	0	1
	2021	0	0	0	0
	2020	0	0	0	0
STALKING	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

We requested crime statistics from the Winona Police Department but was not provided information for 2022 crime statistics.

## Hate Crimes

WSU strives to foster a safe and healthy learning environment that embodies diversity and inclusion of all members of the WSU community. The Hate Crime statistics are separated by category of prejudice.

If a Hate Crime occurs where there is an incident involving intimidation, Vandalism/Destruction/Damage of property, Larceny-Theft, Simple Assault based on another person's bias based on race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

Note: A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assault a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's race, religion, sexual orientation, gender, ethnicity, national origin, or disability, the assault is then also classified as a hate/bias crime.

### WSU-Winona Campus Hate Crimes

- 2022: No hate crimes to report
- 2021: No hate crimes to report
- 2020: One on-campus simple assault characterized by ethnicity

### WSU-Rochester Broadway Campus Hate Crimes

- 2022: No hate crimes to report
- 2021: No hate crimes to report
- 2020: No hate crimes reported

### WSU-Rochester RCTC Campus Hate Crimes

- 2022: No hate crimes to report
- 2021: No hate crimes to report
- 2020: No hate crimes reported

## Unfounded Crimes

### WSU-Winona Campus Unfounded Crimes

- 2022: 0 unfounded crimes
- 2021: 0 unfounded crimes
- 2020: 0 unfounded crimes

### WSU-Rochester Broadway Campus Unfounded Crimes

- 2022: 0 unfounded crimes
- 2021: 0 unfounded crimes
- 2020: 0 unfounded crimes

### WSU-Rochester RCTC Campus Unfounded Crimes

- 2022: 0 unfounded crimes
- 2021: 0 unfounded crimes
- 2020: 0 unfounded crimes

## Emergency Notification-WSU Alert

In the interest of promoting the safety of our campus community Winona State University has developed the WSU Alert emergency notification system. All or any combination of the parts of WSU Alert will be used for alerting students, faculty, staff, and visitors. Emergency Notifications are distributed by authorized representatives to the WSU community notifying them of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on a WSU campus. An authorized representative, without delay, will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation occurring on a WSU campus that involves an immediate threat to the health or safety of students or employees.

The two primary parts of WSU Alert are Star Alert (Black Board) and Alertus. Star Alert has the capability of sending emails, text messages (if a cell number is provided), as well as phone calls announcing an emergency situation. Alertus is capable of alerting students, staff, and visitors by taking over university asset screens (WSU laptops and desktops), digital signage, as well as utilizing a mobile phone app for notifications that is available for free at the iTunes App Store and Google Play Store.

To receive full-screen pop-up WSU Alerts on your personal mobile device, download the Alertus + app, available free in the App Store and on Android, and follow the steps below:

1. Enter Organization Code “winona”
2. Enter a valid email address
3. Allow notifications
4. Check your email for a notification from Alertus Mobile and click on the link to verify your account



Alertus

Alertus Technologies LLC

Everyone

Upon enrollment or hiring students/faculty/staff are automatically enrolled in the system using the Star ID to associate them with Winona State University. Faculty and staff are sent an automatic email, activating their account and encouraging them to enter additional phone and/or cell numbers, email addresses and selecting other delivery options for receiving emergency notifications. The WSU Alert can provide immediate emergency communication and as a wireless notification system it can provide critical information if computers and telephones are compromised. Notifications are brief and clearly identified as a WSU Alert. They will include information on the situation at hand, what action to take, and where to find additional information.

Registration for WSU Alert is free, and participants must be able to receive text or email messages on their cell phones to have multiple platforms to receive emergency alerts. Information submitted through the registration process will only be used for WSU Alert.

Members of the campus community wishing to update their information or add additional contact numbers should contact Tech Support at [techsupport@winona.edu](mailto:techsupport@winona.edu).

Students, faculty, and staff have the option of permanently opting out of WSU Alert should they choose. For additional information on access, issues concerning individual accounts, or other questions contact Tech Support at [techsupport@winona.edu](mailto:techsupport@winona.edu).

Members of the campus community are also encouraged to monitor their WSU email and [Winona State University's](#) website in the event of an emergency or disaster for additional information and instructions.

You can also receive WSU Alert notifications via Twitter, follow [@AlertWinona](#).

The WSU Alert is tested on an annual basis throughout the campus community. Representatives on campus who are responsible for disseminating this information to the campus community include the following: Vice-President of Finance & Administration, Director of Security, Associate Director of Security, Director of Marketing & Communications, additional Marketing and Communications professional staff, two WSU-Rochester Broadway staff members and full-time security personnel.

#### WSU-RCTC Campus Emergency Notification:

Winona State University students or staff who attend classes or work at the WSU RCTC Campus are allowed to enroll in Rochester Community & Technical College's Star Alert Program. Students, faculty and staff should be aware that you are not automatically enrolled in RCTC's Star Alert and must register for this service. Those wishing to opt into RCTC's [Emergency Notification System](#) can do it by following the previous link or using this URL: <https://rctc.bbcportal.com/>. You are not automatically enrolled in the RCTC Emergency Notification system if you are a WSU student or staff member and attend classes or work on the WSU RCTC campus.

Call 911 or WSU Security (507-457-5555) if you become aware of an emergency.

## **Determining the Appropriate Segment or Segments of the Campus Community to Receive Emergency Notifications**

University officials will distribute the notification to the entire WSU campus community at the WSU-Winona campus, WSU-Rochester-Broadway campus, and WSU-Rochester-RCTC campus.

## **Determining the Contents of the Emergency Notification**

The Director of Security in concert with, when time permits, the Vice-President of Finance & Administration, Assistant Director of Security, Director of Marketing & Communications, or full-time security personnel is responsible for issuing the emergency notification and will determine the contents of the notification. When time permits WSU authorized representatives will collaborate with local first responders when developing an emergency notification. The University has developed a wide range of template messages for WSU Alert addressing several different emergency situations. The individuals listed above and authorized to activate WSU Alert have the ability to craft and disseminate a message without the assistance of others when time is critical, and a message needs to be sent immediately.

In those cases where there are no pre-determined template messages available the authorized representative(s) will develop the most succinct message to convey the appropriate information to the community.

## **Procedures Used to Notify the Campus Community**

In the event of a situation that poses a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on any of the WSU campus', the University has various methods in place for communicating information quickly. Some or all of the following methods of communication may be utilized in the event of an emergency on any of the WSU campuses. The methods of communication included in WSU Alert include:

- Text message
- Voice call
- University email
- Pop-up WSU Alerts on University-owned laptop and desktop computers
- Pop-up WSU Alerts on Campus digital signage displays
- Pop-up WSU Alerts on Personal mobile devices with enrollment in the Alertus mobile phone App
  - To receive full-screen pop-up WSU Alerts on your personal mobile device, download the Alertus + app, available free in the App Store and on Android, and follow the steps below:
    1. Enter Organization Code “winona”
    2. Enter a valid email address
    3. Allow notifications
    4. Check your email for a notification from Alertus Mobile and click on the link to verify your account



Alertus

Alertus Technologies LLC

Everyone

## **Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating WSU Alert**

WSU Security and/or other campus first responders may become aware of a critical incident or other emergencies that could affect the health or safety of the campus community. Generally, campus first responders become aware of these situations when they are reported to WSU Security or upon discovery by other University personnel. University personnel will confirm the existence of an emergency or dangerous situation by any of the following means: video surveillance, firsthand observation, reports from law enforcement or other first responders, and National Weather Service monitoring.

If the Director of Security, Assistant Director of Security, VP of Finance and Administration, Director of Marketing & Communications, or all other full-time Security personnel, in conjunction with other University administrators, local first responders, Public Health Officials, and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the WSU Community: The following steps will be followed:

1. A WSU Security official will confirm that a significant emergency or dangerous situation exists, even if all the pertinent details are not known or are available at the time.
2. WSU Authorized representatives will, taking into account the safety of the community, determine the content of the notification, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.
3. University officials will, without delay, distribute the notification to the entire campus community at the WSU-Winona campus, WSU-Rochester-Broadway campus, and WSU-Rochester-RCTC campus. As soon as the condition that may compromise efforts is no longer present, the University will issue an emergency notification to the WSU community.

Winona State University's authorized representatives for disseminating emergency notifications include the following:

- Vice-President of Finance & Administration
- Director of Security
- Assistant Director of Security
- Director of Marketing & Communications
- Full-time security personnel.

<b>Emergency Notification System (ENS): consisting of..</b>	<b>Primary Message Creator</b>	<b>Backup Message Creator</b>	<b>Authority for approving &amp; sending messages</b>	<b>Primary Message Sender/Distributor</b>	<b>Backup Message Sender/Distributor</b>
<b>Star Alert (Black Board)</b>	Director of Communications & Marketing	All non-student Security Staff, Vice-President of Finance & Administration	Director of Communications & Marketing, All non-student Security Staff, Vice-President of Finance & Administration	Director of Communications & Marketing	All non-student Security Staff, Vice-President of Finance & Administration
<b>Alertus</b>	All non-student Security Staff	Director of Communications & Marketing, Vice-President of Finance & Administration	Director of Communications & Marketing, All non-student Security Staff, Vice-President of Finance & Administration	All non-student Security Staff	Director of Communications & Marketing, Vice-President of Finance & Administration
<b>SECONDARY</b>					
<b>WSU Email</b>	Director of Communications & Marketing	All non-student Security Staff, Vice-President of Finance & Administration	Director of Communications & Marketing, All non-student Security Staff, Vice-President of Finance & Administration	Director of Communications & Marketing	All non-student Security Staff, Vice-President of Finance & Administration
<b>University Website</b>	Director of Communications & Marketing	Marketing Communications Specialist, Director of Web Communications, Web Content Strategist, Marketing Communications Specialist	Director of Communications & Marketing, All non-student Security Staff, Vice-President of Finance & Administration	Director of Communications & Marketing	Marketing Communications Specialist, Director of Web Communications, Web Content Strategist
<b>WSU Face Book, Twitter</b>	Director of Web Communications	Web Content Strategist, Director of Communications & Marketing	Director of Communications & Marketing, Director of Web Communications, All non-student Security Staff, Vice-President of Finance & Administration	Director of Web Communications	Web Content Strategist, Director of Communications & Marketing, Marketing Communications Specialist

WSU Alert is an opt-out system, meaning students and staff are automatically enrolled in the majority of the options of WSU Alert, except for the Alertus mobile app. WSU students and staff are automatically signed up to receive WSU Alerts directly via university email and on their university-owned laptop or desktop computer.

To receive full-screen pop-up WSU Alerts on your personal mobile device, download the Alertus + app, available free in the App Store and on Android, and follow the steps below:

1. Enter Organization Code “winona”

2. Enter a valid email address
3. Allow notifications
4. Check your email for a notification from Alertus Mobile and click on the link to verify your account



Follow-up information will be distributed using some or all the identified communication systems (except fire alarm).

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents, and other interested parties. If the decision is made to notify the news media the University will email the local and regional media entities. The larger community can also access emergency information via the Winona State University homepage <https://www.winona.edu>, WSU Alert Twitter <https://twitter.com/AlertWinona>, Face Book <https://www.facebook.com/WinonaStateU> and the free mobile app for Alertus+ which can be downloaded following the instructions listed above.

If there is an immediate threat to the health or safety of students or employees occurring on campus, WSU will follow its emergency notification procedures. WSU will not issue a timely warning based on the same circumstances so long as WSU follows the emergency notification procedures. However, WSU will provide adequate follow-up information to the community as needed.

Winona State University is required by policy and fire code to have evacuation and emergency operations plans in place. [Evacuation plans](https://www.winona.edu/emergency/preparedness.asp) <https://www.winona.edu/emergency/preparedness.asp> and *Emergency Response Guides (Winona Campus, WSU-Rochester Broadway Campus, WSU Rochester RCTC)* can be found posted in each classroom, and on the [Emergency Preparedness](https://www.winona.edu/emergency/preparedness.asp) <https://www.winona.edu/emergency/preparedness.asp> website.

Winona State University also has a current Emergency Operations Plan based on the all-hazards concept, incorporating the National Incident Management System (NIMS) and coordinated with the system office and local emergency response agencies. This plan is used to respond to any level of emergency impacting Winona State University and outlines the responsibilities and actions necessary to protect life, property, and the environment. Some of the processes and procedures are included in this report.

Winona State University has also posted the [Evacuation plans](https://www.winona.edu/emergency/preparedness.asp) <https://www.winona.edu/emergency/preparedness.asp>, [emergency procedures](https://www.winona.edu/emergency/preparedness.asp) and the

*Emergency Preparedness* <https://www.winona.edu/emergency/preparedness.asp> documents online.

## **Emergency Response and Evacuation Procedures**

### **Emergency Evacuation Procedures**

The emergency evacuation procedures are tested at least once each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. Winona State University Security does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, Winona State University Security staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At WSU evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants practice drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

### **General Evacuation Procedures**

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify Winona State University Security (507-457-5555) or dial 911.

1. Remain Calm
2. Do NOT use Elevators, Use the Stairs.
3. Assist the physically impaired. If they are unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform Winona State University Security or the Winona Fire Department of the individual's location.
4. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
5. Make sure all personnel are out of the building.
6. Do not re-enter the building.

### **Shelter-in-Place Procedures –What it Means to “Shelter-in-Place”**

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments, this location can be made even safer and more comfortable until it is safe to go outside.

### **Basic “Shelter-in-Place” Guidance**

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If WSU Security, police or fire department personnel are on the scene, follow their directions.

### **How You Will Know to “Shelter-in-Place”**

A shelter-in-place notification may come from several sources, Winona State University Security, RCTC Security (applicable to RCTC campus only), Housing Staff members, other University employees, the local police department with jurisdiction of the locations (Winona Police Department or Rochester Police Department), or other authorities utilizing the University’s ENS.

### **How to “Shelter-in-Place”**

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
  - -An interior room;
  - -Above ground level; and
  - -Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.
3. Shut and lock all windows and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to Winona State University Security so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio, TV, monitor WSU social media accounts, WSU ENS or the WSU website for further instructions.
8. Make yourself comfortable.

Winona State University will test the emergency response and evacuation procedures annually in accordance with this policy and applicable state and federal regulations. Emergency Response tests may be announced or unannounced. Emergency response and evacuation procedures will be publicized in conjunction with at least one test per calendar year using WSU email with links to the respective policies and procedures. Results of each test will be documented and include a description of the exercise, the date, time, and whether it was announced or unannounced.

Exercise Description	Date held	Time started	Time Ended	Announced or Unannounced
Press Box Fire Drill	8/25/2022	8:06 AM	8:08 AM	Possible day announced; specific day and time unannounced
Facilities / Maintenance Fire Drill	8/25/2022	8:18 AM	8:20 AM	Possible day announced; specific day and time unannounced
Krueger Library Fire Drill	8/25/2022	8:27 AM	8:30 AM	Possible day announced; specific day and time unannounced
Minne Fire Drill	8/25/2022	8:34 AM	8:37 AM	Possible day announced; specific day and time unannounced
Performing Arts Center Fire Drill	8/25/2022	8:42 AM	8:44 AM	Possible day announced; specific day and time unannounced
Phelps Fire Drill	8/25/2022	8:49 AM	8:50 AM	Possible day announced; specific day and time unannounced
Watkins Hall Fire Drill	8/25/2022	8:57 AM	8:59 AM	Possible day announced; specific day and time unannounced
Cathedral Fire Drill	8/25/2022	9:10 AM	9:11 AM	Possible day announced; specific day and time unannounced
Wabasha Rec Fire Drill	8/25/2022	9:16 AM	9:17 AM	Possible day announced; specific day and time unannounced
Helble Fire Drill	8/25/2022	9:20 AM	9:26 AM	Possible day announced; specific day and time unannounced
Gildemeister Fire Drill	8/26/2022	8:16 AM	8:19 AM	Possible day announced; specific day and time unannounced
Somsen Fire Drill	8/26/2022	8:27 AM	8:32 AM	Possible day announced; specific day and time unannounced

Integrated Wellness Complex Fire Drill	8/26/2022	8:41 AM	8:46 AM	Possible day announced; specific day and time unannounced
Memorial Fire Drill	8/26/2022	8:41 AM	8:46 AM	Possible day announced; specific day and time unannounced
Maxwell Fire Drill	8/26/2022	8:54 AM	8:57 AM	Possible day announced; specific day and time unannounced
Pasteur Fire Drill	8/26/2022	9:05 AM	9:11 AM	Possible day announced; specific day and time unannounced
Science Lab Center Fire Drill	8/26/2022	9:05 AM	9:11 AM	Possible day announced; specific day and time unannounced
Stark Fire Drill	8/26/2022	9:05 AM	9:11 AM	Possible day announced; specific day and time unannounced

**Timely Warning**

In the event a crime is reported, or a situation arises within WSU Clery Geography (On Campus, Public Property and Non-campus property), that, in the judgment of the Director of Security or designee and in consultation with responsible authorities (Assistant Director of Security, Director of Communications & Marketing, Title IX Coordinator), when time permits, constitutes a serious or continuing threat to students and employees, a campus wide “timely warning” notice will be issued.

The Director of Security or designee will draft an email containing the proposed “timely warning” notice and may seek assistance/guidance from members of the Marketing and Communications office, Title IX Coordinator, and other WSU Departments deemed necessary when time permits. The Director of Security or designee will then transmit the timely warning notice via blast email to the WSU email recipients. Updates to the WSU community about any case resulting in a timely warning notice may be distributed electronically via blast email or posted on the Winona State Alerts Twitter account [@AlertWinona](https://twitter.com/AlertWinona).

The Director of Security or designee reviews all reports to determine if there is a serious or continuing threat to the WSU community and if the distribution of a timely warning is warranted. Incidents will be evaluated by the Director of Security or designee, on a case-by-case basis, to determine if a serious or continuing threat to students and employees exists. Timely Warning notices may be issued up to 7 days from when the reported incident occurred. The alerts are generally written and distributed to the university community by the Director of Security or

designee. Until the investigation of the specific act has been concluded, it can be assumed that conditions continue to exist that may pose a threat to members and guests of the community.

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger WSU community)
- Robbery involving force or violence (cases including pickpocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice, but will be assessed on a case-by-case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the Director of Security or designee).
  - In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community.
  - All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major incidents of Arson
- Other Clery crimes as determined necessary by the Director of Security or designee in their absence.

Factors included in determining when to issue a timely warning are the nature of the crime or threat, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts.

The intent of a timely warning is to enable the campus community to protect themselves and will include all information that would promote safety and aid in the prevention of similar crimes or protection from specific threats.

Timely Warning notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

Those attending classes at the RCTC Campus may enroll in RCTC’s [\*Emergency Alert System\*](#). For members of the Winona State University Community attending classes at RCTC, you must enroll in the RCTC Emergency Alert System (you are not automatically enrolled in the RCTC alert system).

## Crime Prevention and Educational Opportunities

WSU Security provides a variety of crime prevention programs and services including safety escort service, 24-hour patrols, surveillance cameras, crime prevention brochures, Code Blue stations, educational emails related to personal and building security, and [WSU Shuttle Services](https://www.winona.edu/transportation/shuttle.asp) <https://www.winona.edu/transportation/shuttle.asp>. For more information concerning crime prevention programs/services visit [WSU Security](#) or contact the Director of Security at 507-457-5555.

WSU Security aids in presenting programs on campus safety and security. WSU Security develops and will present educational programs in the areas of crime prevention, personal safety, and Active Shooter or Threat Response Training. Emergency Management training for administrators takes place on an annual basis.

During the 2022-2023 academic year, WSU offered 2 crime prevention and security awareness programs. Topics such as personal safety, residence hall security, drug and alcohol abuse awareness are some examples of programs offered during the prior academic year.

All crime prevention and security awareness programs encourage students and employees are encouraged to be responsible for their own security and the security of others.

Numerous safety programs can be found on WSU Security’s home page. Members of the campus community who would like to arrange crime prevention, safety and/or any security related seminars may do so by contacting the Director of Security at [ccichosz@winona.edu](mailto:ccichosz@winona.edu). Safety presentations are also available to students and parents during orientation and other specified times throughout the year.

<b>Type of Program</b>	<b>Training Takes Place</b>	<b>Available to whom</b>
Active Shooter Response Training	Fall	Students and employees
All University Crime Prevention Tips	Fall, Spring	Students and employees
WSU Security- “Services Provided”	Fall, Spring	Students and employees
Self Defense Training	Fall	Students

Winona State University encourages students, faculty, and staff to be responsible for their own security and the security of others by following the tips provided:

**Protect your room or apartment:**

- Lock your door – even if you are only going out for a short time. It only takes a few seconds to walk into an open room and steal your valuables.
- Always lock your door and windows when you are asleep. You are also encouraged to lock your door and windows when you are awake.

- Do not prop open locked exterior building doors. These doors are locked for your protection and protection of other residents.
- Never open exterior doors of the building for strangers or non-residents. Always escort your guests to and from the main entrance doors.
- Do not loan your keys or Student ID card swipe to anyone – even a classmate or friend. They may not be careful with them and may misplace them, giving the wrong person access.
- Do not put your name or address on key rings as they may be used to steal your property if found by the wrong person.
- Smoke detectors are provided in each housing unit for your safety. **AT NO TIME SHOULD THEY BE DISCONNECTED OR REMOVED.**

**Protect your property:**

- Personal property (purses, backpacks, calculators, cell phones, etc.) should never be left unattended. Take such items with you if you are leaving the office, classroom, or your residence.
- Take valuables home with you during vacations and school breaks.
- Park your bike where you can keep an eye on it if possible. Always lock your bike.

**Protect your automobile:**

- Always lock your car doors and never leave your keys or valuable items such as cameras, wallets, etc. in plain sight or on the seats in the vehicle.
- Try to park your car in a well-lit area.
- If you arrive at WSU late at night, you should drive or call Security (457-5555) and request an escort. They will escort you to a parking area and then escort you to your residence hall.

**Protect yourself at night:**

- Avoid walking alone at night.
- Refrain from taking shortcuts; walk where there is plenty of light and traffic.
- Call for an escort in advance

**Protect yourself walking and jogging:**

- Avoid walking and jogging alone after dark. If you must travel alone at night, call for someone to escort you to your on-campus destination.
- Walk along well-lit routes.
- Be alert to your surroundings. If you suspect you are being followed, run in a different direction, go to the other side of the street and yell for help, or head quickly for a lighted area or a group of people.
- Have your keys ready when returning to your residence or apartment and keep your personal or valuable items concealed and close to your body.

**Help us protect you:**

- Watch for suspicious persons in and around college buildings and in parking lots. Do not pursue them. Call Campus Security of 911 immediately.
- Suspicious activity:
  - If you see any suspicious activity or people on or near campus, call law enforcement. Do not assume that what you observe is an innocent activity or that it has already been reported.

- Do not assume the person is a visitor or college staff member that you have not seen before.
- Suspicious people may be:
  - Loitering about at unusual hours and locations; running, especially if something of value is being carried.
  - Exhibiting unusual mental or physical symptoms. Person(s) could be under the influence of drugs or otherwise needing medical or psychiatric assistance.
  - Carrying property that might be suspicious, depending on the circumstances, going from room to room trying door handles.
- Report all thefts and property loss immediately to Campus Security 457-5555.
- Be security conscious at all times.

### **Security & Access to Campus Facilities (Infrastructure Security)**

WSU Security is located on the first floor of Sheehan Hall. WSU Security is staffed 24/7 and 365 days a year.

During business hours the WSU Campus (excluding certain housing facilities) will be open to students, employees, contractors, guests, faculty, and staff. During non-business hours access to all University facilities is by key or WSU ID access card, if issued, or by admittance by WSU Security (with prior approval). During non-business hours and extended closings, the University will admit only those with prior approval from facilities and/or WSU Security. WSU Security will not open any building, office, classroom, or other location that is normally locked during non-business hours unless approval is first received by an authorized person. An authorized person includes Department Chairs, Supervisors, Administrators, and Faculty. Emergencies may necessitate changes or alterations to any established schedule.

WSU campus is for the use of the faculty, staff, their escorted guests, and those on official business with the university. Visitors are reminded that access to campus buildings is limited to normal business hours.

Students, staff, and visitors are encouraged to report needed repairs to the WSU Facilities. Needed repairs in the Residence Halls may also be reported to the WSU Housing Office.

The following guidelines are designed to provide maximum security and protection for all concerned, and still provide convenient access to buildings. Keys are issued to authorized faculty, staff, and students only. Exterior building doors should not be propped open when the doors are locked. Building evacuation is mandatory for all fire alarms.

## Building access when classes are in session

Building	Access	Sun	Mon	Tue	Wed	Thu	Fri	Sat
All Academic Buildings-unless noted otherwise	Unlocked Hours (Public Access)		7:00am to 8:00pm	7:00am to 8:00pm	7:00am to 8:00pm	7:00am to 8:00pm	7:00am to 8:00pm	
	Employee Keycard Hours	24/7 access at card reader equipped doors						
	Student Keycard Hours	7:00am to 10:00pm for all enrolled students						
	Locked Hours (Key Access Only)	24/7 access for all authorized key holders						
All Residence Halls-unless noted otherwise	Unlocked Hours (Public Access)							
	Employee Keycard Hours	24/7 access for maintenance and other designated personnel only						
	Student Keycard Hours	24/7 access for residents living in hall						
	Locked Hours (Key Access Only)	24/7 access for all authorized key holders						
Kryzsko Commons	Unlocked Hours (Public Access)	10:00am to 10:00pm	7:00am to 10:00pm	7:00am to 10:00pm	7:00am to 10:00pm	7:00am to 10:00pm	7:00am to 10:00pm	10:00am to 10:00pm
	Employee Keycard Hours	24/7 access for maintenance and other designated personnel only						
	Student Keycard Hours							
	Locked Hours (Key Access Only)	24/7 access for all authorized key holders						
Library	Unlocked Hours (Public Access)	1:00pm to midnight	7:30am to midnight	7:30am to midnight	7:30am to midnight	7:30am to midnight	7:30am to 5:00pm	10:00am to 5:00pm
	Employee Keycard Hours	24/7 access for maintenance and other designated personnel only						
	Student Keycard Hours							
	Locked Hours (Key Access Only)	24/7 access for all authorized key holders						
Integrated Wellness Center & Memorial Hall	Unlocked Hours (Public Access)	noon to 10:00pm	6:00am to 10:00pm	6:00am to 10:00pm	6:00am to 10:00pm	6:00am to 10:00pm	6:00am to 10:00pm	10:00am to 6:00pm
	Employee Keycard Hours	24/7 access for maintenance and other designated personnel only						
	Student Keycard Hours							
	Locked Hours (Key Access Only)	24/7 access for all authorized key holders						
Wabasha Recreation Center	Unlocked Hours (Public Access)		7:00am to 9:00pm	7:00am to 9:00pm	7:00am to 9:00pm	7:00am to 9:00pm	7:00am to 9:00pm	
	Employee Keycard Hours	24/7 access for maintenance and other designated personnel only						
	Student Keycard Hours							
	Locked Hours (Key Access Only)	24/7 access for all authorized key holders						
WSU-Rochester RCTC		refer to RCTC website <a href="https://www.rctc.edu/about/campus-hours/">https://www.rctc.edu/about/campus-hours/</a>						
WSU-Rochester on Broadway	Building Hours: Unlocked Hours (Public Access)		7:00am to 7:00pm	7:00am to 7:00pm	7:00am to 7:00pm	7:00am to 7:00pm	7:00am to 7:00pm	7:00am to 7:00pm
	Suites Only: Employee Keycard Hours	24/7 access for maintenance and other designated personnel only						
	Suites Only: Student Keycard Hours	7:00am to 10:00pm for all enrolled students						
	Suites Only: Locked Hours (Key Access Only)	24/7 access for all authorized key holders						
<i>WSU keycards open WSU suites only</i>								

### Building access when classes are not in session

All academic buildings are open from 7:00 A.M. and begin to be locked at 5:00 P.M. on weekdays. The buildings are locked during the entire weekend except for special events. Employees and students in buildings after normal hours must have a Warrior ID in their possession and present it when requested.

On-Campus telephones (Red Courtesy Phones) are located throughout the University for emergency calls to WSU Security. These telephones are also capable of calling 911.

Problems related to people in buildings after hours should be reported to WSU Security (457-5555) immediately. Residents who lock themselves out of the rooms should contact their respective residence hall desk.

Security Guards conduct routine patrols of campus buildings to evaluate and monitor security related matters.

WSU continuously reviews the physical security infrastructure to ensure appropriate steps are taken to maintain and enhance the safety and security of the campus. The campus works closely and routinely with the Minnesota State Emergency Preparedness and Security Specialist and the Facilities Department to evaluate campus physical security and vulnerability, programming resources to address any potential threats, vulnerabilities, or contingencies. There is an annual inspection of WSU buildings and grounds by the Safety Committee members which compiles a list needed maintenance of safety corrections.

### Residence Halls

Access to residence halls is restricted to residents, their approved guests, and other approved members of the university community. Each resident is given access to their building through their Warrior ID card, which allows access to the residence hall in which they live. Residents are cautioned against permitting strangers to enter the buildings and are urged to require individuals seeking entry to use their Warrior ID access cards. WSU Security personnel patrol the residence halls on a regular basis and work with Housing Staff to enforce security measures.

The residence halls have a 24-hour card access system in place for all outside entrances into the building. Students are given access to their assigned residence hall and will need their Warrior ID to access the building. Only residents of the specific residence hall are able to gain entry to the hall. All visitors in residence halls must always be escorted by their host. Visitors who are under the age of 18 must have a minor waiver form signed by their parent(s) or legal guardian.

There is a residence hall desk assistant located at the front desk of each residence hall daily Sunday-Wednesday 9:00 A.M. – 11:00 P.M., Thursday- Saturday 9:00 A.M- 2:00 A.M. East Lake Apartment Buildings A, B, C, D daily hours are 9:00 A.M. – 11:00 P.M.

## Missing Student Policy

If a member of the University Community has reason to believe that a student is missing, whether or not the student resides on campus, all possible efforts are made to locate the student to determine their state of health and well-being through the collaboration of WSU Security and Office of Student Life & Development.

If at any time a student, faculty, or staff member becomes aware or suspects a student is missing for 24 hours, immediately report it to WSU Security or the Office of Student Life & Development. Any missing student report by any other Campus Security Authority, will be referred immediately to WSU Security and/or the Winona Police Department.

Anyone wishing to file a missing person’s report should contact one of the following individuals and/or organizations on campus.

WSU Security	Sheehan Hall	507-457-5555
Director of Security	Sheehan Hall <a href="mailto:ccichosz@winona.edu">ccichosz@winona.edu</a>	507-457-5555
Dean of Students	Kryzsko Commons	507-457-5300
Winona Police Department 201 W. 3 <sup>rd</sup> St., Winona, MN		507-457-6492 or 911
If the student attends classes on either WSU Rochester campus contact the Rochester Police Department		
Rochester Police Department	507-328-6800 or 911	101 4 <sup>th</sup> St. SE, Rochester, MN

All on-campus students shall be offered the annual option to identify to Housing & Residence Life an individual to be contacted by the University in case the student is determined to be missing after 24 hours. Such contact information shall be held confidential and may be disclosed only to authorized university officials, and to law enforcement authorities in furtherance of a missing person investigation. In any event, contact information shall be provided to local law enforcement authorities within 24 hours of the determination that the student is missing, except when local law enforcement made the original determination.

If students are under 18 years of age and not emancipated, Winona State University MUST notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. Winona State University will notify local law enforcement within 24 hours of the determination that the student is missing, unless law enforcement was the agency that made the determination that the student is missing.

If not located, notification of the designated contact person(s) within 24 hours of receiving the initial report is made to determine if they know of the whereabouts of the student. Notification can be made sooner than 24 hours if circumstances warrant it. If the student is an off-campus resident, appropriate family members or associates are encouraged to make an official missing person report to the law enforcement agency with jurisdiction. WSU Security will cooperate, aid, and assist the primary investigative agency in all ways prescribed by law.

Reports of missing students should be made immediately to WSU Security. In addition, students who live within WSU Residence Halls, have the option to register a confidential contact person to be notified in the case that the student is determined to be missing and that only authorized campus officials and law enforcement officers in furtherance of a missing person investigation may access this information. If a student does not provide a contact person, the University will try to make contact with the student's emergency contact. If no contacts are found, we will make the appropriate contact with law enforcement regarding the missing person investigation.

### Missing Student Procedures

Should the Winona State University Security investigate and determine that a residential student is missing, contact will then be made to the missing person contact or emergency contact, if contact information has been provided, within twenty-four (24) hours of the determination that the student is missing by the Winona State University Security. If the student is under the age of 18 and is not an emancipated individual, Winona State University Security will notify the student's parent or guardian and any other designated contact person within 24 hours. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, WSU will inform the Winona Police Department (or the local law enforcement with jurisdiction) that the student is missing within 24 hours.

## Sexual Assault and Related Offenses

WSU follows the Minnesota State Board [Policy 1B.3 Sexual Violence, System Procedure 1B.3.1 Response to Sexual Violence, and System Procedure 1B.1.1 Report/Complaint of Discrimination and Harassment Investigation and Resolution.](#)

Sexual violence is an intolerable intrusion into the most personal and private rights of an individual and is prohibited at WSU. At Winona State University, sexual violence includes the following conduct: sexual assault, dating, intimate partner, and relationship violence (also known as domestic violence), and stalking. WSU is committed to eliminating sexual violence in all forms and will take appropriate remedial action against any individual found responsible for acts in violation of this policy. Acts of sexual violence may also constitute violations of criminal or civil law, or other WSU policies that may require separate proceedings. To further its commitment against sexual violence, WSU provides reporting options, an investigative and disciplinary process, and prevention training as appropriate.

This policy applies to WSU students and employees and to others, as appropriate, where incidents of sexual violence on WSU property have been reported. Reports of sexual violence committed by a student at a location other than University property may be investigated under either Minnesota State Policy 1B1, Equal Opportunity and Nondiscrimination in Employment and Education or the Student Code of Conduct. Reports of sexual violence committed by an employee at a location other than University property are covered by this policy.

Reports of sexual violence committed on WSU property by individuals who are not students or employees are subject to appropriate actions by WSU, including, but not limited to, informing the complainant that they may file a police report and pursue criminal or civil action.

Allegations of discrimination or harassment are governed by Minnesota State Board [Policy 1B.1](#)

WSU prohibits the offenses of sexual assault, dating, relationship, and intimate partner violence (including domestic violence), and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community. WSU does not discriminate based on sex in its educational programs. Sexual harassment and sexual violence are types of sex discrimination. Sexual violence includes a continuum of conduct that includes sexual assault, non-forcible sex acts, dating and relationship violence, stalking, as well as aiding acts of sexual violence. As a result, WSU issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a WSU official.

For a complete copy of WSU's policy and procedure governing sexual violence, visit [Sexual Violence Policy & Procedure](#).

### Clery Act Definitions of Sexual Violence, Dating and Relationship Violence, and Stalking

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

**Rape:** The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

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

**Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**Domestic Violence:** A felony or misdemeanor crime of violence committed; By a current or former spouse or intimate partner of the victim; By a person with whom the victim shares a child in common; By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; By a person similarly situated to a spouse of the victim under

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

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

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. A reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

### [Winona State University Definitions of Sexual Violence, Dating and Relationship Violence, Stalking, and Consent](#)

The University follows the definitions set forth in Minnesota State Policy 1B.3, Sexual Violence Policy, to investigate and address complaints of sexual violence (sexual assault, non-forcible sex acts, dating, intimate partner, and relationship violence, stalking, and aiding and abetting acts of sexual violence) regarding its employees and students. These policy definitions are as follows:

**Sexual Violence:** University policy defines sexual violence as a continuum of conduct that includes sexual assault, non-forcible sex acts, dating and relationship violence, stalking, as well as aiding acts of sexual violence.

**Dating, intimate partner, and relationship violence:** University policy defines this as violence including physical harm or abuse, and threats of physical harm or abuse, arising out of a personal intimate relationship. This violence also may be called domestic abuse or spousal/partner abuse and may be subject to criminal prosecution under Minnesota law.

**Non-forcible sex acts:** University policy defines this to include unlawful sexual acts where consent is not relevant, such as sexual contact with an individual under the statutory age of consent, as defined by Minnesota law, or between persons who are related to each other within degrees wherein marriage is prohibited by law.

**Sexual assault:** University policy defines sexual assault as an actual, attempted, or threatened sexual act with another person without that person's affirmative consent. Sexual assault is often a criminal act that can be prosecuted under Minnesota law, as well as form the basis for discipline under Minnesota State student codes of conduct and employee disciplinary standards. Sexual assault includes but is not limited to:

1. Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as date rape or acquaintance rape. This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.
2. Involvement in any sexual act when the victim is unable to give consent.
3. Intentional and unwelcome touching of a person's intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast); or coercing, forcing, or attempting to coerce or force another to touch a person's intimate parts.
4. Offensive sexual behavior directed at another such as indecent exposure or voyeurism.

**Stalking:** University policy defines stalking as conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause reasonable people to fear for their safety or the safety of others or to suffer substantial emotional distress.

**Winona State University uses affirmative consent as its definition of consent.** This definition is used for the purposes of investigation and disciplinary procedures concerning allegations of sexual violence against employees or students. Consent is defined by university policy as informed, freely given and mutually understood willingness to participate in sexual activity that is expressed by clear, unambiguous, and affirmative words or actions. It is the responsibility of the person who wants to engage in sexual activity to ensure that the other person has consented to engage in the sexual activity. Consent must be present throughout the entire sexual activity and can be revoked at any time. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption or being asleep or unconscious. A lack of protest, absence of resistance, or silence alone does not constitute consent, and past consent to sexual activities does not imply ongoing future consent. The existence of a dating relationship between the people involved or the existence of a past sexual relationship does not prove the presence of, or otherwise provide the basis for, an assumption of consent. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

### [State of Minnesota Statutory Definitions of Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Consent](#)

**Consent:** The State of Minnesota defines consent (609.341 sub.4), in relation to sexual activity, as follows: words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the complainant or that the complainant failed to resist a particular sexual act.

(b) A person who is mentally incapacitated or physically helpless as defined by this section cannot consent to a sexual act.

(c) Corroboration of the victim's testimony is not required to show lack of consent.

**Domestic Violence:** The State of Minnesota refers to its domestic violence statute as Domestic Assault (609.2242 sb.1). Domestic Assault is as follows: Whoever does any of the following against a family or household member: commits an act with intent to cause fear in another of immediate bodily harm or death; or intentionally inflicts or attempts to inflict bodily harm upon another.

**Dating Violence:** The State of Minnesota does not have a definition of dating violence.

**Sexual Assault:** The State of Minnesota does not specifically label or define sexual assault, but rather defines sexual contact and sexual penetration as follows:

**Sexual Contact:** includes any of the following acts committed without the complainant's consent, except in those cases where consent is not a defense, and committed with sexual or aggressive intent:

- (i) the intentional touching by the actor of the complainant's intimate parts, or
- (ii) the touching by the complainant of the actor's, the complainant's, or another's intimate parts effected by a person in a position of authority, or by coercion, or by inducement if the complainant is under 13 years of age or mentally impaired, or
- (iii) the touching by another of the complainant's intimate parts effected by coercion or by a person in a position of authority, or
- (iv) in any of the cases above, the touching of the clothing covering the immediate area of the intimate parts, or
- (v) the intentional touching with seminal fluid or sperm by the actor of the complainant's body or the clothing covering the complainant's body.
- (b) "Sexual contact," for the purposes of sections [609.343, subdivision 1](#), clauses (g) and (h), and [609.345, subdivision 1](#), clauses (f) and (g), includes any of the following acts committed with sexual or aggressive intent:
  - (i) the intentional touching by the actor of the complainant's intimate parts;
  - (ii) the touching by the complainant of the actor's, the complainant's, or another's intimate parts;
  - (iii) the touching by another of the complainant's intimate parts;
  - (iv) in any of the cases listed above, touching of the clothing covering the immediate area of the intimate parts; or
  - (v) the intentional touching with seminal fluid or sperm by the actor of the complainant's body or the clothing covering the complainant's body.
- (c) "Sexual contact with a person under 13" means the intentional touching of the complainant's bare genitals or anal opening by the actor's bare genitals or anal opening with sexual or aggressive intent or the touching by the complainant's bare genitals or anal opening of the actor's or another's bare genitals or anal opening with sexual or aggressive intent.

**Sexual Penetration:** means any of the following acts committed without the complainant's consent, except in those cases where consent is not a defense, whether or not emission of semen occurs:

- (1) sexual intercourse, cunnilingus, fellatio, or anal intercourse; or
- (2) any intrusion however slight into the genital or anal openings:
  - (i) of the complainant's body by any part of the actor's body or any object used by the actor for this purpose;
  - (ii) of the complainant's body by any part of the body of the complainant, by any part of the body of another person, or by any object used by the complainant or another person for this purpose, when effected by a person in a position of authority, or by coercion, or by inducement if the child is under 13 years of age or mentally impaired; or

(iii) of the body of the actor or another person by any part of the body of the complainant or by any object used by the complainant for this purpose, when effected by a person in a position of authority, or by coercion, or by inducement if the child is under 13 years of age or mentally impaired.

## **The State of Minnesota criminal code: criminal sexual conduct, harassment, and stalking**

**Criminal Sexual Conduct in the First Degree (Minn. Stat. 609.342).**

**Subdivision 1. Adult victim; crime defined.** A person who engages in sexual penetration with another person is guilty of criminal sexual conduct in the first degree if any of the following circumstances exists:

(a) circumstances existing at the time of the act cause the complainant to have a reasonable fear of imminent great bodily harm to the complainant or another;

(b) the actor is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit;

(c) the actor causes personal injury to the complainant, and any of the following circumstances exist:

(i) the actor uses coercion to accomplish the act;

(ii) the actor uses force, as defined in section [609.341, subdivision 3](#), clause (2); or

(iii) the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless;

(d) the actor uses force as defined in section [609.341, subdivision 3](#), clause (1); or

(e) the actor is aided or abetted by one or more accomplices within the meaning of section [609.05](#), and either of the following circumstances exists:

(i) the actor or an accomplice uses force or coercion to cause the complainant to submit; or

(ii) the actor or an accomplice is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant reasonably to believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit.

**Subdivision 1a. Victim under the age of 18; crime defined.** A person who engages in penetration with anyone under 18 years of age or sexual contact with a person under 14 years of age as defined in section [609.341, subdivision 11](#), paragraph (c), is guilty of criminal sexual conduct in the first degree if any of the following circumstances exists:

(a) circumstances existing at the time of the act cause the complainant to have a reasonable fear of imminent great bodily harm to the complainant or another;

(b) the actor is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit;

(c) the actor causes personal injury to the complainant, and any of the following circumstances exist:

(i) the actor uses coercion to accomplish the act;

(ii) the actor uses force, as defined in section [609.341, subdivision 3](#), clause (2); or

(iii) the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless;

(d) the actor is aided or abetted by one or more accomplices within the meaning of section [609.05](#), and either of the following circumstances exists:

(i) the actor or an accomplice uses force or coercion to cause the complainant to submit; or

(ii) the actor or an accomplice is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit;

(e) the complainant is under 14 years of age and the actor is more than 36 months older than the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(f) the complainant is at least 14 years of age but less than 16 years of age and:

(i) the actor is more than 36 months older than the complainant; and

(ii) the actor is in a current or recent position of authority over the complainant.

Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(g) the complainant was under 16 years of age at the time of the act and the actor has a significant relationship to the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(h) the complainant was under 16 years of age at the time of the act, and the actor has a significant relationship to the complainant and any of the following circumstances exist:

- (i) the actor or an accomplice used force or coercion to accomplish the act;
- (ii) the complainant suffered personal injury; or
- (iii) the sexual abuse involved multiple acts committed over an extended period of time.

Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; or

- (i) the actor uses force, as defined in section [609.341, subdivision 3](#), clause (1).

### **Criminal Sexual Conduct in the Second Degree (Minn. Stat. 609.343).**

**Subdivision 1. Adult victim; crime defined.** A person who engages in sexual contact with another person is guilty of criminal sexual conduct in the second degree if any of the following circumstances exists:

(a) circumstances existing at the time of the act cause the complainant to have a reasonable fear of imminent great bodily harm to the complainant or another;

(b) the actor is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the dangerous weapon to cause the complainant to submit;

(c) the actor causes personal injury to the complainant, and any of the following circumstances exist:

- (i) the actor uses coercion to accomplish the sexual contact;
- (ii) the actor uses force, as defined in section [609.341, subdivision 3](#), clause (2); or
- (iii) the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless;

(d) the actor uses force as defined in section [609.341, subdivision 3](#), clause (1); or

(e) the actor is aided or abetted by one or more accomplices within the meaning of section [609.05](#), and either of the following circumstances exists:

(i) the actor or an accomplice uses force or coercion to cause the complainant to submit; or

(ii) the actor or an accomplice is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit.

**Subdivision 1a. Victim under the age of 18; crime defined.** A person who engages in sexual contact with anyone under 18 years of age is guilty of criminal sexual conduct in the second degree if any of the following circumstances exists:

(a) circumstances existing at the time of the act cause the complainant to have a reasonable fear of imminent great bodily harm to the complainant or another;

(b) the actor is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the dangerous weapon to cause the complainant to submit;

(c) the actor causes personal injury to the complainant, and any of the following circumstances exist:

(i) the actor uses coercion to accomplish the sexual contact;

(ii) the actor uses force, as defined in section [609.341, subdivision 3](#), clause (2); or

(iii) the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless;

(d) the actor is aided or abetted by one or more accomplices within the meaning of section [609.05](#), and either of the following circumstances exists:

(i) the actor or an accomplice uses force or coercion to cause the complainant to submit; or

(ii) the actor or an accomplice is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit;

(e) the complainant is under 14 years of age and the actor is more than 36 months older than the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense. In a prosecution under this clause, the state is not required to prove that the sexual contact was coerced;

(f) the complainant is at least 14 but less than 16 years of age and the actor is more than 36 months older than the complainant and in a current or recent position of authority over the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(g) the complainant was under 16 years of age at the time of the sexual contact and the actor has a significant relationship to the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(h) the actor has a significant relationship to the complainant, the complainant was under 16 years of age at the time of the sexual contact, and:

(i) the actor or an accomplice used force or coercion to accomplish the contact;

(ii) the complainant suffered personal injury; or

(iii) the sexual abuse involved multiple acts committed over an extended period of time.

Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; or

(i) the actor uses force, as defined in section [609.341, subdivision 3](#), clause (1).

**Criminal Sexual Conduct in the Third Degree (Minn. Stat. 609.344).**

**Subdivision 1. Adult victim; crime defined.** A person who engages in sexual penetration with another person is guilty of criminal sexual conduct in the third degree if any of the following circumstances exists:

(a) the actor uses coercion to accomplish the penetration;

(b) the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless;

(c) the actor uses force, as defined in section [609.341, subdivision 3](#), clause (2); or

(d) at the time of the act, the actor is in a prohibited occupational relationship with the complainant.

**Subdivision 1a. Victim under the age of 18; crime defined.** A person who engages in sexual penetration with anyone under 18 years of age is guilty of criminal sexual conduct in the third degree if any of the following circumstances exists:

(a) the complainant is under 14 years of age and the actor is no more than 36 months older than the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant shall be a defense;

(b) the complainant is at least 14 but less than 16 years of age and the actor is more than 24 months older than the complainant. In any such case if the actor is no more than 60 months older than the complainant, it shall be an affirmative defense, which must be proved by a preponderance of the evidence, that the actor reasonably believes the complainant to be 16 years of age or older. In all other cases, mistake as to the complainant's age shall not be a defense. Consent by the complainant is not a defense;

(c) the actor uses coercion to accomplish the penetration;

(d) the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless;

(e) the complainant is at least 16 but less than 18 years of age and the actor is more than 36 months older than the complainant and in a current or recent position of authority over the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(f) the actor has a significant relationship to the complainant and the complainant was at least 16 but under 18 years of age at the time of the sexual penetration. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(g) the actor has a significant relationship to the complainant, the complainant was at least 16 but under 18 years of age at the time of the sexual penetration, and:

(i) the actor or an accomplice used force or coercion to accomplish the penetration;

(ii) the complainant suffered personal injury; or

(iii) the sexual abuse involved multiple acts committed over an extended period of time.

Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(h) the actor uses force, as defined in section [609.341](#), subdivision 3, clause (2); or

(i) at the time of the act, the actor is in a prohibited occupational relationship with the complainant.

### **Criminal Sexual Conduct in the Fourth Degree (Minn. Stat. 609.345).**

**Subdivision 1. Adult victim; crime defined.** A person who engages in sexual contact with another person is guilty of criminal sexual conduct in the fourth degree if any of the following circumstances exists:

(a) the actor uses coercion to accomplish the sexual contact;

(b) the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless;

(c) the actor uses force, as defined in section [609.341, subdivision 3](#), clause (2); or

(d) at the time of the act, the actor is in a prohibited occupational relationship with the complainant.

**Subdivision 1a. Victim under the age of 18; crime defined.** A person who engages in sexual contact with anyone under 18 years of age is guilty of criminal sexual conduct in the fourth degree if any of the following circumstances exists:

(a) the complainant is under 14 years of age and the actor is no more than 36 months older than the complainant. Neither mistake as to the complainant's age or consent to the act by the complainant is a defense. In a prosecution under this clause, the state is not required to prove that the sexual contact was coerced;

(b) the complainant is at least 14 but less than 16 years of age and the actor is more than 36 months older than the complainant or in a current or recent position of authority over the complainant. Consent by the complainant to the act is not a defense.

Mistake of age is not a defense unless actor is less than 60 months older. In any such case, if the actor is no more than 60 months older than the complainant, it shall be an affirmative defense which must be proved by a preponderance of the evidence that the actor reasonably believes the complainant to be 16 years of age or older. In all other cases, mistake as to the complainant's age shall not be a defense;

(c) the actor uses coercion to accomplish the sexual contact;

(d) The actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless;

(e) the complainant is at least 16 but less than 18 years of age and the actor is more than 36 months older than the complainant and in a current or recent position of authority over the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(f) the actor has a significant relationship to the complainant and the complainant was at least 16 but under 18 years of age at the time of the sexual contact. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(g) the actor has a significant relationship to the complainant, the complainant was at least 16 but under 18 years of age at the time of the sexual contact, and:

- (i) the actor or an accomplice used force or coercion to accomplish the contact;
- (ii) the complainant suffered personal injury; or
- (iii) the sexual abuse involved multiple acts committed over an extended period of time.

Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

(h) the actor uses force, as defined in section [609.341](#), subdivision 3, clause (2); or

(i) at the time of the act, the actor is in a prohibited occupational relationship with the complainant.

#### [Criminal Sexual Conduct in the Fifth Degree \(Minn. Stat. 609.3451\).](#)

**Subdivision 1. Sexual penetration; crime defined.** A person is guilty of criminal sexual conduct in the fifth degree if the person engages in nonconsensual sexual penetration.

**Subdivision 1a. Sexual contact; child present; crime defined.** A person is guilty of criminal sexual conduct in the fifth degree if:

- (1) the person engages in nonconsensual sexual contact; or
- (2) the person engages in masturbation or lewd exhibition of the genitals in the presence of a minor under the age of 16, knowing or having reason to know the minor is present.

For purposes of this section, "sexual contact" has the meaning given in section [609.341, subdivision 11](#), paragraph (a), clauses (i), (iv), and (v). Sexual contact also includes the intentional removal or attempted removal of clothing covering the complainant's intimate parts or undergarments, and the nonconsensual touching by the complainant of the actor's intimate parts, effected by the actor, if the action is performed with sexual or aggressive intent.

#### [Harassment; Stalking \(Minn. Stat. 609.749\):](#)

**Subdivision 1b. Venue.** (a) When acts constituting a violation of this section are committed in two or more counties, the accused may be prosecuted in any county in which one of the acts was committed for all acts in violation of this section.

(b) The conduct described in subdivision 2, clauses (4) and (5), may be prosecuted at the place where any call is made or received or, in the case of wireless or electronic communication or any communication made through any available technologies, where the actor or victim resides or in the jurisdiction of the victim's designated address if the victim participates in the

address confidentiality program established by chapter 5B. The conduct described in subdivision 2, clause (2), may be prosecuted where the actor or victim resides. The conduct described in subdivision 2, clause (6), may be prosecuted where any letter, telegram, message, package, or other object is sent or received or, in the case of wireless or electronic communication or communication made through other available technologies, where the actor or victim resides or in the jurisdiction of the victim's designated address if the victim participates in the address confidentiality program established by chapter 5B.

Subdivision 1c. Arrest. For all violations under this section, except a violation of subdivision 2, clause (7), a peace officer may make an arrest under the provisions of section [629.34](#). A peace officer may not make a warrantless, custodial arrest of any person for a violation of subdivision 2, clause (7).

**Subdivision 2. Harassment crimes.** (a) As used in this subdivision, the following terms have the meanings given:

(1) "family or household members" has the meaning given in section [518B.01](#), [subdivision 2](#), paragraph (b);

(2) "personal information" has the meaning given in section [617.261](#), [subdivision 7](#), paragraph (f);

(3) "sexual act" has the meaning given in section [617.261](#), [subdivision 7](#), paragraph (g); and

(4) "substantial emotional distress" means mental distress, mental suffering, or mental anguish as demonstrated by a victim's response to an act including but not limited to seeking psychotherapy as defined in section [604.20](#), losing sleep or appetite, being diagnosed with a mental-health condition, experiencing suicidal ideation, or having difficulty concentrating on tasks resulting in a loss of productivity.

(b) A person who commits any of the acts listed in paragraph (c) is guilty of a gross misdemeanor if the person, with the intent to kill, injure, harass, or intimidate another person:

(1) places the other person in reasonable fear of substantial bodily harm;

(2) places the person in reasonable fear that the person's family or household members will be subject to substantial bodily harm; or

(3) causes or would reasonably be expected to cause substantial emotional distress to the other person.

(c) A person commits harassment under this section if the person:

(1) directly or indirectly, or through third parties, manifests a purpose or intent to injure the person, property, or rights of another by the commission of an unlawful act;

(2) follows, monitors, or pursues another, whether in person or through any available technological or other means;

(3) returns to the property of another if the actor is without claim of right to the property or consent of one with authority to consent;

(4) repeatedly makes telephone calls, sends text messages, or induces a victim to make telephone calls to the actor, whether or not conversation ensues;

(5) makes or causes the telephone of another repeatedly or continuously to ring;

(6) repeatedly mails or delivers or causes the delivery by any means, including electronically, of letters, telegrams, messages, packages, through assistive devices for people with vision impairments or hearing loss, or any communication made through any available technologies or other objects;

(7) knowingly makes false allegations against a peace officer concerning the officer's performance of official duties with intent to influence or tamper with the officer's performance of official duties; or

(8) uses another's personal information, without consent, to invite, encourage, or solicit a third party to engage in a sexual act with the person.

**Subdivision 3. Aggravated violations.** (a) A person who commits any of the following acts is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both:

(1) commits any offense described in subdivision 2 because of the victim's or another's actual or perceived race, color, religion, sex, sexual orientation, disability as defined in section [363A.03](#), age, or national origin;

(2) commits any offense described in subdivision 2 by falsely impersonating another;

(3) commits any offense described in subdivision 2 and a dangerous weapon was used in any way in the commission of the offense;

(4) commits any offense described in subdivision 2 with intent to influence or otherwise tamper with a juror or a judicial proceeding or with intent to retaliate against a judicial officer, as defined in section [609.415](#), or a prosecutor, defense attorney, or officer of the court, because of that person's performance of official duties in connection with a judicial proceeding; or

(5) commits any offense described in subdivision 2 against a victim under the age of 18, if the actor is more than 36 months older than the victim.

(b) A person who commits any offense described in subdivision 2 against a victim under the age of 18, if the actor is more than 36 months older than the victim, and the act is committed with sexual or aggressive intent, is guilty of a felony and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both.

**Subdivision 4. Second or subsequent violations; felony.** (a) A person is guilty of a felony who violates any provision of subdivision 2 within ten years of a previous qualified domestic violence-related offense conviction or adjudication of delinquency, and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

(b) A person is guilty of a felony who violates any provision of subdivision 2 within ten years of the first of two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency, and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both.

**Subdivision 5. Stalking.** (a) A person who engages in stalking with respect to a single victim or one or more members of a single household which the actor knows or has reason to know would cause the victim under the circumstances to feel terrorized or to fear bodily harm and which does cause this reaction on the part of the victim, is guilty of a felony and may be sentenced to

imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both.

(b) For purposes of this subdivision, "stalking" means two or more acts within a five-year period that violate or attempt to violate the provisions of any of the following or a similar law of another state, the United States, the District of Columbia, tribe, or United States territories:

- (1) this section;
- (2) sections [609.185](#) to [609.205](#) (first- to third-degree murder and first- and second-degree manslaughter);
- (3) section [609.713](#) (terroristic threats);
- (4) section [609.224](#) (fifth-degree assault);
- (5) section [609.2242](#) (domestic assault);
- (6) section [518B.01, subdivision 14](#) (violations of domestic abuse orders for protection);
- (7) section [609.748, subdivision 6](#) (violations of harassment restraining orders);
- (8) section [609.605, subdivision 1](#), paragraph (b), clauses (3), (4), and (7) (certain trespass offenses);
- (9) section [609.78, subdivision 2](#) (interference with an emergency call);
- (10) section [609.79](#) (obscene or harassing telephone calls);
- (11) section [609.795](#) (letter, telegram, or package; opening; harassment);
- (12) section [609.582](#) (burglary);
- (13) section [609.595](#) (damage to property);
- (14) section [609.765](#) (criminal defamation);
- (15) sections [609.342](#) to [609.3451](#) (first- to fifth-degree criminal sexual conduct);
- (16) section [609.3458](#) (sexual extortion); or
- (17) section [629.75, subdivision 2](#) (violations of domestic abuse no contact orders).

(c) Words set forth in parentheses after references to statutory sections in paragraph (b) are mere catchwords included solely for convenience in reference. They are not substantive and may not be used to construe or limit the meaning of the cited statutory provision.

## Ongoing Prevention and Awareness

Winona State University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to prevent sexual assault, dating, intimate partner and relationship violence (including domestic violence), and stalking.

Winona State University has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students and participating in and presenting information and materials during new employee orientation. Primary prevention and awareness programs are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome. Environmental risk and protective factors are considered as they occur on the individual, relationship, institutional, community, and societal levels. Programs to prevent sexual assault, dating, intimate partner, and relationship violence (including domestic assault), and stalking include both primary prevention and awareness programs directed at incoming students and new employees.

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

- A. Establishes that the institution prohibits the acts of , sexual assault, dating, intimate partner, and relationship violence (including domestic violence), and stalking (as defined by the Clery Act);
- B. Includes the definitions of sexual assault, dating, intimate partner, and relationship violence (including domestic violence), and stalking according to university policy;
- C. Describes the University’s definition of affirmative consent, in reference to sexual activity, under Minnesota State policy.
- D. The institution’s definition of consent AND the purposes for which that definition is used.
- E. Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- F. Provides information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- G. Provides information regarding:
  - a. procedures victims should follow if a crime of sexual assault, dating, intimate partner, and relationship violence (including domestic violence), and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of

Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document)

- b. how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
- c. existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and
- d. options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
- e. procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document);

### Primary Prevention and Awareness Programs

The University provides a primary prevention and awareness course to all incoming students and new employees at the start of each academic semester. New students and employees are automatically enrolled in this course and are required by State of Minnesota law to complete this course within 10 days of the start of the semester.

Specifically, the University offered the following **primary prevention and awareness programs** for all **incoming students** in calendar year **2022**:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Sexual Violence Prevention & Awareness Training for students	Continuous	Online	Sexual assault, dating, intimate partner, and relationship violence (including domestic violence), stalking, bystander intervention

The University offered the following **primary prevention and awareness programs** for all **new employees** in calendar year **2022**:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior* Covered?</b>
Sexual Violence Awareness and Prevention Training	Continuous	Online	Sexual assault, dating, intimate partner, and relationship violence (including domestic violence), stalking, reporting duties
Responding to reports of sexual violence training for residence hall and campus security staff  (includes new and returning staff)	August 18, 2021	Kryzsko	Sexual assault, dating and relationship violence, stalking, sexual harassment, reporting duties

### Ongoing Prevention and Awareness Campaigns

The University offered the following **ongoing awareness and prevention programs** for **students and employees** in 2022:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior* Covered?</b>	<b>Campus Audience</b>
Safe Sex & No Regrets	February 9, 2022	Kryzsko Commons	Sexual Assault & Consent	Students/Employees
Condom Bingo	February 9, 2022	In person	Sexual Violence	Students/Employees
Take Back the Night	April 7, 2022	In Person	Sexual Assault, Dating & Relationship Violence, Stalking	Students/Employees
Sexual Assault Awareness Month Lunch & Learn: Policy & Advocacy	April 12, 2022	Zoom	Sexual Assault	Students/Employees
Sexual Assault Awareness Month	April 19, 2022	Zoom	Sexual Assault, Dating &	Students

Lunch & Learn: Stalking Must Stop			Relationship Violence, Stalking	
Sexual Assault Awareness Month Lunch & Learn: Healthy Relationships in a Digital Age	April 26, 2022	Zoom	Sexual Assault, Dating & Relationship Violence, Stalking	Students/Employees
Sexual Health Fair	October 26, 2022	In Person	Sexual Health, Consent, Sexual Assault, Dating, Intimate Partner, and Relationship Violence, Stalking, Reporting Options, Resources	Students/Employees

The University also maintains posters located in every campus restroom, including in the residence halls, and on public bulletin boards in every academic building on campus that provides information about reporting options and resources available to students or employees who are the victim of sexual assault, dating, intimate partner, or relationship violence, or stalking. The Title IX office disseminates “We Care” packets each year to campus locations such as Residence Life, Health Services, Counseling Services, Security, OASIS Center (advocacy services) and academic Deans as well as community locations such as Winona Health Emergency Room, Gundersen Lutheran Clinic, Winona Police Department, and the Winona County Sheriff’s Office as these are places where a student might foreseeably go to report an incident. The “We Care” packet contains an introductory letter from the Title IX Coordinator describing the student’s rights, options for reporting to the Title IX Office or local enforcement (including the right to decline to report and the right to assistance in reporting to law enforcement), resources available on campus and in the community, information on medical care / sexual assault exams, information regarding counseling services, and information regarding the OASIS Advocacy Center at WSU, and Advocacy Center of Winona.

**Bystander Intervention**

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some of the ways to be an active bystander. If you or someone else is in immediate danger, call 911. For example, if a person is yelling at or being

physically abusive towards another person and it is not safe for you to interrupt, you should call 911.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are OK.
2. Confront people who seclude, hit on, and/or try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in the Annual Security Report or other resources for support in health, counseling, or with legal assistance.

### **Risk Reduction**

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.

13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. **Remember that being in this situation is not your fault.** You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
  - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

## Report an incident of sexual assault, dating or relationship violence, or stalking

### **Procedures the University Will Follow When a Crime of Dating or Relationship Violence, Sexual Assault and Stalking is Reported**

Winona State University has procedures in place that serve to be sensitive to those who report sexual assault, dating, intimate partner, and relationship violence (including domestic violence), and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, physical health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as supportive measures to prevent contact between a complainant and an accused party, such as housing, academic, transportation, and changes in campus work location, if reasonably available. Winona State University will coordinate such measures for both parties if requested and if they are reasonably available, regardless of whether the complainant chooses to pursue a formal campus Title IX investigation or report to local law enforcement. Students and employees should contact

the Title IX Coordinator, Lori Mikl at 507-457-5008, Somsen Hall 202B. For victim advocacy resources contact the 24-Hour Crisis Line at 507-452-4453 or to make a confidential report online using the following link: [Confidential](#)

### **Prompt reporting encouraged**

Complainants of sexual violence and sexual harassment (as defined by Title IX) may report incidents at any time but are strongly encouraged to make reports promptly in order to best preserve evidence for a potential legal or disciplinary proceeding.

Complainants are strongly encouraged to report incidents of sexual violence to law enforcement for the location where the incident occurred and will receive assistance from the University to do so if they wish. Complainants are also encouraged to contact the local victim/survivor services office, counseling and health care providers, campus Title IX coordinators, or Minnesota State Colleges and Universities campus security authorities for appropriate action.

### **Assistance in reporting**

When informed of an alleged incident of sexual assault, dating, intimate partner, and relationship violence (including domestic violence, or stalking, all Minnesota State Colleges and Universities students and employees are urged to encourage and assist complainants, as needed, to report the incident to local law enforcement, local victim/survivor services, campus Title IX coordinator, or campus security authorities.

Campus security authorities, when informed of an alleged incident of sexual violence and sexual harassment (as defined by Title IX), shall promptly assist the complainant, as requested, including providing guidance in filing complaints with outside agencies, such as law enforcement; obtaining appropriate assistance from victim/survivor services or medical treatment professionals; and filing a complaint with the Title IX Coordinator.

When appropriate, Winona State University may pursue legal action against a respondent, including, but not limited to, trespass or restraining orders, in addition to disciplinary action under the applicable student or employee conduct standard. A college or university may take actions it deems necessary or appropriate in response to all protection, restraining, or no-contact orders.

### **Required reports**

Any campus security authority or any college or university employee with supervisory or student-advising responsibility who has been informed of an alleged incident of), shall follow university procedures for making a report for the annual crime statistics report. In addition, the campus security authority or any university employee with supervisory or student-advising responsibility who has been informed of an alleged incident of sexual assault, dating, intimate partner, and relationship violence, stalking or sexual harassment (as defined by Title IX shall report it to the Title IX Coordinator, in order to initiate any applicable investigative or other resolution procedures.

Campus security authorities may be obligated to report to law enforcement the fact that an incident of sexual assault, dating, intimate partner, or relationship violence, or stalking has occurred, but the name of or other personally identifiable information about the complainant will

be provided only with the consent of the complainant, except as may be required or permitted by law.

**Mandatory reporting of abuse or neglect of children or vulnerable adults**

Minnesota law provides special protection for children under 18 and vulnerable adults. These laws, Minnesota Statutes sections 626.556 and 626.557, identify those who are mandated to report neglect or abuse of children under 18 and maltreatment of vulnerable adults. Faculty, student teachers or clinical participants, day care personnel, and others involved in education or services to children or vulnerable adults may be considered mandated reporters under both of these laws. Reports of abuse or neglect of a child or vulnerable adult, must be made to law enforcement or state or county social service agencies.

If a report of sexual assault, dating, intimate partner, or relationship violence (including domestic violence), or stalking is reported to the University, below are the procedures that the University will follow:

<b>Incident Being Reported</b>	<b>Procedure Institution Will Follow</b>
<b>Sexual Assault</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), institution will inform complainant about campus and local medical and mental health resources</li> <li>2. Institution will assess immediate safety needs of complainant</li> <li>3. Institution will inform complainant of the right to have an advocate</li> <li>4. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>5. Institution will provide written information to complainant on how to preserve evidence</li> <li>6. Institution will provide complainant with referrals to on and off campus mental health providers, if requested</li> <li>7. Institution will assess the need to implement interim or long-term protective measures, if appropriate.</li> <li>8. Institution will provide the victim with a written explanation of the victim’s rights and reporting options, including the right to decline to report to law enforcement</li> <li>9. Institution will provide a “No trespass” directive to accused party if deemed appropriate</li> <li>10. Institution will provide written instructions on how to apply for Protective Order</li> <li>11. Institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution</li> <li>12. Institution will inform the complainant of the outcome of the investigation</li> <li>13. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>

<p><b>Stalking</b></p>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will inform complainant of the right to have an advocate</li> <li>3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>4. Institution will provide written instructions on how to apply for Protective Order</li> <li>5. Institution will provide written information to complainant on how to preserve evidence</li> <li>6. Institution will assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>7. Institution will provide complainant with referrals to on and off campus mental health providers, if requested</li> <li>8. Institution will provide the victim with a written explanation of the victim’s rights and reporting options, including the right to decline to report to law enforcement</li> <li>9. Institution will provide a “No trespass” directive to accused party if deemed appropriate</li> <li>10. Institution will provide a copy of the policy applicable to stalking to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li> <li>11. Institution will inform the complainant of the outcome of the investigation</li> <li>12. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>
<p><b>Dating, Intimate Partner, or Relationship Violence (also called Domestic Violence)</b></p>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will inform complainant of the right to have an advocate</li> <li>3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>4. Institution will provide written instructions on how to apply for Protective Order</li> <li>5. Institution will provide written information to complainant on how to preserve evidence</li> <li>6. Institution will provide complainant with referrals to on and off campus mental health providers, if requested</li> <li>7. Institution will assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>8. Institution will provide the victim with a written explanation of the victim’s rights and, reporting options, including the right to decline to report to law enforcement</li> <li>9. Institution will provide a “No trespass” directive to accused party if deemed appropriate</li> <li>10. Institution will provide a copy of the policy applicable to dating or relationship violence to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li> <li>11. Institution will inform the complainant of the outcome of the investigation</li> <li>12. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>

Complainants of sexual violence may report incidents at any time, but individuals are strongly encouraged to make reports promptly in order to best preserve evidence for a potential legal or campus disciplinary proceeding.

Complainants are also encouraged to contact the Title IX Coordinator (Lori Mikl at 507-457-5008, Somsen Hall 202B), WSU Health & Wellness Services (507-457-5160), Counseling & Wellness Services (507-457-5330), or other Winona State University Campus Security Authorities (CSAs) for appropriate action.

When informed of an alleged incident of sexual assault, dating, intimate partner, or relationship violence, or stalking, all Winona State University students and employees are urged to encourage and assist complainants, as needed, to report the incident to local law enforcement, local victim/survivor services and campus security authorities.

### **If you are a Victim of a Sexual Assault, Dating or Relationship Violence, and/or Stalking**

1. Go to a safe place.
2. If you are on campus and need immediate assistance or wish to report, contact WSU Security (507-457-5555), the Winona Police Department (911, non-emergency 507-457-6302) if on the Winona Campus, or the Rochester Police Department (911, 507-328-6800) if on either the RCTC campus or Broadway Campus. If you wish to make a confidential report without initiating a campus or police investigation, you may contact the Oasis Advocacy Center confidential advocate provided by the Advocacy Center of Winona at [WSU@Advocacywinona.org](mailto:WSU@Advocacywinona.org) or 507-452-4440. In times of crisis contact the 24/7 crisis number at 507-452-4453.
3. Timely and prompt reporting of a sexual assault within 72 hours is critical in preserving evidence important in proving a criminal case against the assailant. Do not bathe, douche, use the toilet, change clothing or clean the bed/linen/area where the assault occurred if the offense occurred within the past 120 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. Evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining Order for Protections related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with the Title IX Coordinator or the Winona Police Department if on the Winona Campus or the Rochester Police Department if on either Rochester campus, to preserve evidence if the victim changes her/his mind at a later date.
4. If you have been the victim of a sexual assault, you should seek medical attention immediately regardless of whether you report the matter to the campus or the police. Victims can seek medical attention at WSU Health Services located in IWC Room 222 (phone number 507-457-5160) or Winona Community Health Hospital located at 855 Mankato Ave, Winona MN (phone number 507-454-3650). Medical forensic sexual assault examinations can be obtained at WSU Health Services during regular business hours or at any time at the Hospital's Emergency Room. In Minnesota, evidence may be

collected even if you choose not to make a report to law enforcement. Evidence collected during a medical forensic exam will only be tested if a report is made to law enforcement.

Under Minnesota law, the county in which the sexual assault or rape occurred is responsible for the cost of collecting evidence during your medical forensic examination. The county must pay regardless of whether you report to law enforcement. After your medical forensic examination has been performed, the county may be reimbursed from your insurance with your permission. Counties must obtain your approval prior to billing your insurance. Whether or not the county uses your insurance is your choice. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

5. In addition to reporting an assault to the University, you may, if you choose to, file a police report with the Winona Police Department (emergency:911, non-emergency: 507-457-6302) if on the Winona campus or the Rochester Police Department (emergency:911, non-emergency: 507-328-6800). A police report documents the incident and is the first step toward the filing of criminal charges. When you contact the police to make the report, an officer will meet with you to take the report. You have the right to have a support person or advocate with you during the conversation. The officer will ask you detailed questions about the incident and gather information about any witnesses and the perpetrator. The process may end here as many police departments will accommodate the choice to report to police and not seek criminal charges. If you wish to pursue criminal charges, the police investigator will investigate the incident by gathering evidence – including any physical evidence – and conducting interviews. Once the investigation is complete, it will be referred to the County Attorney’s Office for review and determination if there is enough evidence to move forward and officially charge the alleged perpetrator with a crime.
6. If you would like assistance in filing a police report, WSU Security, the Title IX Coordinator, the Oasis Advocacy Center confidential advocate provided by the Advocacy Center of Winona at [WSU@Advocacywinona.org](mailto:WSU@Advocacywinona.org) or 507-452-4440. In times of crisis contact the 24/7 crisis number at 507-452-4453.
7. WSU has counselors available in Integrated Wellness Complex (room 222 (phone number 507-457-5330) who can provide students free, confidential counseling and resources. The Director of Security for WSU–Sheehan Hall (507-457-5555), the Title IX Office-Somsen 202 (507-457-2766), or the Advocate – Gildemeister 110, can also provide information on additional resources. For those seeking off campus services, the Advocacy Center of Winona may be contacted at 507-452-4453.
8. In order to reduce contact between the victim and the alleged assailant, WSU will, at the request of the Complainant, attempt to provide a change in classes, academic schedules, residence hall rooms, transportation or working arrangements as applicable and take other appropriate remedial measures. WSU will provide written notice to victims of these

options. These options are available to victims regardless of whether the victim chooses to report the crime to law enforcement or campus authorities. Options for support and accommodations, as well as, options for reporting can be provided by: Title IX Coordinator at 507-457-2766.

9. You have the right to petition for an Order for Protection (OFP) or a Harassment Restraining Order (HRO), the Winona Police Department or Rochester Police Department has information available on how to file for and request an OFP or HRO as well as the OASIS Advocacy Center at WSU 507-452-4440, or the Advocacy Center of Winona (Winona, MN) (507-452-4453). WSU may take actions it deems necessary or appropriate in response to all protection, restraining or no contact orders.
10. You may contact the Minnesota Crime Victims Reparations Board at 651-201-7300. The Crime Victims Reparations Board provides financial help to victims and their families for losses incurred as a result of a violent crime. You may also visit the [MN Department of Public Safety](#)

WSU will provide written notification to the victim of physical health, mental health, victim advocacy, legal assistance, and other support services available on campus and in the community as noted above as well as a written explanation of his or her rights and options under WSU's Sexual Violence Policy.

If you have been the victim of sexual assault, dating, intimate partner, or relationship violence (including domestic violence), or stalking, you are encouraged to report the incident promptly to the Title IX Coordinator, Lori Mikl, [lmikl@winona.edu](mailto:lmikl@winona.edu), 507-457-2766, Somsen Hall 202B by calling, writing, going [online](#) or coming into the office to report in person if you so desire. WSU provides on and off-campus resources for persons who have been victims of sexual assault, dating, intimate partner, or relationship violence (including domestic violence), or stalking.

The procedures set forth below are intended to afford a prompt response to charges of sexual assault, dating, intimate partner, or relationship violence (including domestic violence), and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

All reports of sexual violence (defined as sexual assault, dating, intimate partner, or relationship violence, or stalking) made to the University follow the same investigative procedure. Below are the procedures that the institution will follow as well as a statement of the standard of evidence that will be used during any campus investigation arising from such a report:

When the Title IX Office is informed of an alleged incident of sexual violence, the Title IX Coordinator or designee shall promptly assist the complainant, as requested. WSU will:

1. Provide the complainant with written information to access medical care, depending on when reported (immediate vs. delayed report).
2. Assess and address the immediate safety needs of the complainant.
3. Inform the complainant of the right to have an advocate.
4. Provide information to the complainant about the campus reporting options.

5. Inform the complainant of the right to make a police report, including the right to decline to make a report. Assist the complainant in making a police report if assistance is requested.
6. Provide the complainant with information regarding the availability of on and off-campus mental health providers.
7. Assess the need to implement interim or long-term protective measures, such as housing changes, changes in class schedule, and “No Contact” directives between both parties.
8. Provide a “No Trespass” or no contact directive to the accused party if deemed appropriate.
9. Provide written instructions on how to apply for an Order of Protection.
10. Provide a copy of the Sexual Violence Policy as well as the [\*investigative procedure\*](#) to the complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution.
11. Ensure that both complainant and respondent are informed concurrently of the outcome of the investigation and the right to appeal.
12. Enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.

## **Confidentiality**

In cases involving allegations of sexual assault, dating, intimate partner, or relationship violence (including domestic violence), or stalking, Complainants may request that their names be kept confidential during an initial consultation or the university’s investigation. The Title IX Coordinator will decide whether to accommodate such requests but will inform the Complainant that doing so will not be possible if, in the judgment of the Title IX Coordinator and under the circumstances involved, it would prevent the university from providing a safe and nondiscriminatory environment for the complainant and other members of the campus community. In such cases, the Title IX Coordinator will notify the Complainant before disclosing his or her name to the Respondent or other persons. Complainants may renew requests for confidentiality during formal investigations regarding their complaints, but in such cases will be told that the university’s ability to proceed with the investigation may be limited as a result. Victims may request that directory information on file with the University be withheld by request. This may be done by completing the FERPA revocation form found at <https://www.winona.edu/registrar/data-privacy.asp> or by contacting the Senior Associate Registrar, at (507) 457-5030.

Regardless of whether a victim has opted-out of allowing the University to share “directory information,” personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures.

Further, WSU will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Additionally, personally identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. (The University does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Furthermore, if a Timely Warning Notice is issued on the basis of a report of sexual assault, dating, intimate partner, or relationship violence (including domestic violence), or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

If a member of the campus wishes to report an incident of sexual violence without disclosing his or her identity, a confidential report made be made using the [\*WSU Confidential Report for Sexual Misconduct, Dating/Relationship Violence, Stalking\*](#). This report is submitted directly to the Title IX Coordinator who will initiate a Title IX inquiry or investigation if sufficient information is provided. Non-participation of the complainant in the investigation process may affect the ability of the Title IX Coordinator to conduct a full investigation.

**Maintenance of report/complaint procedure documentation** - Data that is collected, created, received, maintained, or disseminated about incidents of sexual violence will be handled in accordance with the privacy requirements of the Minnesota Statutes chapter 13 (Minnesota Government Data Practices Act), and other applicable state or federal laws.

Information on reports of incidents of sexual violence that are made to Campus Security Authorities shall be documented in accordance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, codified at 20 United States Code section 1092 (f). Such information will be used to report campus crime statistics on college and university campuses as required by that Act.

During and upon the completion of the complaint process, the complaint file shall be maintained in a secure location. Access to complaint file information shall be in accordance with the applicable collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act and other applicable law and policy.

Relevant policies for Minnesota State Colleges & Universities can be viewed in their entirety at the following locations.

- [\*Minnesota State Sexual Violence Policy\*](#)
- [\*Minnesota State Sexual Violence Procedures\*](#)
- [\*Minnesota State Report/Complaint of Discrimination/Harassment Investigation and Resolution\*](#)

**Assistance for Victims - Rights and Options:** Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, WSU will assist victims of sexual assault, dating, intimate partner, or relationship violence (including domestic violence), and stalking and will provide each victim with a written explanation of their rights and options. WSU provides both in print and online the Resources for Victims and Survivors of: Sexual Assault, Dating, Intimate Partner, or Relationship Violence (including domestic violence), and Stalking. See <https://www.winona.edu/about/leadership/title-ix/>. Such written information will include:

- the procedures victims should follow if a crime of sexual assault, dating, intimate partner, or relationship violence (including domestic violence), or stalking has occurred;
- information about how the institution will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victim services at the campus and in the community;
- a statement regarding the institution's options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action

In Minnesota, a victim of sexual assault, dating, intimate partner, or relationship violence (including domestic violence), or stalking has the following rights:

1. Be informed of prosecutor's decision to decline prosecution or dismiss the case along with information about seeking a protective or harassment order at no fee
2. Protection against employer retaliation for victims to take reasonable time off to attend order for protection or harassment restraining order proceedings
3. Domestic abuse victims have the ability to terminate a lease without penalty
4. Sexual assault victims can make a confidential request for HIV testing of a convicted offender
5. Sexual assault victims do not have to pay the cost of a sexual assault examination
6. Sexual assault victims may not be required to undergo a polygraph examination in order for an investigation or prosecution to proceed.

Further, WSU complies with Minnesota law in recognizing Orders of Protection and Harassment Restraining Orders. Any person who obtains an order of protection from Minnesota or any reciprocal state (Under VAWA's full faith and credit provision, every state must recognize and enforce protection orders issued in other states, as if issued in the enforcing state) should provide a copy to WSU Security and the Office of the Title IX Coordinator. A complainant may then meet with WSU Security and the Title IX Coordinator to develop a Safety Action Plan, which is a plan for campus officials and the victim to reduce the risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.).

WSU cannot apply for a legal order of protection, no contact order, or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these

services. WSU can assist in completing the necessary paperwork for an Order of Protection, No Contact Order, or Harassment Restraining Order. The protection orders may be available through Winona County Court Administration at no cost. WSU may issue an institutional no-contact order if deemed appropriate or at the request of the victim or accused.

Type of Order	Who Can File For One	Where to go for assistance	Criteria for Order
<p>Order for Protection (OFP)</p> <p>Domestic Abuse</p>	<ul style="list-style-type: none"> <li>• Spouses</li> <li>• Former Spouses</li> <li>• Parents and Children</li> <li>• Persons related by blood</li> <li>• Persons who live together or who have lived together in the past</li> <li>• Persons who have a child in common, even if they have not been married or lived together</li> <li>• Persons who have an unborn child in common</li> <li>• Persons involved in a significant romantic or sexual relationship</li> </ul>	<p>Visit the Winona County Courthouse 171 West 3<sup>rd</sup> St. Winona, MN. District Court staff will help you complete the paperwork (Affidavit and Petition) needed to ask for a temporary "ex parte" Order for Protection. You are called the "Petitioner" and the person you are filing against is called the "Respondent."</p> <p>Lori Mikl, Title IX Coordinator, Somsen 202 can assist students in completing and filing OFP's and harassment orders.</p> <p>Advocacy Center of Winona 507-452-4453</p> <p>OASIS Advocacy Center at WSU 507-452-4440</p> <p>24 Hour Crisis Line 507-452-4453</p>	<ul style="list-style-type: none"> <li>• physical harm, bodily injury, or assault;</li> <li>• the infliction of fear of imminent physical harm, bodily injury, or assault; or</li> <li>• terroristic threats, within the meaning of section <a href="#">609.713, subdivision 1</a>;</li> <li>criminal sexual conduct, within the meaning of section <a href="#">609.342, 609.343, 609.344, 609.345</a>, or <a href="#">609.3451</a>; or</li> <li>interference with an emergency call within the meaning of section <a href="#">609.78, subdivision 2</a>.</li> </ul>
<p><b>Harassment Restraining Order (HRO)</b></p>	<p>Anybody who does not fall under the criteria for the Order for Protection.</p>	<p>To file a Harassment Restraining Order, you must first fill out a Court Administration form titled "Petitioner's Affidavit and Petition for Harassment</p>	<p>A single incident of physical or sexual assault or repeated incidents of intrusive or unwanted acts, words, or gestures that have a</p>

		<p>Restraining Order." You may pick up a copy of this form from the <i>Winona County Court Administration</i>, or download it from the <a href="#"><i>Minnesota Court System's</i></a> web site. Provide as many details as possible on the form, and return it to Court Administration.</p> <p>Advocacy Center of Winona 507-452-4453</p> <p>OASIS Advocacy Center at WSU 507-452-4440</p> <p>24 Hour Crisis Line 507-452-4453</p>	<p>substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless of the relationship between the actor and the intended target.</p>
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**Accommodations and Protective Measures Available for Victims**

Upon receipt of a report of sexual assault, dating, intimate partner, or relationship violence (including domestic violence), or stalking, Winona State University will provide written notification to students and employees about the supportive measures available to them, including academic, living, transportation, protective orders and working situations. The written notification will include information regarding the available reporting options, including the right to report or decline to report to law enforcement, available assistance in making a law enforcement report, and supportive measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the measures).

At the victim's request, and to the extent of the victim's cooperation and consent, university offices will work cooperatively to assist the victim in obtaining supportive measures. If reasonably available, a victim may be offered changes to academic, living, working, protective measures or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may

include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, a victim should contact: If you are a student, contact either: Lori Mikl, Title IX Coordinator, [lmikl@winona.edu](mailto:lmikl@winona.edu) or the Oasis Advocacy Center confidential advocate provided by the Advocacy Center of Winona at [WSU@Advocacywinona.org](mailto:WSU@Advocacywinona.org) or 507-452-4440. If you are an employee, contact: Lori Reed, Human Resources Director, [LReed@winona.edu](mailto:LReed@winona.edu) or (507)457-2790.

To the extent of the victim’s cooperation and consent, WSU offices will work cooperatively to ensure that the complainant's health, physical safety, work, and academic status are protected, pending the outcome of a formal investigation of the complaint. If reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement.

### Resources available to victims/survivors

#### On-Campus Resources

Advocate	WSU Confidential Advocate	507-452-4440
Health	WSU Health & Wellness Services	507-457-5160
Counseling & Mental Health	WSU Counseling	507-457-5330
Victim Resources	24 Hour Crisis Line	507-452-4453
Legal Assistance	Student Resources Center	507-457-2800
Visa and Immigration	International Services	507-457-5303
Reporting Resources	Title IX Coordinator-Lori Mikl	507-457-5008
	WSU Security	507-457-5555
Financial Aid	WSU Financial Aid Services	507-457-5090
Department of Education	US Department of Education www.ed.gov	1-800-872-5327

#### Off Campus Resources

Counseling & Mental Health	Counseling Associates LLC	507-452-5033
	Hiawatha Valley Mental Health	507-454-4341
Health	Winona Health	507-454-3650
Victim Services and Advocacy	Advocacy Center of Winona	507-452-4453
Legal Assistance	Refer to Winona phonebook	WSU does not endorse or recommend a particular representative for legal assistance

Visa and Immigration Assistance	International Services	507-457-5303
Law Enforcement	Winona Police Department	911, non-emergency 507-457-6302
	Rochester Police Department	911, non-emergency 507-328-6800

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

- [\*Rape, Abuse and Incest National Network\*](#)
- [\*Department of Justice\*](#)
- [\*Department of Education, Office of Civil Rights\*](#)

**Maintenance of report/complaint procedure documentation** - Data that is collected, created, received, maintained, or disseminated about incidents of sexual violence will be handled in accordance with the privacy requirements of the Minnesota Statutes chapter 13 (Minnesota Government Data Practices Act), and other applicable state and federal laws.

Information on reports of incidents of sexual violence that are made to Campus Security Authorities shall be documented in accordance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, codified at 20 United States Code section 1092 (f). Such information will be used to report campus crime statistics on college and university campuses as required by that Act.

During and upon the completion of the complaint process, the complaint file shall be maintained in a secure location. Access to complaint file information shall be in accordance with the applicable collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act and other applicable law and policy.

Relevant policies for Winona State University can be viewed in the entirety at the following locations.

- [\*Minnesota State Sexual Violence Policy\*](#)
- [\*Minnesota State Sexual Violence Procedures\*](#)
- [\*Minnesota State Report/Complaint of Discrimination/Harassment Investigation and Resolution\*](#)

The institution does not publish the name of crime victims nor house identifiable information regarding victims in the Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request at the Registrar's Office Maxwell 209 or 507-457-2800.

## Procedures for Campus Disciplinary Action for VAWA Offenses

(Sexual assault, dating or relationship violence, domestic violence, or stalking)

Victims of sexual assault or those witnessing any type of sexual violence or relationship violence are strongly encouraged to report the incident to WSU Security, Winona Police Department, Rochester Police Department, Title IX Coordinator or others mentioned in this section. A report with WSU Security can ensure that proper steps are taken to ensure the safety of the survivor as well as the safety of the campus community as a whole. Filing a report with WSU Security can also initiate the Universities disciplinary process and is an option for any person wishing to report a case of misconduct.

The university's disciplinary process includes a prompt, fair, and impartial investigation and resolution process and is outlined in [\*Response to Sexual Violence and Title IX Sexual Harassment\*](#). The resolution of domestic violence, dating violence, sexual assault and stalking complaints are to be completed within a timely manner, unless reasonable cause for delay exists. The Title IX Coordinator shall notify the Complainant and Respondent if the written response is not expected to be issued in a timely manner.

Investigations and disciplinary procedures will be conducted by Winona State University officials who, at a minimum, receive annual training on the issues related to sexual assault, dating, intimate partner, or relationship violence (including domestic violence), and stalking and on how to conduct an investigation and disciplinary procedures that protects the safety of victims and promotes accountability. Winona State University officials who conduct investigations and disciplinary procedures will not have any bias or conflict of interest toward either the accuser or the accused.

WSU will normally not take any disciplinary action against a member of the campus community without a complaint, an investigation, and the assistance of the Complainant in the disciplinary process, unless the University determines there is a danger to the victim or the WSU community.

Because of laws concerning government data contained in the Minnesota Government Data Practices Act, WSU cannot guarantee confidentiality to those who report incidents of sexual violence except where those reports are privileged or confidential communications with licensed health care professionals or similar professionals.

Procedures used in response to a complaint of sexual violence complainants avoid requiring complainants to follow any plan of action, to prevent the possibility of re-victimization. The process will be respectful of the needs and rights of individuals involved and they will be treated with dignity. It is never assumed or suggested that the complainant or victim was at fault for the sexual assault or should have behaved differently to prevent the assault.

The process will be consistent with the Minnesota State University Sexual Violence Policy as well as the 1B3.1 investigative procedure and transparent to the complainant and the respondent. Student complainants and respondents will have the same opportunity to have an appropriate support person or advisor present at any interview or hearing, in a manner consistent with the

governing procedure and applicable data practices law. Employees have the right to representation consistent with the appropriate collective bargaining agreement or personnel plan. All procedures will be conducted in accordance with applicable due process standards and privacy laws.

In order for WSU to proceed with an investigation a report must be made to the Title IX & Affirmative Action Office and either the victim or the Title IX Officer must make a formal report as required by Title IX. Reports made to WSU Security will be forwarded to the Title IX & Affirmative Action Office. After receiving a report/complaint, the Affirmative Action Office, who receive annual investigatory training, shall take the steps listed below to ensure a prompt, fair, and impartial process following Minnesota State Colleges and Universities Board Policy 1B.3 Sexual Violence and System Procedure 1B.3.1 Sexual Violence Procedure.

As part of the investigatory process, the Title IX Coordinator shall:

1. conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings;
2. inform the witnesses and other involved individuals of the prohibition against retaliation;
3. create, gather and maintain investigative documentation as appropriate;
4. disclose appropriate information to others only on a need to know basis consistent with state and federal law, and provide a data privacy notice in accordance with state law;
5. handle all data in accordance with applicable federal and state privacy laws
6. include an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence.
7. Presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the investigation process.
8. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
9. For formal Title IX complaints, before completing the investigation report, send to both the complainant and the respondent and their advisors, if any, the evidence subject to inspection and review. Both the complainant and the respondent must have at least ten (10) calendar days to submit a written response to the evidence, which the Title IX Coordinator will consider before completing the investigative report. Both parties and their advisors may use the information solely for purposes of proceedings pursuant to this policy.
10. Create an investigative report that fairly summarizes relevant evidence and, at least ten (10) calendar days prior to a formal hearing, sends to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

If the investigation is not resolved through the informal resolution process or other means, the Title IX Coordinator shall:

1. Prepare an investigation report.
2. Refer the matter for a formal hearing.

**Formal Hearing.** Formal hearings for Title IX sexual harassment complaints will be conducted by the Office of Administrative Hearings pursuant to the rules for administrative hearings. If either the complainant or respondent does not have an advisor for the formal hearing, the college or university must provide an advisor without fee or charge to the complainant or respondent. Colleges and Universities shall maintain a roster of advisors for this purpose. The role of the advisor for the respondent is to conduct cross-examination on behalf of the respondent. At the conclusion of the formal hearing, the administrative law judge will issue a written recommendation for a final decision made by the college or university decision-maker.

**Decision-maker.** After receiving the report and recommendation prepared by the administrative law judge, the decision-maker shall:

1. Decide whether the policy has been violated; and
2. On appropriate sanctions if the policy has been violated;
3. Issue a written determination that must include:
  - a. identification of the allegations potentially violating this policy;
  - b. a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearing help;
  - c. findings of fact supporting the determination;
  - d. conclusions regarding application of the policy to the facts;
  - e. a statement of, and rationale, for the result as to each allegation, including determination regarding responsibility, any disciplinary sanctions the college or university imposes on the respondent, and whether remedies designed to restore or preserve equal access to the college or university's education program or activity will be provided by the college or university to the complainant; and
  - f. the college or university's procedures and permissible bases for the complainant and respondent to appeal.

The written determination may satisfy these elements by adopting portions of the report and recommendation. The decision-maker must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the college or university provides the parties with written determination of the result of the

appeal; or if an appeal is filed; or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Winona State University shall take the appropriate corrective action based on results of the investigation, and the Title IX Coordinator shall make appropriate inquiries to ascertain the effectiveness of any corrective or disciplinary action. Complainants are encouraged to report any subsequent conduct that violates Board Policy 1B.3, as well as allegations of retaliation. Disciplinary action for students may include any sanctions the college or university imposes for any student conduct matters, up to and including expulsion. Disciplinary action for employees may include any discipline allowed under the applicable collective bargaining agreement or personnel plan, up to and including termination.

Written notice to parties relating to discipline, resolutions, and/or final dispositions resulting from the report/complaint process is deemed to be official correspondence from Winona State University.

## Appeal

### **Filing an appeal**

The complainant or the respondent may appeal the decision of the decision-maker. An appeal must be filed in writing with the president or designee within ten (10) calendar days after notification of the decision. The appeal must state specific reasons why the complainant or respondent believes the decision or sentence were improper. In a complaint against a president or other official who reports directly to the chancellor, an appeal may be considered by the chancellor whether or not the chancellor served as the decision-maker. In addition, for a formal Title IX complaint, both the complainant and respondent may appeal a dismissal of a formal complaint.

### **Appeal process**

The president or designee shall review the record and determine whether to affirm or modify the decision. Grounds for appeal include procedural irregularity that affected the outcome, new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter, and a conflict of interest or bias by the Title IX Coordinator, or decision-maker that affected the outcome of the matter. The president or designee may receive additional information if the president or designee believes such information would aid in the consideration of the appeal. The decision on appeal must be made within a reasonable time and the complainant, respondent and Title IX Coordinator must be notified in writing of the decision, consistent with applicable state and federal data privacy laws. The decision on appeal exhausts the complainant's and respondent's administrative remedies under this procedure except as provided herein.

During and upon completion of the complaint process, the complaint file shall be placed in a secure location (Legal Affairs Office). Access to the data shall be in accordance with the respective collective bargaining agreement or personnel plan, the Minnesota Data Practices Act, the Family Educational Rights and Privacy Act or other applicable law.

Winona State University takes allegations of sexual violence very seriously and recognizes the consequences such allegations may have on a respondent as well as the complainant. Any individual who knowingly provides false information regarding the filing of a complaint or report of sexual violence, or who provides false information during the investigation of such a complaint or report, may be subject to discipline or, under certain circumstances, legal action. Complaints of conduct that are found not to violate policy are not assumed to be false.

If a complainant no longer desires to pursue a complaint through Winona State University proceeding, Winona State University reserves the right to investigate and resolve the complaint as it deems appropriate. Winona State University reserves discretion whether to pursue alleged violations of policy under appropriate circumstances, including, but not limited to, a determination that an effective investigation is not feasible because of the passage of time, or because the respondent is no longer a student or employee of Winona State University.

Winona State University reserves the right to determine whether to pursue violations of policy by students or employees other than the respondent, including a complainant or witness, that come to light during the investigation of an incident of sexual violence. In order to encourage reporting of sexual violence, under appropriate circumstances university administrators may choose to deal with violations of Winona State University policy in a manner other than disciplinary action.

**Procedure for employees, students and individuals who are both an employee and student - Employees.** If the respondent is an employee, the investigation and disciplinary decision-making shall be conducted pursuant to the procedures outlined in Board Procedure 1B3.1, except that informal resolution shall not be used to resolve allegations made under this policy against an employee.

Reports can be filed with the following agencies/individuals at WSU (Winona & Rochester Campus’) regarding sexual assaults, dating or relationship violence, domestic violence, and stalking and other related incidents:

Title IX Office	Somsen Hall 202	<a href="mailto:lmikl@winona.edu">lmikl@winona.edu</a>	507-457-2766
Director of Security	Sheehan Hall	<a href="mailto:ccichosz@winona.edu">ccichosz@winona.edu</a>	507-457-5158
Assoc. Director of Security	Sheehan Hall	<a href="mailto:keith.fratzke@winona.edu">keith.fratzke@winona.edu</a>	507-457-5554
RCTC Security	Coffman Hall 102		507-280-5050

### Parallel Proceedings

WSU investigation and disciplinary procedures for allegations of sexual violence will proceed independent of any action taken in criminal or civil courts. WSU will not delay its proceedings while a parallel legal action is on-going. If a college or university is aware of a criminal proceeding involving the alleged incident, they may contact the prosecuting authority to coordinate when feasible. Criminal or civil court proceedings are not a substitute for Winona State University policies.

**Complainants' rights:** are as follows:

1. Complainants have the right to file a report with local law enforcement officials regarding any incident of sexual violence.
2. They have all of the rights under the crime victims bill of rights, [Minn. Stat. §§ 611A.01 – 611A.06](#), including the right to assistance from the Crime Victims Reparations Board and the commissioner of public safety
3. Complainants are afforded the availability of prompt assistance from campus Officials, upon request, in notifying the appropriate campus investigating authorities and law enforcement officials, and, at the direction of law enforcement authorities, assistance in obtaining, securing, and maintaining evidence in connection with a sexual violence incident
4. Campus Security Authorities will assist in preserving materials or other evidence relating to a campus disciplinary proceeding
5. Complaints of incidents of sexual violence made to campus security authorities will initiate a communication to the complainant from the Title IX Coordinator about when and where to receive medical assistance, reporting options, and on-campus and community resources.
6. Complaints of incidents of sexual violence made to campus security authorities will be promptly and appropriately resolved.
7. Upon a sexual assault complainant's request, WSU will take action to prevent unwanted contact with the alleged assailant, including, but not limited to, transfer of the complainant and/or the respondent to alternative classes, or to a work site or to alternative college-owned housing, if such alternatives are available and feasible. Any accommodations or protective measures provided to the Complainant or Respondent will be maintained in confidence, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.
8. Upon the request of the complainant, students who report sexual assaults to Winona State University and subsequently chose to transfer to another college or university will be provided with information about resources for victims of sexual assault at the college or university to which the complainant is transferring.

## **How to file a Disciplinary Complaint Under This Policy**

### **Prompt reporting encouraged**

Complainants of sexual assault, dating, intimate partner, or relationship violence (including domestic violence), stalking and sexual harassment (as defined by Title IX) may report incidents at any time but are strongly encouraged to make reports promptly in order to best preserve evidence for a potential legal or disciplinary proceeding.

Complainants are strongly encouraged to report incidents of sexual violence to law enforcement for the location where the incident occurred. Complainants are also encouraged to contact the local victim/survivor services office, counseling and health care providers, campus Title IX coordinators, or Minnesota State Colleges and Universities campus security authorities for appropriate action.

## **Assistance in reporting**

When informed of an alleged incident of sexual assault, dating, intimate partner, or relationship violence (including domestic violence), stalking, and sexual harassment (as defined by Title IX), all Minnesota State Colleges and Universities students and employees are urged to encourage and assist complainants, as needed, to report the incident to local law enforcement, local victim/survivor services, campus Title IX coordinator, or campus security authorities.

Campus security authorities, when informed of an alleged incident of sexual assault, dating, intimate partner, or relationship violence (including domestic violence), stalking, and sexual harassment (as defined by Title IX), shall promptly assist the complainant, as requested, including providing guidance in filing complaints with outside agencies, such as law enforcement; obtaining appropriate assistance from victim/survivor services or medical treatment professionals; and filing a complaint with the Title IX Coordinator.

When appropriate, Minnesota State Colleges and Universities may pursue legal action against a respondent, including, but not limited to, trespass or restraining orders, in addition to disciplinary action under the applicable student or employee conduct standard. A college or university may take actions it deems necessary or appropriate in response to all protection, restraining, or no-contact orders.

## **Required reports**

Any campus security authority or any college or university employee with supervisory or student-advising responsibility who has been informed of an alleged incident of sexual violence and sexual harassment (as defined by Title IX), shall follow college or university procedures for making a report for the annual crime statistics report. In addition, the campus security authority or any college or university employee with supervisory or student-advising responsibility who has been informed of an alleged incident of sexual violence and sexual harassment (as defined by Title IX) shall report to the Title IX Coordinator, in order to initiate any applicable investigative or other resolution procedures.

Campus security authorities may be obligated to report to law enforcement the fact that a sexual assault has occurred, but the name of or other personally identifiable information about the complainant will be provided only with the consent of the complainant, except as may be required or permitted by law.

## **Mandatory reporting of abuse or neglect of children or vulnerable adults**

Minnesota law provides special protection for children under 18 and vulnerable adults. These laws, Minnesota Statutes sections 626.556 and 626.557, identify those who are mandated to report neglect or abuse of children under 18 and maltreatment of vulnerable adults. Faculty, student teachers or clinical participants, day care personnel, and others involved in education or services to children or vulnerable adults may be considered mandated reporters under both of these laws. Reports of abuse or neglect of a child or vulnerable adult, must be made to law enforcement or state or county social service agencies.

## **Standard of Evidence**

The University utilizes the preponderance of the evidence standard to adjudicate all complaints related to sexual assault, dating or relationship violence, domestic violence, stalking, and Title IX Sexual Harassment. The standard of evidence applies to complaints brought by or against students, employees, volunteers, or other members of the University community.

## **Possible Sanctions**

Sanctions that may be imposed if a finding is made that sexual violence and sexual harassment (as defined by Title IX) has occurred include, but are not limited to, discipline up to and including suspension, or expulsion of students, or discipline, up to and including termination from employment, as provided in the applicable bargaining agreement or compensation plan, for employees. The appropriate sanction will be determined on a case-by-case basis, taking into account the severity of the conduct, the student's or employee's previous disciplinary history, and other factors as appropriate.

Witnesses or victims who report in good faith an incident of sexual violence will not be sanctioned by the college, university, or system office for admitting in the report to a violation of the student conduct policy on the use of alcohol or drugs.

## **Supportive Measures**

Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or respondent before or after the filing of a formal Title IX complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient's educational environment, or deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

## **Campus Sex Crimes Prevention Act**

In accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act, section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921) and the Family Educational Rights and Privacy Act of 1974, the WSU Security provides a link to the Minnesota Sex Offender Registry. This act requires institutions of higher education issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student.

Information regarding individuals on the registered sex offenders' list can be obtained from the Winona Police Department, 201 W. 3<sup>rd</sup> Street, Winona, MN 55987, 507-454-6100 for the Winona campus, the Rochester Police Department, 101 4<sup>th</sup> St SE, Rochester, MN 55904, 507-328-6800 for the RCTC and Broadway campus and from the [Minnesota Department of Corrections Predatory Offender](#) website or type in the URL: <https://coms.doc.state.mn.us/PublicRegistrantSearch/>

### **Disclosure to Victims of Crimes of Violence or Sexual Violence**

WSU will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

### **Alcohol Policy**

WSU is an environment in which the personal, social and academic growth of students is free from mind-altering chemicals including drugs and alcohol.

WSU recognizes that drugs and alcohol constitute significant personal and social problems within society in general and colleges in particular. Alcohol and/or drug abuse are associated with both long-term and short-term health risks. The Centers for Disease Control and Prevention identifies motor vehicle accidents, falls, injuries, alcohol poisoning, risky sexual behaviors, and violence as short-term risks associated with excessive drinking. Long-term risks include high blood pressure, weakened immune systems, learning & memory problems, mental health problems, cancer, social problems, and alcohol use disorders. The National Institute on Drug Abuse lists lung or heart disease, cancer, stroke, HIV/AIDS, Hepatitis B or C, and mental health conditions as long-term health risks associated with drug use. WSU supports, promotes, respects, and expects adherence to federal and state laws regarding alcohol and drugs.

WSU demonstrates its values concerning an excellent educational environment, encouragement of a student's maturity, and federal and state laws regarding drugs and alcohol in a variety of ways. WSU promotes and presents, to all members of the community, drug and alcohol awareness programs that address issues proactively. WSU offers a multitude of programs on student development; provides programming to students on developing the skills necessary to be effective at WSU and in life; empowers students who choose not to drink; offers easy access to services that are intended to assist students who have alcohol or drug problems; and provides students with the opportunity to choose a substance-free living and learning experience.

The possession, use, sale, or distribution of alcohol on all WSU property (including buildings, grounds and vehicles) is expressly prohibited in accordance with Minnesota State Board of Trustee Policy (regardless of age). To consistently ensure compliance with these regulations, alcohol beverage *containers* (both empty and full) are not allowed on campus. Examples include, but are not limited to: cans, bottles, kegs, and party balls, etc. Access the [Alcohol and Drug Policy](#) for WSU to learn more.

WSU may take disciplinary action against students for off-campus behavior, following the procedures of the code of conduct (per [\*Minnesota State Board of Trustee Policy 3.1 part 10\*](#)).

- It is illegal for any person under the age of 21 to possess or attempt to purchase any alcoholic beverage.
- It is illegal for any person to sell, barter, furnish, or give alcoholic beverages to a person under age 21.
- It is illegal for any person under the age of 21 to enter a licensed premise for the purpose of purchasing or being served any alcoholic beverage.
- It is illegal for any person to misrepresent their age through false documents or to lend their identification to someone for the purpose of purchasing or using alcoholic beverages.
- It is illegal for any person under the age of 21 to drive with any amount of alcohol in their system.

## Sanctions:

For on-campus possession of alcohol, the alcohol will be disposed of by the individual in possession of the alcohol or by a staff member in the presence of the individual. Note: All individuals present in a room that contains alcohol may be found in violation of the alcohol policy regardless of participation.

The student will receive written notice of the violation. They will meet with either the Residence Hall Director (if the violation occurred in the residence hall) or meet with the Dean of Students. During this meeting the student will be provided a copy of this policy and sanctions imposed for violation of the alcohol policy. Sanctions imposed may be but are not limited to: participation in group and individual personalized feedback interventions such as E-Chug, E-Check Up To Go Programs or Choices: Getting the Facts About Alcohol; online assessment Alcohol EDU, community service hours; discipline and/or housing probation; loss of housing contract and/or other privileges or services; suspension from the University or expulsion. Students wishing to appeal a disciplinary decision may do so by filing out the Housing and Residence Life Appeal Form or request in writing with the VP for Student Affairs. To view the appeals processes please go to WSU Student Conduct Code.

## Drug Policy

WSU will not tolerate the use or sale of drugs and/or drug paraphernalia by students and their guests. The possession, use, distribution or sale of illegal drugs, including but not limited to: marijuana, hallucinogens, narcotics, un-prescribed amphetamines or barbiturates is prohibited. Any sale or sharing of prescription drugs is prohibited.

The Winona Police Department has primary responsibility for the enforcement of State underage drinking laws as well as the enforcement of Federal and State drug laws.

## State and Federal Laws

The manufacture, possession, use, distribution, or sale of cocaine (powdered cocaine and crack), narcotics, hallucinogens, marijuana, and the various individual drugs in these categories are illegal according to Federal Law based on the Controlled Substances Act.

According to Minnesota statutes cannabis and cannabis in various forms is legal to possess by individuals 21 years of age and older. Cannabis and cannabis in all its forms is not allowed on WSU owned or controlled properties.

Students who are found in violation of this policy will;

- have the drugs and/or paraphernalia confiscated by residence life staff or security;
- be referred to the hall director or the judicial conduct officer and may face immediate housing contract termination and eviction from the residence halls;
- face the possibility of legal action as local law enforcement may be notified;
- be required to meet with WSU's Health Educator.

In addition, students found guilty of illegal drug use may lose their federal financial aid.

## Weapons Policy

No student shall carry or possess any prohibited weapons on or about his or her person whether visible or concealed in or on WSU owned or leased buildings, grounds, and other facilities, with the exception of firearms possessed or carried in parking areas. No employee acting within the scope of their employment and employees of organizations utilizing University facilities, shall carry or possess any prohibited weapon on or about his or her person whether visible or concealed in or on WSU owned or leased buildings, grounds, and other facilities with the exception of firearms possessed or carried in parking areas. No other individual shall carry or possess any prohibited weapon, except firearms, on or about his or her person whether visible or concealed in or on WSU owned or leased buildings, grounds, and other facilities. No vehicle owned, leased, or otherwise under the control of the University shall be used to store or carry a firearm.

## Firearms Policy

### Minn State Policy 5.21 Possession or Carry of Firearms

**Purpose and Scope.** The purpose of this policy is to establish restrictions on possession or carry of firearms applicable to the Minnesota State Colleges and Universities System, in accordance with the Minnesota Citizens' Personal Protection Act of 2003, Minnesota Statutes section [624.714](#), and other applicable law.

## WSU Alcohol & Other Drug Education & Prevention Programs

In compliance with the Drug Free Schools and Communities Act, Winona State University publishes information regarding the University’s educational programs related to drug and alcohol abuse prevention; sanctions for violations of federal, state, and local laws and university policy; a description of health risks associated with alcohol and other drug use; and a description of available treatment programs for WSU students and employees. A complete description of these topics, as provided in the University’s biennial review to students and employees, is available online at: <https://www2.winona.edu/healthpromotion/alcohol.asp>  
<https://www2.winona.edu/healthpromotion/Media/2022-biennial-review.pdf>

The Drug Free Schools and Communities Act requires institutions of higher education to conduct a biennial review of their alcohol and drug policies and prevention programs. The following is excerpts from the 2019-2020 Biennial Review. The full report can be accessed at <http://www.winona.edu/healthpromotion/alcohol.asp>.

Winona State University’s Alcohol & Other Drug Education and Prevention program goals include:

- Foster changes in and beyond Winona State University to decrease illegal and high-risk use of alcohol and other drugs while improving academic success, retention and wellbeing of all students in fulfilling WSU’s mission “A Community of Learners Improving Our World”.
- Educate students via peer education methodologies and high-quality evidence-based programs in alcohol and other drug use prevention.
- Engage students in all aspects of research and program development to assure high quality and appropriate prevention messages that resonate with the student population.
- Empower Students via peer education methodologies to make informed lifetime decisions regarding substance use and abuse.
- Develop and increase partnerships and collaboration with University entities and with other local community, state, and national partners.
- Provide a reasonable level of care for individuals through AOD education, counseling, and referral for treatment.
- Provide a safe and welcoming campus environment where students in recovery can receive support while working towards degree completion.

WSU Health & Wellness Services utilizes the typology matrix provided by the Higher Education Center for Alcohol and Other Drug and Violence Prevention.

Winona State University Typology Matrix				
	Individual	Group	Institution	Community
Knowledge, Attitudes, Behavioral Intentions	E CheckUp To Go Programs (Referred)	Choices: Getting the Facts Courses: Group	New Student Orientation : Campus Speaker	

<p>Cognitive/Behavioral</p> <p>Motivational Enhancement</p> <p>Education/Awareness</p>	<p>Motivational</p> <p>Interviewing through E CheckUp To Go Programs</p>	<p>Based Education</p> <p>Residence Life Student Staff Training</p> <p>Order In Programmin g through Health Promotion</p>	<p>and group discussion courses</p> <p>Orientation Semester Course</p> <p>Grant funded prevention programs through Minnesota Departmen t of Human Services, Alcohol and Other Drug Abuse Division. ( Winona Partners for Prevention )</p>	
<p>Environmental Change</p> <p>Alcohol Free Options</p> <p>Normative Environment</p> <p>Policy Enforcement</p>	<p>Conduct sanctions for alcohol and drug policy violations</p> <p>E CheckUp To Go programs (referred)</p>	<p>Alcohol Free Programing Occurring on a regular basis: Intramurals, RHA Events, Residence Life Staff Events, Student Organizatio n Events, Athletic Events, Etc.</p>	<p>Alcohol &amp; Drug Free Campus</p> <p>Annual Policy Notificatio n Programs</p> <p>SAFE Survey (Alcohol &amp; Other Drug Norms)</p> <p>Boynton College Student</p>	<p>Crime Prevention Taskforce (Community/La w Enforcement/ University)</p> <p>Social Host Ordinance, City, 2012</p> <p>Participation in Winona County Alliance for Sustenance Abuse Prevention.</p>

			<p>Health Survey</p> <p>WSU Amnesty Policy</p> <p>H&amp;WS Monitoring, Learning and Evaluation Committee (HERS) Practicum, Assessment Day and Focus Groups, etc.)</p> <p>Conduct &amp; Prevention Team</p>	
Health Protection	<p>RA Security Rounds/Social Rounds</p> <p>Security-Welfare Checks</p> <p>Magnets, cups and playing cards on Policy and Alcohol Poisoning</p>	Recovery Warriors Group	<p>BAIT (Behavioral Assessment Intervention Team)</p> <p>Friday Morning Classes</p> <p>Security Shuttles</p>	Winona Transit Safe Ride
Intervention/Treatment	Community Referrals if Needed			

## **Affecting Knowledge, Attitudes and Behavioral Intentions**

This category of activities includes cognitive/behavioral strategies, motivational enhancement, and educational/awareness programming. These are aimed at “changing people’s knowledge, attitudes, skills, self-efficacy, and behavioral intentions regarding reduced alcohol use” (Langford and DeJong, 2008, p.5).

### **Motivational Enhancement**

#### **E CheckUp To Go Programs**

WSU offers E CheckUp To Go Programs for both Alcohol and Marijuana use to give students personalized evaluation of their use, negative consequences, and social norms clarification. Students may either self-refer or be required to complete the assessment(s) as part of university adjudication. The E CheckUp To Go Programs are developed and produced by San Diego State University. In addition to the web-based assessment, WSU utilizes trained staff, including the Health Promotion Coordinator and a graduate assistant to provide a motivational interview for

### **Education/Awareness**

#### **Choices: Getting the Facts**

In addition to E CheckUp To Go programs, WSU offers a 1 hour group based interactive alcohol abuse prevention program called Choices: Getting the Facts. This course utilizes the interactive journaling curriculum to engage students in self-reflection and discussion about facts, risks and norms associated with alcohol while equipping them with information, strategies, and skills to make wise decisions. The course is taught by a trained graduate assistant in Health & Wellness Services. The curriculum is based upon research by the University of Washington Addictive Behaviors Research, which has been recognized by NIAAA and SAMHSA as leading alcohol abuse prevention for college students. Students may either self-refer or be required to complete the course as part of university adjudication.

#### **New Student Orientation**

During first year student orientation, “Be the Life of the Party Alcohol Free” presentation by Adam LoDolce is a large group interactive presentation including information on social confidence, consequences of alcohol, self-expression, and norms clarification. Adam has spoken at First Year Orientation Events from Fall 2012 to 2016.

### **Training/Professional Development**

Various campus departments request alcohol and other drug prevention programs through Health & Wellness Services’ Health Promotion Office for student staff training and education such as Residence Life and Housing, Freshman Orientation Committee, etc.

## **Order In/Don't Cancel That Class Programming**

Order In and Don't Cancel That Class Programming are a set of 1 hour group based educational sessions offered by the staff of the Health Promotion Office to student groups/organizations, departments, university programs and professors utilizing participatory approaches in numerous topics. All the programs have evaluation tools, handouts and facilitator guide. The health promotion staff consists of trained graduate assistants and trained peer educators. Topics include nutrition, stress, sleep, sexual health, mental health/suicide prevention, alcohol and other drugs, digital life presence, gender-based violence (stalking, harassment, sexual assault, etc.) and more.

## **Winona Partners for Prevention**

Winona Partners for Prevention is a campus community coalition working to reduce underage alcohol consumption and marijuana use among young adults within the city of Winona. Established in Spring 2015 the group has completed a prioritization of needs and local conditions and plans to implement new practices and prevention programs in the next biennium.

## **Housing and Residence Life Alcohol Education programs**

Resident Assistants and members of the Residence Housing Association annually plan numerous events designed to educate students on alcohol consumption and risk. These could include drunk goggle programs, mock tails, educational speakers, or Bulletin Boards.

## **Environmental Management**

Environmental management strategies are those that seek to eliminate or modify the environmental factors that contribute to the problem (Langford and DeJong, 2008). There are five categories of environmental management: alcohol free options, alcohol marketing/promotion, promoting a healthy normative environment, reducing alcohol availability and policy development and enforcement (DeRicco, 2006).

## **Alcohol Free Options**

### **The Warrior Entertainment Network**

The Warrior Entertainment Network sponsors numerous alcohol-free events multiple nights of the week throughout the academic year on a regular basis. All programming is designed to attract students to events on campus which are alcohol-free rather than off campus events.

### **Residence Life Alcohol Free Housing and Programming**

The Department of Housing and Residence Life offers numerous social programs that allow students the opportunity to gather and connect in a safe environment free from alcohol or other substances. More than 500 social programs are offered each year.

## **Ongoing Alcohol-Free Activities**

WSU provides numerous community volunteer opportunities and service-learning projects throughout the university community. Numerous campus departments/programs offer alternative spring break trips annually. Additional information is available from the website below or by contacting the Dean of Students Officer at 507-457-5300.

<https://www.winona.edu/engagement/default.asp>

## **Alcohol Marketing/Promotion**

The campus alcohol and other drug policy restrict alcohol related marketing in all university publications, by student organizations and on-campus in general. The alcohol and other drug policy also restrict sponsorship by the alcohol industry for on-campus events and University events taking place off campus.

## **Promoting a Healthy Normative Environment**

The University continues to promote a healthy normative environment through multiple ways including social norms messaging across campus. An alcohol and other drugs self-assessment is facilitated annually by Health & Wellness Services. This self-assessment is sent to first-year students during or prior to their first semester on campus. Social norms are garnered from this self-assessment and shared via numerous channels to educate across campus. In addition to this, the University administers numerous evaluations and surveys, such as, the College Student Health Survey conducted by Boynton Health Services, University of Minnesota, to better understand and address the behavior factors that may lead to risky actions.

WSU provides many opportunities for activities that do not include alcohol. Housing & Residence Life has a robust list of ways for students to actively participate in campus life. The Warrior Entertainment Network provides activities for students including grocery Bingo, comedians, concerts, live music, and karaoke. There are over 170 student clubs and organizations on campus for students to join.

On August 1, 2013, the state of Minnesota passed a state statute providing immunity from prosecution for individuals who seek medical assistance for students who require this due to intoxication. WSU has an amnesty policy which may provide immunity for students consuming alcohol or other substances in situations requiring medical assistance.

## **Reducing Alcohol Availability**

The University restricts alcohol on campus with rare exceptions and can only be served at the discretion of the University President. Given that alcohol is restricted on campus, there is no alcohol allowed in the residence halls or apartments on campus.

The illegal use, possession, distribution, manufacture or sale of any controlled substance, drugs, or alcoholic beverages is prohibited for individual students and/or student organizations at university events on or off-campus and on travel status when representing the University (e.g., as a member of athletic team, sports club, Student Senate, student organizations and groups, member of a university group, delegation, etc.).

Further restrictions or allowances for legal and responsible use of alcohol may apply to individual students or student groups on travel status, based on the specific program's needs and direction of the faculty or staff supervisors/ advisors.

The University's alcohol and other drug policy is comprehensive in scope, the policy clarifies expectations for students off-campus, prohibits disruptive use of alcohol (aimed at student drinking off-campus and causing problems on-campus), and restricts alcohol advertising, among other areas addressed. The policy is supported by and supports other policies that already exist such as:

- Winona State University Hazing Policy:

<http://www.winona.edu/sld/hazingpolicy.asp>

- Winona State University Student Conduct Code:

<http://www.winona.edu/sld/studentconductcode.asp>

- Winona State University Residence Life and [2022-2023 Housing Handbook](#):

<https://www.winona.edu/housing/Media/HRL-Policies-Procedures-handbook-2022-2023-pdf.pdf>

## **Winona State University Substance Abuse Resources**

*Health, Counseling & Wellness Services, 507-457-5160, Integrated Wellness Complex 222*  
Offers medical care and counseling services.

*Health Promotion Office, 507-457-5619, Integrated Wellness Complex 138*  
Offers confidential substance use assessments and educational courses.

*WSU Security, 507-457-5555, Sheehan Hall*  
Offers nighttime escorts if you are feeling unsafe within a 4-block radius of campus and provides shuttles to East Lake Apartments.

*Student Resource Center, 507-457-2800, Kryzsko Commons 116*  
Students have access to a lawyer through student fees. Call to schedule a 20-minute appointment.

*Student Life and Development, 507-457-5300, Kryzsko Commons 234*

The Dean of Students Office provides student support and coordination services.

### **Winona Area Substance Abuse Resources**

*Winona Health, 507-454-3650*

Primary care, behavioral health and emergency care services offered.

*Hiawatha Valley Mental Health Center, 507-454-4341*

Behavioral health care agency with both outpatient and residential services.

*Common Ground MN, 507-281-0023*

Behavioral health care agency offering individual, and group based mental health treatment for substance use disorders.

*Crisis Response, Southeast Minnesota, 1-844-274-7472*

Crisis helpline for adults, children, youth, and families in southeast Minnesota. Available 24/7

### **Rochester Area Substance Abuse Resources**

*Olmsted County Adult Chemical Dependency 507-328-6400*

*Adult and Family Services Division*

*Substance Abuse Service Mayo Clinic 507-538-3270*

*The Gables Recovery Home 507-282-2500*

*Treatment-Adult Women*

*Outpatient Chemical Dependence Service-Mayo Clinic 507-538-3270*

*Family Service Rochester 507-287-2010*

*Assessment, counseling, treatment*

*Zumbro Valley Crisis Receiving Unit 507-281-6248*

*Detoxification*

*Zumbro Valley Mental Health Center 507-289-2089*

*Counseling, education, treatment*

*Crisis Response, Southeast Minnesota, 1-844-274-7472*

Crisis helpline for adults, children, youth, and families in southeast Minnesota. Available 24/7

### **Substance Use Health Risks**

For more complete information on the health effects of substances please visit:

<http://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts>.

**Alcohol** – Alcohol can cause disruptions in mood and behavior, cardiomyopathy, arrhythmias, stroke, high blood pressure, liver diseases such as fibrosis, steatosis, hepatitis, cirrhosis; pancreatitis, increase cancer risk for mouth, lung, heart, throat, liver and breast cancer. Alcohol is addictive and can cause death.

**Cocaine** - A powerfully addictive stimulant drug made from the leaves of the coca plant native to South America. Can cause narrowed blood vessels; enlarged pupils; increased body temperature, heart rate, and blood pressure; headache; abdominal pain and nausea; euphoria; increased energy, alertness; insomnia, restlessness; anxiety; erratic and violent behavior, panic attacks, paranoia, psychosis; heart rhythm problems, heart attack; stroke, seizure, and coma.

**MDMA/Molly/Ecstasy** - A synthetic, psychoactive drug that has similarities to both the stimulant amphetamine and the hallucinogen mescaline. MDMA is an abbreviation of the scientific name *3, 4-methylenedioxy-methamphetamine*. Can cause lowered inhibition; enhanced sensory perception; confusion; depression; sleep problems; anxiety; increased heart rate and blood pressure; muscle tension; teeth clenching; nausea; blurred vision; faintness; chills or sweating; sharp rise in body temperature leading to liver, kidney, or heart failure and death

**Methamphetamine** - An extremely addictive stimulant amphetamine drug. Can cause Increased wakefulness and physical activity; decreased appetite; increased breathing, heart rate, blood pressure, temperature; irregular heartbeat. Other effects include anxiety, confusion, insomnia, mood problems, violent behavior, paranoia, hallucinations, delusions, weight loss, severe dental problems (“meth mouth”), and intense itching leading to skin sores from scratching.

**Marijuana** - THC is the psychoactive chemical in this plant. It can cause increased heart and pulse rate, increased appetite, an altered sense of time, impaired memory and decreased concentration, reaction time and coordination.

**Synthetic Cannabinoids** - A wide variety of herbal mixtures containing man-made cannabinoid chemicals related to THC in marijuana but often much stronger and more dangerous. Sometimes misleadingly called “synthetic marijuana” and marketed as a “natural,” “safe,” legal alternative to marijuana. Can cause increased heart rate; vomiting; agitation; confusion; hallucinations, anxiety, paranoia; increased blood pressure and reduced blood supply to the heart; and heart attack.

**Synthetic Cathinones/Bath Salts** - An emerging family of drugs containing one or more synthetic chemicals related to cathinone, a stimulant found naturally in the khat plant. Examples of such chemicals include mephedrone, methylone, and 3, 4-methylenedioxypropylone (MDPV). Can cause increased heart rate and blood pressure; euphoria; increased sociability and sex drive; paranoia, agitation, and hallucinations; psychotic and violent behavior; nosebleeds; sweating; nausea, vomiting; insomnia; irritability; dizziness; depression; suicidal thoughts; panic attacks; reduced motor control; and cloudy thinking.

**Hallucinogens** - This classification of psychoactive drugs include LSD, Psilocybin, Ketamine, Saliva, Peyote, PCP, and other amphetamine-based derivatives. Use of these drugs can create

visual hallucinations, altered perception of one's own body, agitation, paranoia, and hyperactivity.

**Heroin** - An opioid drug made from morphine, a natural substance extracted from the seed pod of the Asian opium poppy plant. Can cause euphoria; warm flushing of skin; dry mouth; heavy feeling in the hands and feet; clouded thinking; alternate wakeful and drowsy states; itching; nausea; vomiting; slowed breathing and heart rate. Other health effects: collapsed veins; abscesses (swollen tissue with pus); infection of the lining and valves in the heart; constipation and stomach cramps; liver or kidney disease; pneumonia.

**Prescription Opioids** - Pain relievers with an origin similar to that of heroin. Opioids can cause euphoria and are often used nonmedically, leading to overdose deaths. Can cause pain relief, drowsiness, nausea, constipation, euphoria, confusion, slowed breathing, and death.

**Prescription Sedatives** - Medications that slow brain activity, which makes them useful for treating anxiety and sleep problems. Can cause Drowsiness, slurred speech, poor concentration, confusion, dizziness, problems with movement and memory, lowered blood pressure, and slowed breathing.

**Prescription Stimulants** - Medications that increase alertness, attention, energy, blood pressure, heart rate, and breathing rate. May cause increased alertness, attention, energy; increased blood pressure and heart rate; narrowed blood vessels; increased blood sugar; opened-up breathing passages. High doses can lead to dangerously high body temperature and irregular heartbeat; heart failure; and seizures.

**Solvents/Inhalants** - Solvents, aerosols, and gases found in household products such as spray paints, markers, glues, and cleaning fluids; also nitrites (e.g., amyl nitrite), which are prescription medications for chest pain. This activity brings about a feeling of lightheadedness, euphoria, loss of appetite, forgetfulness, headache, nausea, flush, dizziness and possibly death by heart or respiratory failure.

**Tobacco** - Plant grown for its leaves, which are dried and fermented before use. Can greatly increase risk of cancer, especially lung cancer when smoked and oral cancers when chewed. Other effects include chronic bronchitis; emphysema; heart disease; leukemia; cataracts; pneumonia.

## Annual Fire Safety Report

### WSU Winona Campus

The Higher Education Opportunity Act (HEOA) was signed into law in August 2008 and contains several crucial campus safety components. One of the main provisions of the HEOA is the Campus Fire Safety Right-to-Know Act. This provision calls for all Title IV eligible institutions that participate in Title IV programs and maintain on-campus student housing facilities to publish an annual fire safety report that outlines fires safety systems, policies, practices, and statistics. The following report discloses all information required by HEOA as it relates to WSU.

#### On-campus Student Housing Fire Safety Systems

Residential Facilities	Fire Alarm Monitoring (By Whom)	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plans and Placards	Number of Evacuation Drills (Calendar year/Semester)
Alumni House	Custom Alarm		X	X	X	2022-4
Conway Hall	Custom Alarm		X	X	X	2022-4
East Lake Building A, B, C, D	Custom Alarm	X	X	X	X	2022-4
Haake Hall	Custom Alarm	X	X	X	X	2022-3
Kirkland Hall	Custom Alarm	X	X	X	X	2022-3
Lucas Hall	Custom Alarm		X	X	X	2022-3
Morey Hall	Custom Alarm	X	X	X	X	2022-4
Prentiss Hall	Custom Alarm		X	X	X	2022-3
Richards Hall	Custom Alarm		X	X	X	2022-4
Sheehan Hall	Custom Alarm	X	X	X	X	2022-3
Shepard Hall	Custom Alarm	X	X	X	X	2022-4
Sustainability House	Custom Alarm		X	X	X	2022-4

**Statistics and Related Information Regarding Fires in Residential Facilities  
2022-2020**

Winona Campus 2022

Residential Facilities (Name and Address)	Total Number of Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
Alumni House: 227 West 7th St. Winona, MN 55987	0	0	0	0	0	0
Conway Hall: 403 Winona St. Winona, MN 55987	0	0	0	0	0	0
East Lake Building A: 630 Franklin St. Winona, MN 55987	0	0	0	0	0	0
East Lake Building B: 634 Franklin St. Winona, MN 55988	0	0	0	0	0	0
East Lake Building C: 636 Franklin St. Winona, MN 55989	1	1	unintentional	0	0	\$0-99
East Lake Building D: 640 Franklin St. Winona, MN 55990	0	0	0	0	0	0
Haake Hall: 263 West 11th St. Winona, MN 55987	0	0	0	0	0	0
Kirkland Hall: 223 West 11th St. Winona, MN 55987	0	0	0	0	0	0
Lucas Hall: 275 West 10th St. Winona, MN 55987	1	1	unintentional	0	0	\$0-99
Morey Hall: 261 West 8th St. Winona, MN 55987	0	0	0	0	0	0
Prentiss Hall: 265 West 9th St. Winona, MN 55987	0	0	0	0	0	0
Richards Hall: 404 Huff St. Winona, MN 55987	0	0	0	0	0	0
Sheehan Hall: 264 West 11th St. Winona, MN 55987	0	0	0	0	0	0
Shepard Hall: 413 Winona St. Winona, MN 55987						
Sustainability House: 377 Main St. Winona, MN 55987	0	0	0	0	0	0

## Winona Campus 2021

Residential Facilities (Name and Address)	Total Number of Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
Alumni House: 227 West 7th St. Winona, MN 55987	0	0	0	0	0	0
Conway Hall: 403 Winona St. Winona, MN 55987	0	0	0	0	0	0
East Lake Building A: 630 Franklin St. Winona, MN 55987	0	0	0	0	0	0
East Lake Building B: 634 Franklin St. Winona, MN 55988	0	0	0	0	0	0
East Lake Building C: 636 Franklin St. Winona, MN 55989	0	0	0	0	0	0
East Lake Building D: 640 Franklin St. Winona, MN 55990	0	0	0	0	0	0
Haake Hall: 263 West 11th St. Winona, MN 55987	0	0	0	0	0	0
Kirkland Hall: 223 West 11th St. Winona, MN 55987	0	0	0	0	0	0
Lourdes Hall: 467 Gould St. Winona, MN 55987	0	0	0	0	0	0
Maria Hall: 455 Hilbert St. Winona, MN 55987	0	0	0	0	0	0
Morey-Shepard Hall: 256 West 9th St. Winona, MN 55987	0	0	0	0	0	0
Prentiss-Lucas Hall: 265 West 9th St. Winona, MN 55987	0	0	0	0	0	0
Richards Hall: 404 Huff St. Winona, MN 55987	0	0	0	0	0	0
Sheehan Hall: 264 West 11th St. Winona, MN 55987	0	0	0	0	0	0
Sustainability House: 377 Main St. Winona, MN 55987	0	0	0	0	0	0
Tau Center Hall: 511 Hilbert St. Winona, MN 55987	0	0	0	0	0	0

## Winona Campus 2020

Residential Facilities (Name and Address)	Total Number of Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
Alumni House: 227 West 7th St. Winona, MN 55987	0	0	0	0	0	0
Conway Hall: 403 Winona St. Winona, MN 55987	0	0	0	0	0	0
East Lake Building A: 630 Franklin St. Winona, MN 55987	0	0	0	0	0	0
East Lake Building B: 634 Franklin St. Winona, MN 55988	0	0	0	0	0	0
East Lake Building C: 636 Franklin St. Winona, MN 55989	0	0	0	0	0	0
East Lake Building D: 640 Franklin St. Winona, MN 55990	0	0	0	0	0	0
Haake Hall: 263 West 11th St. Winona, MN 55987	0	0	0	0	0	0
Kirkland Hall: 223 West 11th St. Winona, MN 55987	0	0	0	0	0	0
Lourdes Hall: 467 Gould St. Winona, MN 55987	0	0	0	0	0	0
Maria Hall: 455 Hilbert St. Winona, MN 55987	0	0	0	0	0	0
Morey-Shepard Hall: 256 West 9th St. Winona, MN 55987	0	0	0	0	0	0
Prentiss-Lucas Hall: 265 West 9th St. Winona, MN 55987	0	0	0	0	0	0
Richards Hall: 404 Huff St. Winona, MN 55987	0	0	0	0	0	0
Sheehan Hall: 264 West 11th St. Winona, MN 55987	0	0	0	0	0	0
Sustainability House: 377 Main St. Winona, MN 55987	0	0	0	0	0	0
Tau Center Hall: 511 Hilbert St. Winona, MN 55987	0	0	0	0	0	0

## **Fire Safety Policies:**

At WSU, all residence halls are completely covered by a fire alarm system, which is monitored 24 hours/day, seven days/week. The University is also equipped with an emergency generator that is designed to automatically activate whenever there is a power loss. This generator will operate life safety systems including all fire safety equipment, sprinkler systems, hallway lightings, emergency exit doors and lighting in all emergency exit stairwells.

All residence life and security staff receive fire safety training at the beginning of the academic school year. In addition, a quality control program that covers emergency and evacuation procedures is reviewed regularly. Information regarding fire safety and evacuation procedures can be located in campus preparedness charts located throughout the residence halls and at the WSU Security Web Site. Every student room has an emergency evacuation map installed on the inside of the front door as well, to direct occupants to primary and secondary exits, and locations of fire extinguishers. Fire drills are conducted four times per year in all residence halls.

WSU continues to be proactive with respect to fire safety and encourages all members of the campus community to report fire safety issues immediately to their respective hall director, residence life staff or Facilities.

Any member or group within the University community requesting specific training and/or information regarding fire safety may contact Residence Life and/or WSU Security.

## **Fire Prevention Related Policies**

It is the policy of WSU to provide faculty, staff, students, and visitors with the safest possible environment, free from potential fire hazards. The primary goal of the University's Fire Prevention Program is to recognize hazardous conditions and take appropriate action before such conditions result in a fire emergency. This goal is accomplished by (1) conducting periodic fire safety inspections of all University buildings, and (2) increasing the fire safety awareness of employees and students by conducting periodic training on basic fire safety.

To minimize the potential for fires at WSU it is the policy of WSU to prohibit the use of the following items in any University owned or operated facility (unless in accordance with other University policies and procedures, and/or by the authority having jurisdiction); candles, appliances with exposed heating elements, combustible materials, (including holiday trees) may not be stored in residence halls, access to windows and doorways may not be obstructed (a minimum of 36 inches must be allowed for egress), items may not be hung from, or attached to sprinkler pipes, items posted on room doors may cover no more than 15% of the door, and extension cords cannot be used without surge protectors and can only be used in a manner that matches fire code regulations.

Burning candles and incense in the residence halls is prohibited. Candles in a room must have the wick cut off or not be burned. For safety reasons, electric candle warmers are not allowed. Note: You are responsible for any fire alarms, damages, cleaning or painting charges associated with misuse of candles or candle warmers.

In order to protect and possibly save your life and the lives of others you must assume that there is a fire when the alarm sounds. All students must evacuate the building when a fire alarm is sounded. Failure to evacuate during an alarm will subject the student to university disciplinary action. Students should leave their rooms prepared to go outside and should not return until instructed by the University or emergency personnel.

Tampering with fire alarm systems hinders their efficiency and endangers the safety of all residents. All cases of tampering are investigated, and those found responsible may face immediate termination of their Housing contact, suspension from WSU, and criminal charges subject to a maximum penalty of \$1,000 or 90 days in jail.

All residence halls are equipped with a Notifier Fire Alarm Detection System and are monitored 24/7 by Custom Alarm. Residence Halls with a sprinkler system include Haake Hall, Kirkland Hall, Sheehan Hall, East Lake Apartments (A, B, C, D) and Morey/Shepard Hall.

Member of the campus community wishing to participate in fire suppression and detection training may do so by contacting the Safety Director at 507-457-5082 or by email at [epaulson@winona.edu](mailto:epaulson@winona.edu). Members of the campus community are encouraged to report all fires and fire safety hazards to at least one of the following individuals: Hall Director, Resident Assistant, Director of Housing, Director of Security or the Safety Director.

WSU continues to monitor trends related to residence hall fire incidents and alarms to provide a safe living environment for all students. New programs and policies are developed as needed to help ensure the safety of all students, faculty, and staff. Sprinkler systems are installed in residence halls (not currently equipped) as they are remodeled.

The Winona Fire Department provides annual training to Residence Life and Security staff in fire prevention and safety.

### **Policies or Rules on Portable Electrical Appliances, Smoking and Open Flames**

The following are prohibited items (e.g., sources of open flames, such as candles; non-surge protected extension cords; halogen lamps; portable cooking appliances in non-kitchen areas; etc.) or prohibited activities (e.g., smoking in the room; tampering with life safety equipment; possession of pets; etc.).

For your own safety and the safety of others, residents are expected to maintain their rooms in an orderly manner at all times in compliance with the following fire regulations:

1. Unattended cooking is not allowed in rooms or kitchens.
2. Use of open flame cooking devices or hot plates is not allowed in rooms.
3. Microwave ovens, popcorn poppers, toasters, coffee pots or other such devices should not be used under lofts and/or near flammable materials.
4. Light bulbs should be used in approved lamps or holders and be of proper wattage for the device; excessive wattage may result in a fire.

5. Light fixtures must not be tampered with in any way, and items which might serve as conductors of electricity should not be hung from them.
6. Room doors must be able to fully open and be self-closing. Room doors must be closed when the room is left unattended, or the residents of the room are sleeping. Closet doors may not be removed.
7. An emergency aisle of at least 22 inches must be maintained within the room.
8. When arranging furniture, consideration must be taken so that if tipped over, items do not block the door.
9. Kitchen doors must not be propped open.
10. Use power strips/surge protectors with breakers instead of octopus plugs or extension cords. Multi plugs or extension cords are not allowed.
11. Power strips/surge protectors must be unplugged after use and should not be placed under carpet or attached to, woven through or touching metal in any manner.
12. Students are responsible for notifying a Residence Life staff immediately after identifying problems with smoke detectors.
13. Anyone caught tampering with smoke detectors or fire alarms may face criminal charges.
14. Portable heaters are prohibited in student rooms/apartments.
15. Motorbikes or other motorized vehicles may not be stored in students' rooms or in any residential community.
16. Excessive use of paper on walls is not permitted.
17. Wastebaskets are provided in students' rooms. Garbage receptacles should not be taken from other areas of the hall into students' rooms.
18. Highly combustible materials such as propane, gas, lighter fluid, helium, grills, charcoal and firewood are prohibited.

**Candles:** Candles may not be burned in any residential areas, including student rooms, due to potential fire hazards. New/unburned candles are permitted for decorative purposes only.

**Burning of Incense, Sage, Sweet Grass, or Cedar:** Incense, sage, sweet grass, cedar, hookahs and similar items are not allowed to be burned in residential communities. An exception for the sole purpose of religious ceremony may be granted with prior approval from your Residence Hall Director within three working days. All requests must be in writing, and student should expect a written response within one business day.

**Fire Safety Education:** the following are required fire safety education activities:

**Fire Drills:** As required by state law, four fire drills are scheduled for each academic year. These fire drills are unannounced to provide a realistic practice situation. Failure to evacuate during a fire drill or false alarm could result in prosecution. Failure to evacuate will also subject a student to Residential Life disciplinary procedures.

**Fire Safety Equipment:** Fire extinguishers are located throughout each building for the protection of the residents. Misuse of fire extinguishers including breaking or smashing the fire extinguisher glass will result in disciplinary action by the Department of Housing and Residence

Life and/or referral to appropriate authorities. State law requires WSU to provide smoke detectors and smoke alarms in each residence hall room/apartment. It is a misdemeanor punishable by 90 days in jail and/or a \$1000 fine to either remove the batteries or alarm from its location. While this represents a violation of state law, it also poses a threat to the safety of students living in the residential community and will be considered a violation of the Student Code of Conduct. Most rooms also have a sprinkler system that will automatically turn on in case of fire. The system will continue to operate until turned off by campus personnel or the fire department. This system can be accidentally activated when hit by an object; therefore, take proper precautions not to accidentally bump the system. There must be at least an 18-inch clearance under and around the sprinkler, with no objects placed on or near it. Students will be held financially responsible for costs associated with damage to the sprinkler system. Vandalism/damages may result in disciplinary action including possible suspension and/or removal from the Residence Life program (as well as restitution).

If you hear an alarm:

1. Close windows, open curtains, and turn on lights.
2. Check for heat on door and then open slowly and check for smoke.
3. If smoke is thick and/or fire is present, remain in your room with the door closed. Block air vents and door crack with towel or clothing. Call Security at 457-5555 and identify yourself and your location.
4. If smoke is absent, exit the building using the nearest exit. Close your door when you leave.
5. Stand away from the building and do not re-enter until the all-clear is given by Residence Life staff, Winona State University Security staff or civil authorities.

If you see a fire:

1. Pull alarm in hallways.
2. Call 911.
3. Exit the building. Evacuation procedures are posted in each building.

## **Reporting Fires**

Per federal law, Winona State University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Therefore, if you encounter a live fire in one of these facilities, you should immediately get to a safe place, then dial 911. Once the emergency has passed, you should notify Winona State University Security at 507-457-5555 to investigate and document the incident for disclosure in the University's annual fire statistics.

If a member of the WSU community finds evidence of a fire that has been extinguished, and the person is not sure whether Winona State University Security has already responded, the community member should immediately notify Winona State University Security at 507-457-5555 to investigate and document the incident for disclosure in the University's annual fire statistics.

Regardless of 911 reports, all fires that occur on Winona State University campus property should be reported to Winona State University Security.

## **Fire Log**

Institutions must maintain a fire log that reflects the nature of the fire, date, time, and general location of each fire in on-campus student housing facilities. Winona State University complies with this rule by including all fire related incidents in the Daily Crime & Fire Log. Winona State University Security maintains a Daily Crime & Fire Log of all incidents reported.

This log includes the incident type, date incident is reported, date and time of occurrence, general location of each reported incident type and the disposition of the incident if that information is known. University Security posts specific incidents in the Fire Log within two (2) business days of receiving a report of an incident and reserves the right to exclude reports from a log in certain circumstances as permitted by law. The most current (up to 60 days) of information is available in Security located in Sheehan Hall, 457-5555.

### **Procedures Students and Employees Should Follow in Case of a Fire**

- Should you see or smell smoke immediately pull the nearest fire alarm, leave the building, and contact the Winona Fire Department (911) from a safe area. Be prepared to give the following information:
  - Location of fire
  - Building and room number (if known)
  - Your name and telephone number
  - Stay on the line until the dispatcher releases you
- The person reporting the fire should remain in the vicinity outside the building to supply information upon request to the Winona Fire Department.
- Always take fire alarms seriously. When a fire alarm has been activated, everyone has to evacuate the building immediately.
- NOTE: Persons who do not leave the building when a fire alarm is sounded may be subject to disciplinary action and/or possible criminal charges.
- Evacuate all rooms, closing all doors to confine the fire. Do not lock doors. Check doors for heat before opening. Open doors slowly and check for smoke.
- Fire doors leading into stairwell landings should be closed.
- Do not attempt to put out a fire if you are endangering your own safety or the safety of others.
- Do not use elevators. Power may fail causing the elevators to stop between floors or elevator doors may open onto the fire floor.

- Disabled persons who are unable to move down the stairwells should move to a stairwell. Caution should be used as to not block traffic.
- Immediately notify rescue personnel of any persons left in the building along with their locations.

NOTE: If you become trapped in a building during a fire and a window is available place an article of clothing outside the window as a marker for rescue personnel. If there is not a window, stay near the floor where the air quality may be better. Seal up the cracks around the door using pieces of clothing or whatever is handy. Shout at regular intervals to alert emergency personnel of your location.

CAUTION: Building fire alarms may stop ringing. If they stop, do not return to the building unless notified by the Winona Fire Department or WSU Security.

## Evacuation Procedures

### 1. Building Evacuation

- All building evacuations will occur when a fire alarm is sounded and/or upon notification from Maintenance, Security, or Administration. (Refer to exception for an Active Shooter).
- When a fire alarm is activated during an emergency, exit using the nearest marked exit and alert others to do the same. If emergency personnel direct you to another exit based on the type of emergency, follow their directions.
- Do not use elevators in case of fire, tornado, or earthquake.
- Once outside, proceed to a clear area that is at least 500 feet away from the affected building(s). Keep streets, fire lanes, hydrants, and walkways clear for emergency vehicles and personnel. Evacuate further if directed by emergency personnel.
- Do not return to an evacuated building until an all clear is given by emergency personnel.

### 2. Shelter-in-Place

- One of the instructions you may be given in an emergency where hazardous materials may have been released into the atmosphere is to shelter-in-place. This is a precaution aimed to keep you safe while remaining indoors. (This is not the same as going to a shelter in the event of a storm or tornado). Shelter-in-Place means selecting a small, interior room with no or few windows, and taking refuge there.

Depending on the type of emergency and directives received from authorities and emergency personnel the following options are available depending upon the emergency and/or disaster.

- Closing of the University and activation of the University's Crisis Plan.
- Follow reverse evacuation procedures and bring students, faculty, and staff inside.

- Monitor television, radio, and other forms of communication for information regarding the threat/emergency and follow their directions.
- Bring everyone in the building. Shut and lock the door.
- Gather emergency supplies if possible.
- Close windows, secure doors, and duct tape if told to do so.

### 3. Evacuation for People with Disabilities

The most important factor in emergency planning for people with disabilities is advanced planning.

- A. In all emergencies after an evacuation is ordered evacuate people with disabilities if possible.
- Do not use elevators, unless directed to do so by police or fire personnel. Elevators can fail in certain situations.
  - If situation is life threatening call the police/fire departments immediately (911).
  - Check on people with special needs during an evacuation. A buddy system, where people with disabilities arrange for volunteers to alert them and assist them in an emergency is a good method.
  - Always ask someone with a disability how you can help before attempting any rescue technique or providing assistance. Ask how they can best be assisted or moved and whether there are any special considerations or items that need to come with the person.
  - If you are unable to evacuate a disabled person, contact law enforcement or fire personnel and be able to provide them with the person's location that needs assistance in evacuating.
  - **Students should inform faculty members of their special needs regarding evacuation, especially prior to an emergency or disaster.**
- B. Response to emergencies (blindness and visual impairment)
- Offer to lead them out of the building to safety.
  - Give verbal instructions about the safest route or direction using compass directions, estimate distances, and directional terms.

- Do not grasp a visually impaired person's arm. Ask if they would like to hold onto your arm as you exit, especially if there is debris or a crowd.
- C. Response to emergencies (deafness or hearing loss).
- Get the attention of a person with a hearing disability by touch and eye contact. Clearly state the problem. Gestures and pointing are helpful but be prepared to write a brief statement if the person does not seem to understand.
  - Offer visual instructions to advise of safest route or direction by pointing toward exits or evacuation maps.
- D. Response to emergencies (mobility impairment).
- It may be necessary to clear the exit route of debris (if possible) so that the person with a disability can move out or to a safer area.
  - If people with mobility impairments cannot exit, they should move to a safer area for example:
    - Most enclosed stairwells
    - An office with the door closed, which is a good distance from the hazard
  - Notify police or fire personnel immediately about any people remaining in the building and their locations.
  - Police or fire personnel will decide whether people are safe where they are and will evacuate them as necessary.
  - If people are in immediate danger and cannot be moved to a safer area to wait for assistance, it may be necessary to evacuate them using an evacuation chair or a carry technique.

## Evacuation

In the event a limited or mass evacuation of any part of WSU, officials will instruct members of the campus community where to evacuate to and/or what staging areas will be used to coordinate transportation to safe areas. There are several designated staging areas which are listed within this manual that members of the campus community are encouraged to become familiar with them. However, these areas may change depending on the nature and extent of the emergency and/or disaster.

The Incident Commander and/or emergency personnel will coordinate the evacuation of members of the campus community to designated safe areas.

On limited evacuations faculty, staff and students may be directed to safe areas outside the affected building and/or area. WSU Security will allow those displaced members access to facilities, when necessary, based on inclement weather, special needs, etc.

Buildings (mentioned below) located next to the staging areas will become part of the staging areas, if possible, to provide shelter and comfort until individuals can be transported to safe areas.

### Designated Staging Areas:

#### A. Main Campus

- Kryzsko Commons (west side)
- Memorial Hall (Main Street)

#### B. East Lake Apartments

- Building A (west side of building)

#### C. Wabasha Hall

- North entrance, main level, Wabasha Street (7<sup>th</sup> Street).

Please note that the location of staging areas may change based on the extent and nature of the emergency/disaster. Members of the campus community will be directed to the above and/or alternate staging areas by emergency personnel and/or University officials when appropriate.

### Evacuation – Levels (I, II, & III)

WSU has several forms of transportation that will be provided to transport members of the campus community to safe areas in the event of a disaster and/or emergency. The method and source of the transportation will depend on the extent and nature of the emergency, specific needs and number of individuals to be transported.

- Level I Evacuation

Level I involves a limited evacuation of a specific building and/or area with a population that is relatively small. WSU Security, Facilities Services and/or WSU Shuttle Services will be used to transport and/or direct members of the campus community to safe areas.

- Level II Evacuation

Level II involves a larger scale evacuation of buildings and individuals to safe areas. Depending on the nature and extent of the emergency all resources used during a Level I evacuation will be used along with Transit Buses from the City of Winona and/or buses from Philip's Bus Service.

- Level III Evacuation

Level III evacuations are generally required when many buildings are affected, entire campuses, and/or a large amount of people need to be moved. All resources available to the University may be used in the event of a Level III evacuation.

### **Evacuation-Buses**

In the event additional assistance is needed in evacuating members of the campus community the following options are available to move students, faculty, staff, and visitors to safe areas.

WSU, in agreement with the City of Winona, will use buses in the event their services are needed to evacuate students, faculty and staff. If an evacuation is ordered and buses are needed the University will contact the Winona Police Department. The police shall be informed that Transit Buses are needed for an evacuation, the number of buses needed, the number of individuals to be evacuated, and the location of the staging area.

### **Lockdowns**

A lockdown is an emergency course of action ordered by a person or persons in command, such as law enforcement, WSU administration, etc. to contain a problem or incident within the area of origin by controlling the movement of people. When considering a lockdown of campus facilities, campus authorities will consider the severity and urgency of the problem or threat and the imminent danger to persons on the campus.

When a lockdown is ordered members of the campus community are encouraged to take appropriate action immediately. The university may use several different options in making notification to the campus community.

### **Plans for Improvement to Fire Safety**

The university does not have any planned improvements in fire safety at this time.

## Appendix 1

### Definitions

**Employee.** "Employee" means any individual employed by Minnesota State Colleges and Universities, its colleges and universities and the system office, including student employees.

**Firearm.** "Firearm" means a gun, whether loaded or unloaded, that discharges shot or a projectile by means of an explosive, a gas or compressed air.

**Pistol.** Means a weapon as defined in Minnesota Statutes section [624.712, subd. 2](#)

**Employee.** "Employee" means any individual employed by WSU, including student workers.

**Student.** The term "student" includes all persons who:

- Are enrolled in one or more courses, either credit or non-credit, through a college or university.
- Withdraw, transfer or graduate, after an alleged violation of the student conduct code;
- Are not officially enrolled for a particular term but who have a continuing relationship with the university; or
- Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid; or
- Are not university employees and are not enrolled in the institution but live in a university residence hall.

**Campus property.** "Campus property" means the facilities and land owned, leased, or under the primary control of Minnesota State), Minnesota State Colleges and Universities, its Board of Trustees, and system office.

**Visitor.** "Visitor" means any person who is on campus property but does not include (1) an employee of the Minnesota State Colleges and Universities acting in the course and scope of their employment; or (2) a student, when that student is on campus property.

No person is permitted to carry or possess a firearm on campus property except as provided in this policy.

### Employees.

1. Prohibition. Employees are prohibited from possessing or carrying a firearm while acting in the course and scope of their employment, either on or off campus property, regardless of whether the employee has a permit to carry a firearm, except as otherwise provided in this policy.

2. Employee reporting responsibility. An employee with a reasonable basis for believing an individual is in possession of or carrying a firearm in violation of this policy has a responsibility to report the suspected act in a timely manner, unless doing so would subject the employee or others to physical harm. Reports should be made to the official designated in the applicable policy included in this report. This policy shall not prohibit prompt notification to appropriate law enforcement authorities when an immediate threat to personal safety exists. Employees shall not make reports of a suspected violation knowing they are false or in reckless disregard of the truth.

**Students.** Students are prohibited from possessing or carrying a firearm while on campus property, regardless of whether the student has a permit to carry a firearm, except as otherwise provided in this policy.

**Visitors.** Visitors are prohibited from possessing or carrying a firearm while on system property, except as otherwise provided in this policy.

**Exceptions.** The following are exceptions to this policy:

**Parking areas.** This policy does not prohibit the lawful possession or carry of firearms in a parking area or parking facility.

**Authorized uses.** This policy does not prohibit:

1. Lawful possession or carry related to an academic use or use at a campus shooting range, such as law enforcement programs, approved in writing by the college or university president; or
2. Transport of an unloaded firearm directly between a parking area or parking facility and the location authorized for its use, or transport of an unloaded firearm directly between a parking area or parking facility and a storage facility provided by the college or university.
3. Possession or carry of a pistol by a visitor who has a lawful permit to carry a pistol pursuant to Minnesota Statutes section [624.714, subd. 1a](#) (Minn State [Policy 5.21 Possession or Carry of Firearms](#)).
4. Possession or carry of a firearm by a licensed peace officer under Minnesota Statutes section [626.84, subd. 1\(c\)](#) or by a qualified law enforcement officer pursuant to 18 United States Code section 926B when possession or carry is otherwise authorized by law.

**Violations.** Violations of this policy by students or employees are misconduct subject to discipline, up to and including expulsion or termination.

**Referral to Law Enforcement.** Winona State University may refer suspected violations of weapons law to appropriate law enforcement authorities and provide access to investigative or other data as permitted by law.

## Appendix 2

### Clery Act Reportable Crime Terms & Definitions

**Murder and Non-negligent Manslaughter:** the willful (non-negligent) killing of one human being by another. Any death caused by injuries received in a fight, argument, quarrel, assault or the commission of a crime.

**Manslaughter by Negligence:** the killing of another person through gross negligence. Any death caused by the gross negligence of another.

**Sex Assault (Sex Offenses):** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

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

**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.

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

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

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

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

### Clery Act Reportable Hate Crimes

**Hate Crimes:** A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. The categories of bias, under the Clery Act, are race, religion, sexual orientations, gender, gender identity, ethnicity, national origin, disability.

- **Larceny-Theft:** the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
- **Simple Assault:** an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Intimidation:** to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to an actual physical attack.
- **Destruction/Damage/Vandalism of Property:** is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

### Violence Against Women Act (VAWA) Offenses

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

## Appendix 2 cont.

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

**Domestic Violence:** A felony or misdemeanor crime of violence committed—By a current or former spouse or intimate partner of the victim; By a person with whom the victim shares a child in common; By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or

anguish that may but does not necessarily require medical or other professional treatment or counseling.

### **Arrests and Disciplinary Referrals for Violation of Weapons, Drug Abuse and Liquor Laws**

**Arrest:** Persons processed by arrest, citation, or summons.

**Referred for Disciplinary Action:** The referral of any person to any official who initiates a disciplinary action to which a record is established, and which may result in the imposition of a sanction.

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

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

**Weapons Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.