



Annual Security Report 2015

To Wesleyan community members (students, faculty, staff and guests)

Nebraska Wesleyan University's primary concern is the safety and security of all members and guests of the campus community. Therefore, Nebraska Wesleyan prepares and submits an ASR (Annual Security Report) in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (20 USC 1092(f)). This Act is the federal law, originally known as the Campus Security Act that requires colleges and universities across the United States to disclose information about crime on and around their campuses that are designated as Clery reportable. The law is tied to an institution's participation in federal student financial aid programs and it applies to most institutions of higher education both public and private. The Act is enforced by the United States Department of Education.

Definitions of Clery Reportable Crimes

Murder & Non-Negligent Manslaughter: The willful killing of one human being by another.

Negligent Manslaughter: Killing of another person through gross negligence.

Rape: 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.

Sex Offenses: Sex offenses can involve sexual penetration and consent or involve no sexual penetration and no consent. Depending on the nature of the crime and the extent of injury, agencies could classify this offense as an assault. This classification includes all sex offenses except rape (as newly defined), prostitution and commercialized vice. Agencies must include in this classification any sex offense not included in rape (e.g. fondling, adultery).

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

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

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, aircraft or personal property of another.

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

Drug Abuse 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, growing, manufacturing, making, and use of narcotic drugs.

Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages

Referrals for Disciplinary Action: The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction. Only referrals that are alleged violations of law not merely campus policy are put on the Clery report. However, remember we also have a daily crime report where all crimes and incidents are recorded.

Domestic Violence: A felony or misdemeanor crime of violence committed by;

- a current or former spouse or intimate partner of the victim,
- a person with whom the victim shares a child in common,
- a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving monies (under VAWA) or
- 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

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; and
- where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - the length of the relationship;
 - the type of relationship; and
 - the frequency of interaction between the persons involved in the relationship

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to;

- fear for his or her safety or the safety of others; or
- suffer substantial emotional stress

Hate Crimes: Any of the above crimes plus the four crimes listed below that manifest evidence that the victim/victims were intentionally selected because of the perpetrator's bias.

- Larceny/Theft: The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.
- Simple Assault: The attack by one person on another without weapon, no obvious severe or aggravated bodily injury.
- Intimidation: Place a person in reasonable fear of bodily harm through the use of threatening words/other conduct without displaying a weapon or subjecting the victim/victims to actual physical attack.
- Destruction/Damage/Vandalism of Property: To willfully and maliciously destroy, damage, deface or otherwise injure real or personal property without owner's consent or the person who has control or custody of it.

About the Annual Security Report

The ASR is prepared by the CSACs (Campus Security Authority Coordinators) in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (20 USC 1092(f)). This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and alternate sites and the divisions of Student Life and Finance and Administration. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Campus crime/incident arrest and referral statistics include those reported to the CSAC by CSAs (Campus Security Authorities) designated campus officials (including [but not limited to] directors, department heads,

designated staff, judicial officials, advisors to students and/or student organizations, athletic coaches), local law enforcement agencies and Victims. The University's Clinical Counselors and Minister inform their student clients of the voluntary and confidential procedure to report their incident to the CSAC to be included in the ASR, when they feel it is appropriate to do so. A confidential procedure is in place to anonymously capture crime statistics disclosed confidentially.

The report can be found on the Nebraska Wesleyan University's web site where it is located on the Campus Security web page. In addition, each year, an e-mail notification of the report is sent to all enrolled students, faculty and staff to provide the web site to access the report. All new employees receive the report as a part of new hire orientation, along with the web site location on the Campus Security web page. Employees who do not work with a computer as part of their job function receive a paper copy of the report.

All prospective students and their parents can obtain a copy of the report from the Admissions Office room 207 in Smith Curtis (the main administration building). All candidates for positions receive a link to the report on the Nebraska Wesleyan University's web site. Information is also provided in the Student Handbook, which is distributed to students and employees in the fall semester by the Student Life Office and Mail Center.

Emergency Reporting and Procedures

Emergency Reporting of a Crime/Incident

If a crime/incident is in progress or just happened, call 911 and report the situation to LPD (Lincoln Police Department). Follow-up all calls to 911 with a call to the CSO (Campus Security Officer) at 402 432-9238. The Security phone is covered 24/7 and CSOs respond to all reported crimes/incidents on campus. When reporting any type of crime/incident, be prepared to provide the following information: location, time, type of crime/incident and any description of individuals involved. Also identify yourself and the telephone number where you can be reached. It is important to report crimes/incidents promptly so Nebraska Wesleyan can follow up/issue a timely warning or emergency notification if necessary.

Please note there are five emergency phones with a blue light on top throughout campus to call 911. They are located in the following areas one on the northeast side of the Rogers Fine Arts building, the southeast side of the Knight Fieldhouse, the southwest side of Heim Hall, between Lucas Hall and Smith Curtis also in parking lot number two. Please note when using any on-campus land line you need to dial a nine first.

Timely Warning Procedures

In the event a crime/incident that has already occurred is reported to the University or LPD, that in the judgment of the University constitutes a serious and continuing threat to the campus community and is a Clery reportable crime/incident a timely warning will be issued through the *Wesleyan Alert System* as soon as pertinent information is available. Persons reporting an incident warranting a timely warning are never identified. Please note a timely warning may not be sent if reported to University Clinical Counselors, University Minister or privileged information protected by state law.

A hard copy of the timely warning will be kept in the Clery Act file along with a copy of the incident report for why the timely warning to be issued.

Emergency Notification Procedures

In the event a crime/incident that is in progress or imminently threatening the campus community is reported to the University or LPD an emergency notification will be issued through the *Wesleyan Alert System* without delay. Please note an emergency notification may be withheld if it could compromise efforts for a favorable outcome.

Emergency notification will be determined using three response levels:

- Heightened Alert: Be aware of your surroundings; report any suspicious activity.
- Stay in Building: Continue your activities, but do not leave the building. If you are outdoors, please go to the nearest building.
- Lockdown: Imminent danger. Secure or lock your doors if possible. If an alarm sounds in your building, evacuate.

Please keep in mind that each situation will be different. The University cannot anticipate every possible crisis situation. In the event of an emergency, stay calm and use your best judgment to keep yourself and others safe.

The Higher Education Opportunity Act requires institutions to provide a statement of current campus policies regarding emergency response and evacuation procedures, and to have a policy in place to immediately notify the campus community in the event of a confirmed threat to health/safety. Nebraska Wesleyan University's campus community will be promptly notified via the *Wesleyan Alert System*.

Other methods of communication that may be used with the *Wesleyan Alert System* are e-mail/posters/social media/phones.

Wesleyan Alert System

What is the Wesleyan Alert System?

Wesleyan Alert is Nebraska Wesleyan's urgent notification system available to all faculty, staff and students. You will be notified in the event of an emergency or safety concern via a text message to your cell phone and to your NWU email address.

How does it work?

During an urgent situation, a text message will be sent to your cell phone within seconds of an official announcement. An instant text message will alert you of an emergency wherever you are carrying your cell phone.

The Wesleyan Alert System is an opt-out service. Students who have their cell phone numbers on file at the Registrar's Office and employees who have their cell phone numbers on file with the Human Resources Office will receive the Wesleyan alerts. Students who need to add or update their cell phone number should email it to registrar@nebrwesleyan.edu (link sends e-mail). Employees who need to add or update their cell phone number should contact Sandy Ferrell at sjf@nebrwesleyan.edu (link sends e-mail). To unsubscribe to the Wesleyan Alert System, simply text "stop" to the Wesleyan Alert System message that is received.

Questions and concerns can be directed to the Director of Public Relations, at 402 465-2185 or email solson@nebrwesleyan.edu. More information on the *Wesleyan Alert System* and security issues can be found on Wesleyan's web page at <http://www.nebrwesleyan.edu/about-nwu/campus-safety>.

General Reporting of a Crime/Incident

Community members are encouraged to report all crimes/incidents in a timely manner to the (Campus Safety Officer) CSO at 402-432-9238/LPD at 911 or non-emergency at 402-441-6000/ the CSACs Matt Kadavy (Assistant Vice President & Director of Physical Plant) at 402-450-9329 or mtk@nebrwesleyan.edu also Roxanne Styskal (Assistant Director of Physical Plant at 402-499-9815 or rrs@nebrwesleyan.edu please note the CSACs are required to record all crimes/incidents on the University's daily crime log.

Reported crimes/incidents meeting the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act are disclosed in the ASR. Faculty and Staff are required under the Act to report to the CSACs all crimes/incidents communicated to them unless they hold the positions of University Clinical

Counselors or Minister. Communication can be made under the University's Confidential Reporting Procedures.

Confidential Reporting Procedures

If you are the victim of a crime/incident 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 the CSACs can file a report on the details of the crime/incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of crimes/incidents, determine where there is a pattern of crimes/incidents 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 ASR for the University.

Bi-yearly Academic Emergency Evacuation Drill Procedures

During the first week of each semester Nebraska Wesleyan's Physical Plant Team initiates an unannounced emergency evacuation drill for all academic buildings. A Physical Plant team member calls NECO (a fire protection company that monitors Nebraska Wesleyan's fire panels from off-site) and Lincoln Fire station 5 to notify them of the drill, when the drill is over NECO and Lincoln Fire station 5 are notified again. Fire alarms are pulled at the same time when team members are instructed to do so [through communication via handheld radios]. Physical Plant team members who pull the alarms then leave the building. Once people start exiting the buildings, the Physical Plant team members re-enter to ensure everyone has left the building and that all fire equipment is working properly. When buildings have been cleared the fire systems are reset, then people are allowed back in the buildings. If any issues arise, they are noted and reported to the proper authorities. All information about the drills are recorded and kept in the Clery Act file.

Missing Student Notification Procedures

If a member of the Nebraska Wesleyan University community has reason to believe that a student is missing, whether or not the student resides on campus, the student's name and reason for concern will be reported within 24 hours to one of the following: Director of Physical Plant 402-450-9329, the Director of Residential Education 402-465-7579 or the Dean of Students 402-465-5154. These individuals are directed by University policy to immediately report the missing individual to the LPD as a missing person. These individuals are responsible for efforts to locate the student to determine their state of health and well-being through collaboration with LPD, CSO and Residential Education. If a student resides on campus CSO/the Residential Education Coordinator will conduct a welfare check into the student's room. If the student resides off campus, CSO will work with LPD to request a welfare check. University officials will also attempt to determine the student's whereabouts through contact with friends, faculty or on-campus employers of that student verifying class attendance, work schedules and organizational or academic meetings.

Once the student is located, the student's state of health and intention of returning to a campus routine is verified. When appropriate, a referral to the Counseling Center will be made. If the student is not located, notification will be made to the student's emergency contact person within 24 hours of receiving the initial report. If the student resides off campus emergency contacts and family will be encouraged to report the situation to the appropriate law enforcement agency. Suzanne's Law requires law enforcement to notify the national Crime Information Center when someone between the ages of 18 and 21 is reported missing.

Students who reside on campus are to register a confidential contact person in case they are determined missing, to be used only by authorized campus officials and law enforcement. This contact person's information will be kept in a separate file that can only be accessed by authorized campus officials. Students residing on campus who

do not provide a confidential contact person will be advised that if they are determined missing, LPD will be notified. Students residing on campus, who are younger than 18 and are not an emancipated minor, will be advised their parents or legal guardians will also be contacted, even if they have a confidential contact person. If the absence was not initially reported to Campus Security or LPD a report must be made immediately. Once Campus Security or LPD determine a student is missing for 24 hours, the confidential contact person will be notified. If there is evidence of foul play, a student can be determined missing before 24 hours have lapsed. While the contact person remains confidential, nothing precludes an institution from notifying a student's parents, or anyone else they deem necessary to help find the missing student. The FERPA health and safety exception fully permits this. The official determination that the student is missing can be made at any time by Campus Security or LPD. Nebraska Wesleyan University will notify the LPD when any student who lives in on-campus student housing has been determined to be missing for 24 hours.

Response to Reports

Response to Reports of VAWA (Violence Against Women Act) Crimes

Nebraska Wesleyan University has programs to prevent domestic violence, dating violence and stalking. When an incident of domestic violence, dating violence or stalking is reported, the University will provide victims with written notice of available options, remedies and services. If the accused individual is a student, the standard of evidence used in a Nebraska Wesleyan University's disciplinary hearing will be preponderance of evidence (a standard of proof that must be met by a plaintiff if he/she is to win a civil action).

Response to Reports of Sexual Misconduct or Violence

Nebraska Wesleyan University will not tolerate sexual misconduct or violence in any form. Any University community member who believes they have been a victim of sexual misconduct or violence they are encouraged to report their complaint to the Title IX Coordinator, Tyre McDowell (Associate Vice President) at 402-465-2149 or tmcdowe2@nebrowesleyan.edu. The Title IX Coordinator's office is located in office 303 of the Smith Curtis building. Enforcement of the University's sexual misconduct or violence policy is predicated on students filing a formal complaint. The University is required to investigate all incidents of sexual misconduct or violence regardless of whether a complaint is filed or not. Should a complainant request anonymity, this may limit the University's ability to investigate and respond. If the complainant requests that no action be taken in the matter, the University is still required to investigate to the best of its ability.

This policy also extends to sexual misconduct or violence which occurs outside of the University's campus/programs, if the conduct negatively affects the victim's academic experience/the overall academic environment of the University.

Sexual misconduct or violence will be adjudicated by the University judiciary, using policies developed specifically to respond to sexual misconduct or violence if a complaint is filed. A complete copy of the procedures for sexual misconduct or violence is available in the Student Life Office.

Persons who feel they have been subjected to acts of sexual misconduct or violence can also refer such acts to one of the persons listed below.

Sexual Misconduct or Violence Resource Persons

| | |
|----------------------|--------------|
| Janelle Andreini | 402-465-2414 |
| Lisa Borhardt | 402-465-2422 |
| Rev. Eduardo Bousson | 402-465-2398 |
| Dr. Jeri Brandt | 402-465-2336 |
| Dr. Gerise Herndon | 402-465-2347 |

Student housing arrangements can be changed if a student requests a change due to a sexual assault. University disciplinary procedures which provide special guidelines for cases involving sexual misconduct or violence are distributed to all students each year by the Student Life Office. The following sanctions may be imposed: probation, loss of privileges, fines, restitution to victim, residence hall suspension or expulsion, University disciplinary suspension or expulsion and withholding degree. Disciplinary procedures entitle both accused and accuser with opportunities to have others present. In addition, a final report will be provided to both parties.

In accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling's, Crimes against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974 provides, the State Sex Offender's list link at <https://sor.nebraska.gov/>. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by the State concerning registered sex offenders may be obtained. Convicted sex offenders employed by or enrolled as a student at any institution of higher education are also required to provide notice of their status to that institution.

The Campus Sexual Violence Elimination Act (Campus SaVE Act of 2013, amended to the Jeanne Clery Act as a companion to Title IX.

Response to Reports of Sexual Harassment

It is the policy of Nebraska Wesleyan University that no member of the community may sexually harass another. Sexual harassment is a form of sexual discrimination. It is the responsibility of all members of the Nebraska Wesleyan community to understand, prevent and combat sexual harassment. Any activity perceived as sexual harassment should be reported. Unwanted sexual advances, requests for sexual favors, verbal/physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is either an implicit or explicit condition of an individual's education/employment, (2) submission to or rejection of such conduct is used as a basis for academic/employment decisions affecting the individual or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's academic/work performance, creates an intimidating/hostile/offensive educational/work environment. Any person found in violation of this policy may be subject to disciplinary actions.

Persons who feel they have been subjected to acts of sexual harassment should refer such acts to one of the persons listed below.

Sexual Harassment Resource Persons

| | |
|----------------------|--------------|
| Lisa Borchardt | 402-465-2422 |
| Rev. Eduardo Bousson | 402-465-2398 |
| Candice Howell | 402-465-2149 |
| Brian Keller | 402-465-2354 |

Response to Reports of Personal Harassment

It is the policy of Nebraska Wesleyan University to be committed to freedom of speech and expression as published in the Student Code of Conduct. As a liberal arts University and an academic community we affirm the rights of our community members to freedom of expression. We also affirm the right of community members to an academic and campus living environment in which acts of personal harassment are not tolerated. Conduct which abuses or degrades another person including (but not limited to) bullying, threats, intimidation, verbal/physical abuse, stalking, coercion or hateful behavior is inconsistent with the mission and values of the University and is unacceptable.

Any person found in violation of this policy may be subject to disciplinary actions.

Persons who feel they have been subjected to acts of personal harassment should refer such acts to one of the persons listed below.

Personal Harassment Resource Persons

| | |
|----------------------|--------------|
| Rev. Eduardo Bousson | 402-465-2398 |
| Dr. Jeri Brandt | 402-465-2336 |
| Jo Bunstock | 402-465-2355 |
| Dr. David Iaquina | 402-465-2426 |

For complete confidential and anonymous reporting, you can call the Campus Hotline at 1-866-943-5787.

NWU Sexual Misconduct and Harassment Policy

This policy applies to sexual misconduct of all forms, including sexual assault, sexual and gender-based harassment, stalking, and intimate partner violence.

Sexual harassment, sexual misconduct, sexual assault, and intimate partner/relationship violence are broad terms designed to capture a spectrum of behavior. Sexual harassment, sexual assault, intimate partner/relationship violence, sexual exploitation, and stalking are specifically defined within this policy. In general, sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to incapacitation. In general, sexual misconduct is a broad term that refers to all of the prohibited behaviors under this policy. Hereinafter all behavior referenced in this policy will be termed sexual misconduct.

I. Statement of Intent

Nebraska Wesleyan University is committed to establishing and maintaining a community that is free from all forms of discrimination and harassment. The University seeks to create an environment in which the greatest academic potential of students and professional potential of employees may be realized. In order to create and maintain such an environment, the University recognizes that all who work and learn at the University are responsible for ensuring that the community is free from discrimination based on sex or gender, including sexual harassment, sexual assault, other forms of sexual misconduct including stalking, and intimate-partner violence. These behaviors threaten our learning, living, and work environments and will not be tolerated.

When the University becomes aware of allegations of sexual misconduct, it will take prompt and effective action. The Title IX Coordinator will oversee the University's response.

II. To Whom this Policy Applies

This policy applies to Students who are registered or enrolled for credit- or non-credit-bearing coursework ("Students"); University employees, consisting of all full-time and part-time (adjunct) faculty, and University full- and part-time staff ("Employees"); and contractors, vendors, visitors, guests, or other third parties within the University's control ("Third Parties"). This policy pertains to acts of Prohibited Conduct committed by or against Students, Employees, and Third Parties when:

- The conduct occurs on University Grounds or other property owned or controlled by the University;
- The conduct occurs in the context of a University employment or education program or activity, including, but not limited to, University-sponsored study abroad, research, on-line, or internship programs; or

- The conduct occurs outside the context of the University employment or education program or activity, but has continuing or adverse effects on or creates a hostile environment for Students, Employees, or Third Parties while on University Grounds or other property owned or controlled by the University or in any University employment or education program or activity.

III. Notice of Non-Discrimination

Nebraska Wesleyan University provides equal educational opportunities to all qualified persons in all areas of university operation, including education and decisions regarding faculty appointment, promotion, or tenure, without regard to race, religion, age, sex, creed, color, disability, marital status, national or ethnic origin or sexual orientation.

IV. Nebraska Wesleyan University Statement regarding privacy

The University is committed to protecting the privacy of all individuals involved in a report of sexual misconduct or harassment. In any report under this policy, every effort will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review of the allegation.

Confidentiality and Privacy

Confidentiality: Confidentiality exists in the context of laws that protect certain relationships, including with medical and clinical care providers (and those who provide administrative services related to the provision of medical and clinical care), mental health providers, counselors, and ordained clergy, all of whom may engage in confidential communications under Nebraska law. The University has designated individuals who have the ability to have privileged communications as "Confidential Employees."

When an individual shares information with a Confidential Employee or a community professional with the same legal protections, the Confidential Employee (and/or such community professional) cannot reveal the information to any third party except when an applicable law or court order requires or permits disclosure of such information. For example, information may be disclosed when: (1) the individual gives written consent for the disclosure; (2) there is concern that the individual will likely cause serious physical harm to self or others; or (3) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18.

Privacy: Privacy means that information related to a report of Prohibited Conduct will be shared with a limited circle of University Employees who "need to know" in order to assist in the assessment, investigation, and resolution of the report. All Employees who are involved in the University's Title IX response receive specific training and guidance about safeguarding private information.

The privacy of Student education records will be protected in accordance with the Family Educational Rights and Privacy Act (FERPA), as outlined in the University's FERPA policy.

IV. Prohibited Conduct

A. Sexual Harassment: is any unwelcome conduct of a sexual nature or based on sex or gender, sexual orientation, gender identity, or gender expression, including acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex/gender or sex/gender-stereotyping, even if the acts do not involve conduct of a sexual nature. Sexually harassing behaviors differ in type and severity. Key determining factors are that the behavior is unwelcome, is sex or gender based, and is reasonably perceived as offensive and objectionable under both a subjective and objective assessment of the conduct. Sexual harassment involves one of the following conditions (hostile environment or quid pro quo):

Hostile Environment: is conduct that has the purpose or effect of unreasonably interfering with individual's work or academic performance, i.e., it is sufficiently serious, pervasive, or persistent

as to create an intimidating, hostile, humiliating, demeaning, or sexually offensive working, academic, residential, or social environment under both an objective and subjective standard. A single, isolated incident of sexual harassment alone may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to create a hostile environment, particularly if the harassment is physical.

Quid Pro Quo: is making the submission to or rejection of such conduct an explicit or implicit condition of, or the basis of an individual's employment, evaluation of academic work, or any aspect of a University program or activity.

B. Sexual Assault: is the intentional sexual contact with another person without that person's consent. Intentional is defined as when someone knowingly, or should have known, and/or recklessly engages in sexual contact without an individual's consent and does not include accidental contact.

Sexual contact includes intentional contact with the intimate parts of another, causing another to touch one's intimate parts, or disrobing or exposure of another without permission. Intimate parts may include the breasts, genitals, buttocks, groin, mouth, or any other part of the body that is touched in a sexual manner. Sexual contact also includes vaginal or anal penetration, however slight, with a body part (e.g. penis, tongue, finger, hand, etc.) or object, or oral penetration involving mouth-to-genital contact.

Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual assault or harassment in any form and does not negate one's intent or diminish one's responsibility to obtain informed and freely given consent.

C. Intimate Partner/Relationship Violence: includes any act of physical, sexual, or emotional violence or threatened act of violence against a person who is, or has been involved in, a sexual, dating, domestic, or other intimate relationship with that person. It may also take the form of threats, assault, property damage, or violence or threat of violence to one's self, one's sexual or romantic partner, one's family members or friends, or to the family members or friends of the sexual or romantic partner. It may involve one act or an ongoing pattern of behavior.

D. Sexual Exploitation: is an act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, or personal benefit or advantage. The acts of sexual exploitation are prohibited even though the behavior does not constitute one of the other sexual misconduct offenses.

E. Stalking: is a course of conduct directed at a specific person that involves repeated (two or more occasions) visual or physical proximity, nonconsensual communication, or verbal, written, or implied threats, or a combination thereof, that would cause a reasonable person to be afraid or to feel harassed.

F. Retaliation: is any act or attempt to retaliate against or seek retribution from any individual or group of individuals involved in the report, investigation, and/or resolution of a sexual misconduct allegation. Retaliation can take many forms, including continued abuse or violence, threats, and intimidation. Any individual or group of individuals, not just a Complainant or Respondent, can engage in retaliation.

VI. Definitions

General Definitions

A. Complaint: is a formal accusation by one student against another for violation of Nebraska Wesleyan University's *Code of Student Conduct*.

B. Complainant: is the person alleging the sexual misconduct. The *Code of Student Conduct* states, "the term 'complainant' means anyone who institutes a conduct proceeding under this Code, alleging misconduct by a student or student organization."

C. "The University": is Nebraska Wesleyan University.

D. Respondent: is a person accused of sexual misconduct. The Code of Student Conduct states, "the term 'respondent' means the student or student organization whose conduct is the subject of a complaint under this Code."

E. Student Conduct System Administrator: is the Dean of Students or his/her designee. The role of the Student Conduct System Administrator is to convene and facilitate the Student Conduct Board. In no event will the Student Conduct System Administrator serve as a member of the Student Conduct Board. Because the Student Conduct System Administrator has no role in the process that would influence the decision of the Student Conduct Board, and is not a member of the Student Conduct Board, the Student Conduct System Administrator cannot be removed from the hearing on the allegation of personal bias, although specific interpretations or recommendations of the Student Conduct System Administrator may be included in the justification for an appeal.

F. Title IX Hearing Panel: is the group assigned to review the investigator's report, affirm the finding of responsible or not responsible, and determine sanctions when a Respondent is found responsible for sexual misconduct. The group will be composed of three staff or faculty (at least one faculty and one staff member) members from the Student Conduct Board, who have received specialized training in Title IX related issues, as determined and defined by the Title IX Coordinator. Students are prohibited from hearing sexual misconduct complaints. Whenever possible, the Title IX Hearing Panel shall reflect diversity in the gender of its members. None of the Title IX Hearing Panel members shall have a conflict of interest or prejudice for or against either the Complainant or the Respondent. A majority decision of the Title IX Hearing Panel is required for all decisions rendered by the Panel. The Title IX Hearing Panel shall keep all deliberations and proceedings confidential.

G. Student Conduct Appellate Panel: are faculty and staff members appointed by the President of Nebraska Wesleyan University to consider an appeal from a Complainant or Respondent in any Student Conduct Board proceeding. The Student Conduct Appellate Panel reviews appeals and makes decisions to uphold either the appeal or the decision of the Student Conduct Board. Membership will include two full-time faculty members and one administrative staff member who will serve as the Convener. Members of the Student Conduct Appellate Panel will serve two-year terms and can be reappointed. The Student Conduct System Administrator will see that any new appointees receive appropriate training and resources to fulfill this role.

H. Hearing: means the formal structure by which the Title IX Hearing Panel will review the investigative report prepared by the Investigator, determine a finding of responsible or not responsible for violating the sexual misconduct policy, and determine appropriate sanctions. The Title IX Hearing Panel can determine that they need more information from the Investigator, Complainant, Respondent, and/or Witnesses before affirming findings or determining sanctions. Even if criminal proceedings for the same offense are pending, a hearing may still be held. While the Title IX Hearing Panel procedures are designed to give due process to the parties involved, the Panel is not bound by the rules of criminal or civil procedure that govern judicial proceedings in courts of law. The hearing will be convened and facilitated by the Student Conduct System Administrator, whose sole purpose is to conduct the hearing and to answer any questions regarding policies and procedures.

I. Investigators: are trained University-appointed faculty or staff members who, in allegations of sexual misconduct or harassment, conduct an investigation, and prepare and submit a written report to the Student Conduct System Administrator for distribution to the Title IX Hearing Panel. The investigator is present at the Hearing to answer questions related to the investigation.

J. Support Person: is any individual selected by a Complainant or Respondent to assist him/her during any part of the procedures including the Investigation, Hearing, and Appeal process. A Support Person may be a faculty or staff member, a student, a parent, community member, sexual assault resource person, or an attorney. During a Hearing the Support Person may confer with the Complainant or Respondent that he or she advises, but may not communicate directly with the Hearing Panel.

K. Day: is any weekday the University is in session excluding University holidays.

Specific Definitions - Other

L. Consent: means words and actions that clearly convey to both parties intentions to engage in mutually agreed-upon sexual activity. Consent is not the absence of resistance. Consent to one form of sexual contact or act does not imply consent for other sexual contact or acts or for consent of similar future sexual activity.

M. Coercion: is the use of pressure to compel someone to initiate or continue sexual activity against his or her will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity.

N. Force: is the use or threat of physical violence or intimidation to overcome an individual's freedom of will to choose whether or not to participate in sexual activity. There is no requirement that a party resists the sexual advance or request, but resistance will be viewed as a clear demonstration of non-consent.

O. Incapacitation: is the inability, temporarily or permanently, to give consent because the individual's mental and/or physical ability is diminished, and/or is asleep, unconscious, or unaware that sexual activity is occurring. A person who is incapacitated lacks the ability to make informed, rational judgments and cannot consent to sexual activity.

Incapacitation may result from the use of alcohol and/or drugs. The impact of alcohol and other drugs varies from person to person.

An individual may be incapacitated without visible signs of such. Evaluating incapacitation also requires an assessment of whether a Respondent should have been aware of the Complainant's incapacitation based objectively and reasonably apparent indications of impairment when viewed from the perspective of a sober, reasonable person in the Respondent's position. Evidence of incapacitation may require evaluating normal and abnormal behaviors of the Complainant and Respondent.

VII. Reporting

There are multiple channels for reporting Prohibited Conduct. A Complainant may choose to report to the University, to law enforcement, to both, or to neither. These reporting options are not exclusive. Complainants may simultaneously pursue criminal and disciplinary action. The University will support Complainants in understanding and assessing these options.

Law Enforcement: Complainants have the right to notify or decline to notify law enforcement. In keeping with its commitment to taking all appropriate steps to eliminate, prevent, and remedy all Prohibited Conduct, however, the University urges Complainants to report Prohibited Conduct *immediately* to local law enforcement by contacting:

- 911 (for emergencies)
- Lincoln Police Department - (402) 441-6000 (for non-emergencies)

The University will assist Complainants in notifying law enforcement if they choose to do so. Police have unique legal authority, including the power to seek and execute search warrants, collect forensic evidence, make arrests, and assist in seeking Emergency Protective Orders.

The University: The University also urges anyone who becomes aware of an incident of Prohibited Conduct to report the incident *immediately* to the University through the following reporting options: by contacting the University's Title IX Coordinator or Deputy Title IX Coordinator by telephone, email, or in person during regular office hours at their respective locations, email addresses, and/or phone numbers.

There is no time limit for reporting Prohibited Conduct to the University under this policy, however, the University's ability to respond may diminish over time, as evidence may erode, memories fade, and Respondents may no longer be affiliated with the University. If the Respondent is no longer a Student or Employee, the University will provide reasonably appropriate remedial measures, assist the Complainant in identifying external reporting options, and take reasonable steps to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects.

The University will not pursue disciplinary action against Complainants or witnesses for disclosure of illegal personal consumption of drugs or alcohol where such disclosures are made in connection with a good faith report or investigation of Prohibited Conduct.

Complainants may simultaneously pursue criminal and University complaints.

A "Confidential Employee" is (1) any Employee who is a licensed medical, clinical or mental-health professional, or ordained clergy (e.g. physicians, nurses, physicians' assistants, psychologists, psychiatrist, professional counselors and social workers, campus minister and those providing services under their supervision), when acting in his or her professional role in the provision of services to a patient who is a Student ("health care providers"); and (2) any Employee providing administrative, operational and/or related support for such health care providers in their performance of such services. A Confidential Employee will not disclose information about Prohibited Conduct to the University's Title IX Coordinator without the Student's permission (subject to the exception set forth in the Confidentiality section of this policy). The University has identified the University Student Health Services, Counseling Center, Campus Minister, and the Campus Advocate from Voices of Hope as Confidential Employees.

A "Responsible Employee" is any University Employee who is not a Confidential Employee. A Responsible Employee is required to report to the University Title IX Coordinator all relevant details (obtained directly or indirectly) about an incident of Prohibited Conduct that involves any student as a Complainant, Respondent, and/or witnesses, including dates, times, locations, and names of parties and witnesses, if known. Disclosure at public awareness events (e.g., "Take Back the Night") and certain research-based disclosures (i.e., where a Student is a subject in an Institutional Review Board-approved human subjects research protocol) will not trigger an individual investigation of Prohibited Conduct, although such disclosures may inform the need for community-wide education and prevention efforts.

Making a Report vs. Filing a Complaint: Making a report is defined as notification of an incident of sexual misconduct to the Title IX Coordinator by any reporting person. A report may be accompanied by a request for

resources, no further action, remedies based resolution, and/or initiation of a formal complaint process by filing a Complaint.

Filing a Complaint is defined as the request to initiate the University's formal disciplinary process. At the time a report is made, a Complainant does not have to decide whether or not to file a Complaint. The University recognizes that not every individual will be prepared to file a Complaint with the University or to law enforcement, and individuals are not expected or required to pursue a specific course of action. Choosing to make a report and deciding how to proceed after making the report can be a process that unfolds over time. To the extent possible, the University will respect an individual's autonomy in making these decisions and provide support that will assist each individual in making that determination.

A report may become a formal Complaint, either initiated by the Complainant or the University depending on the outcome of the Title IX assessment.

To make a report or file a Complaint please contact the Title IX Coordinator or a Deputy Title IX Coordinator.

Resolution Procedures

The University has jurisdiction over complaints based on Title IX and may take disciplinary action against a Respondent who is a current student or employee. Disciplinary action against a Respondent may only be taken through one of the University's resolution procedures. Because the relationship of students, staff, and faculty to the University differ in nature, the procedures that apply when seeking disciplinary action necessarily differ as well. Each of the procedures, however, is guided by the same principles of fundamental fairness and respect for all parties, which require notice, an equitable opportunity to be heard, and an equitable opportunity to respond to a report under this Sexual Misconduct and Harassment Policy. All staff involved with the Sexual Misconduct and Harassment resolution processes, including investigators and adjudicators, receives annual training.

The procedure followed will be determined by the relationship of the respondent to the University:

- Complaints against a student will be resolved by the Procedures for Resolution of Complaints against Students.
- Complaints against a staff member, instructional staff member, including faculty will be resolved by the Procedures for Resolution of Complaints against Staff and Instructional Staff, including Faculty.
- Even if the offending individual is not a student or employee, the University will promptly and equitably respond to all reports of sexual misconduct or harassment in order to eliminate the misconduct, prevent its recurrence, and address its effects on any individual or the community.

This Policy is thoroughly reviewed on an annual basis. The Policy may be updated periodically for accuracy and clarity. The most up to date and current version can be found on the Title IX webpage.

[The NWU Board of Governor's approved these policies on September 9, 2016.]

NWU Procedures for Resolution of Student Complaints of Sexual Misconduct Against Other Students

This policy applies to sexual misconduct of all forms, including sexual assault, sexual and gender-based harassment, stalking, and intimate partner violence.

Sexual harassment, sexual misconduct, sexual assault, and intimate partner/relationship violence are broad terms designed to capture a spectrum of behavior. Sexual harassment, sexual assault, intimate partner/relationship violence, sexual exploitation, and stalking are specifically defined within this policy.

In general, sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to incapacitation. In general, sexual misconduct is a broad term that refers to all of the prohibited behaviors under this policy. Hereinafter all behavior referenced in this policy will be termed sexual misconduct.

I. To Whom this Policy Applies

This policy applies to Students who are registered or enrolled for credit- or non-credit-bearing coursework ("Students"). This policy pertains to acts of Prohibited Conduct committed by or against Students:

- The conduct occurs on University Grounds or other property owned or controlled by the University;
- The conduct occurs in the context of a University employment or education program or activity, including, but not limited to, University-sponsored study abroad, research, on-line, or internship programs; or
- The conduct occurs outside the context of the University employment or education program or activity, but has continuing or adverse effects on or creates a hostile environment for Students while on University Grounds or other property owned or controlled by the University or in any University employment or education program or activity.

II. Procedural Options

As outlined in the Reporting section of the Sexual Misconduct and Harassment Policy, an individual who wishes to make a report of sexual misconduct is encouraged to make a report directly to the Title IX Coordinator. In every report of sexual misconduct, the Title IX Coordinator will conduct a Title IX Assessment. At the conclusion of the Title IX Assessment, in consideration of the Complainant's wishes and the safety of the campus community, the report may be referred for remedial and protective measures and/or investigation to determine if there is sufficient information to proceed with the student conduct resolution process. Remedial and protective measures do not involve disciplinary action against a Respondent. The student conduct resolution process is a sanctions-based approach that may involve discipline up to and including expulsion.

III. Supports

Smith Curtis - Room 303, **Title IX Coordinator:** The Nebraska Wesleyan University Title IX Coordinator is T.J. McDowell, Jr., Associate Vice President, (402) 465-2149, tmcdowe2@nebrwesleyan.edu

The Title IX Coordinator oversees Nebraska Wesleyan University's review, investigation, and resolution of reports of sexual assault or harassment. The Title IX Coordinator also ensures the University's compliance with Title IX. The Title IX Coordinator can be contacted by telephone, email, or in person during regular office Hours.

The Title IX Coordinator is:

- Responsible for oversight of the investigation and resolution of all reports of sexual misconduct or harassment;
- Knowledgeable and trained in relevant state and federal laws and University policy and procedures;
- Available to advise any individual, including a Complainant, a Respondent, or a third party, about the courses of action available at the University, both informally and formally;
- Available to provide assistance to any University community member regarding how to respond appropriately to reports of sexual misconduct or harassment;

- Responsible for oversight of sexual violence prevention education and employee training;
- Responsible for monitoring full compliance with all requirements and timelines specified in the complaint procedures; and
- Responsible for compiling annual reports.

Deputy Title IX Coordinators:

- Lisa Borchardt, Professor of Social Work, Smith Curtis - Room 140D, (402) 465-2422, lborchar@nebrwesleyan.edu
- Amy Harrison, Academic Advisor - Omaha Adult and Graduate Programs, Omaha Campus - Room 103, (402) 827-3555, aharriso@nebrwesleyan.edu

Confidential Supports

A Confidential Employee will not disclose information about Prohibited Conduct to the University's Title IX Coordinator without the Student's permission (subject to the exception set forth in the Confidentiality section of this policy). The University has identified the University Student Health Services, Counseling Center, Minister, and the Campus Advocate from Voices of Hope as Confidential Employees.

- **Student Health Services:** Student Health Services is located on the First Floor of Burt Hall North. The Health Center is open Monday-Friday from 8:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 5:00 p.m. The Student Health Services is a walk-in clinic providing a variety of health services to students without cost (student fees cover most services).
Nancy Newman, B.S., R.N.C. - (402) 465-2375, njn@nebrwesleyan.edu
Kim McLaughlin, R.N. - (402) 465-2377, kam@nebrwesleyan.edu
- **Counseling Services:** Counseling Services is located at 2641 N. 49th Street (49th & St. Paul Avenue). Counseling Services serves students Monday-Friday from 8:00 a.m. to 5:00 p.m. (402) 465-2464.
- **University Ministries:** Eduardo Bousson, NWU University Minister, is located in Old Main - Room 105; ebousson@nebrwesleyan.edu; (402) 465-2222.
- **Campus Advocate (Voices of Hope):** Lindsay Spaulding, NWU Campus Advocate is located in the GAP Office (Lower Level of Story Student Center) and Burt Hall Room 110; lindsay@voicesofhopelincoln.org; (402) 465-2533.

IV. Title IX Assessment

Upon receipt of a report, the Title IX Coordinator or Deputy Title IX Coordinator, will provide resources and support information and will conduct an initial Title IX assessment.

The first step of the assessment will typically include a preliminary meeting between the Complainant and the Title IX Coordinator or Deputy Title IX Coordinator. The purpose of the preliminary meeting is to gain a basic understanding of the nature and circumstances of the report; it is not intended to be a full investigative interview. At this meeting, the Complainant will be provided with information about resources, procedural options, and interim measures/remedies. During this initial assessment, the Title IX Coordinator or Deputy Title IX Coordinator will make a reasonable assessment of the safety of the individual and the campus community and will determine whether the University has sufficient information to determine the appropriate course of action.

During the Title IX assessment, the Title IX Coordinator or Deputy Title IX Coordinator will:

- Assess the nature and circumstances of the Complaint;
- Address the immediate physical safety and emotional well-being of the Complainant and University community;

- Notify the Complainant of the range of interim measures and remedies, including options for changes in living, academic, working situations;
- Provide the Complainant with information about on- and off-campus resources including support and counseling options;
- Obtain the Complainant's expressed preference for the manner of the solution and assess any barriers to proceeding;
- Provide the Complainant with an explanation of the limitations on the University's response should the Complainant wish to remain anonymous;
- Provide information about the Campus Advocate from Voices of Hope, on-campus counseling services, and support persons of their choice;
- Provide contact information for off-campus law enforcement;
- Determine if concerns exist for discrimination or harassment based on other protected classes;
- Explain the University's policy for confidentiality and prohibiting retaliation, as described in the Sexual Misconduct and Harassment Policy;
- Explain the difference between confidential and non-confidential supports and resources;
- Assess the reported conduct for the need of a timely warning notice under federal law;
- Determine if pattern of evidence or other similar conduct by Respondent exists;
- Determine if any issues of academic freedom exist, which may be reviewed by the Provost or his or her designee;
- Enter non-identifying information about the report into the University's daily crime log if the report includes a Clery-reportable crime;
- Provide the Complainant with a written explanation of the Complainant's rights and options, including:
 - The right to report, or decline to report, the incident to law enforcement if the conduct is potentially criminal in nature. The University is available to assist in this process;
 - The right to request a Protection Order from the local Court and/or a right to obtain a No Contact Order from the University;
 - The right and importance of seeking medical treatment to address physical health and to preserve evidence;
 - The right to file a Complaint through the University Complaint resolution process;
 - The right to receive an explanation of the University Complaint resolution process and the preponderance of the evidence standard of proof used to resolve the Complaint ("more likely than not");
 - The right to be provided a prompt, fair, and impartial investigation and resolution; and
 - The right to receive an explanation of the potential remedies for victims, potential remedies for the University community, and possible sanctions against respondents.

The Title IX Coordinator or Deputy Title IX Coordinator will take all reasonable steps to respond to a Complaint consistent with a Complainant's request. However, the Title IX Coordinator's ability to do so may be limited based on the nature of a Complainant's request. Where a Complainant requests confidentiality, that a name or other identifiable information not be shared with the Respondent or that no formal action be taken, the University may be limited in its ability to fully respond to the Complaint. The University will balance the Complainant's requests with its responsibility to provide a safe and non-discriminatory environment for all University community members and to afford a Respondent fundamental fairness and due process. The Title IX Coordinator will also consider the interest of the Complainant and the Complainant's expressed preference for the manner of resolution. Where possible and as warranted by an assessment of the facts and circumstances, the University will seek action consistent with the Complainant's request.

In the event that a Complainant does not wish to proceed with formal action, the Title IX Coordinator will decide, based on the available information, whether additional steps are required. In making this decision, the Title IX Coordinator or Deputy Title IX Coordinator will include, but is not limited by the following factors: whether the Complainant has requested confidentiality; whether the Complainant wants to participate in additional steps; the severity and impact of the sexual misconduct or harassment; the respective ages of the parties, including whether the Complainant is a minor under the age of 18; whether the University can undertake any action without the participation of the Complainant; whether the Respondent has a pattern of committing sexual misconduct; the existence of independent evidence; the extent of prior remedial methods taken with the Respondent; and any legal obligation to proceed based on the nature of the conduct.

At the conclusion of the Title IX assessment, the Title IX Coordinator or Deputy Title IX Coordinator will determine whether to refer the report for remedies-based resolution and/or further investigation. An investigation does not necessarily initiate a student conduct hearing. Even if a student conduct hearing is not pursued, the University has the discretion to take interim measures that ensure Complainant and campus safety.

The Title IX Coordinator or Deputy Title IX Coordinator will discuss the determination with the Complainant and provide information to assist in understanding available resources and procedural options, which will be communicated to the Complainant in writing.

The Title IX Coordinator will notify the Respondent in writing within 5 days when the University seeks action that would impact the Respondent, such as protective measures that restrict the Respondent's movement on campus, the decision to invite the Respondent to participate in remedies-based resolution, and/or the initiation of an investigation.

The University will inform the Complainant and the Respondent that retaliation is prohibited by law under the Violence Against Women Act (VAWA) and University policy and that the University will take strong responsive action to protect the safety of any individual. If the University has determined that retaliation has occurred, it will not be tolerated and will result in disciplinary action.

The Title IX Coordinator will document each report or request for assistance in resolving a case involving charges of sexual misconduct or harassment, whether by the Complainant or a third party and will review and retain copies of all reports generated as a result of investigations. These records will be kept confidential to the extent permitted by law.

V. Remedial and Protective Measures

The University offers a wide range of resources for Students and Employees, whether as Complainants or Respondents, to provide support and guidance throughout the initiation, investigation, and resolution of a report of Prohibited Conduct. The University will offer reasonable and appropriate measures to protect a Complainant and facilitate the Complainant's continued access to University employment or education programs and activities. These measures may be both remedial (designed to address a Complainant's safety and well-being and continued access to educational opportunities) or protective (involving action against a Respondent). The University may also provide, when possible and in the best interest of both parties, reasonable and appropriate measures to the Respondent to facilitate the Respondent's access to University employment and education programs and activities.

Remedial and protective measures, which may be temporary or permanent, may include no-contact directives, residence modifications, academic modifications and support, work schedule modifications, interim disciplinary suspension, suspension from employment, and pre-disciplinary leave (with or

without pay). Remedial measures are available regardless of whether a Complainant pursues a Complaint or investigation under this policy. The University will maintain the privacy of any remedial and protective measures provided under this policy to the extent practicable and will promptly address any violation of the protective measures. The Title IX Coordinator has the discretion to ensure the appropriateness of any interim measure based on all available information, and is available to meet with a Complainant or Respondent to address any concerns about the provision of interim measures.

- Access to Support Services: Campus Advocate from Voices of Hope, Counseling Services, etc.
- No Contact Agreement: means a written document signed by the Complainant and the Respondent in which the parties agree to refrain from any written, spoken, or electronic contact whatsoever until further notice.
- Arranging for Medical Services
- Providing Escort on Campus
- Academic Support Services
 - Rescheduling of Exams and Assignments
 - Alternative Course Completion Options
 - Changes in Class Schedule
- Changes in Student's Campus Housing
- Change in Work Schedule or Job Assignment
- Limit Responding Party's Access to University Facilities
- Voluntary Withdrawal
- University-Imposed Leave or Separation for Responding Party

VI. Pre-Hearing Investigation

After a Title IX assessment, if the Title IX Coordinator deems it appropriate, a formal investigation can be initiated by the University or requested by the Complainant. The initiation of an investigation does not necessarily mean that a student conduct hearing is inevitable or that a Complainant must pursue the student conduct process. In matters initiated by the Complainant, it is the prerogative of the Complainant to decide whether to participate in the student conduct process, even after an investigation has begun or has been concluded.

It is not the burden of the Complainant, Respondent, or witnesses, or other community members to investigate these matters. The Investigator(s) is solely responsible for all aspects of the investigation. The University has designated specially trained staff and faculty members as Investigators of sexual assault or harassment Complaints. These specially trained Investigators receive regular training with an emphasis on these complex and sensitive cases. The University may also choose to include or assign trained external investigators of its choosing at its discretion.

The Investigator(s) will conduct a thorough, impartial, and unbiased investigation. All individuals will be treated with appropriate compassion and respect and in a manner considerate of individual privacy concerns. An investigation may include multiple meetings with the investigator(s). An investigation will typically include interviews of the Complainant, Respondent, and any relevant witnesses provided by either party or discovered during the investigation, and other individuals who may have relevant information about the reported conduct and/or the parties involved. With the permission of the Complainant, the Investigator(s) will seek to obtain relevant communications between the parties, including electronic records, voice mail messages, social media, and/or letters. If needed, the Investigator may request permission from the Respondent to access additional relevant communications. The Complainant and Respondent will have an equal opportunity to participate in the investigation with Support Persons of their choice, provide statements, submit additional information, and/or identify witnesses who may have relevant information.

Once the investigation is initiated, it will typically be completed within 30 (thirty) days, but this time frame may be extended depending on the complexity of the circumstances of each case. At the conclusion of the investigation, the Investigator(s) will prepare a report setting forth the facts gathered. The report will be factual in nature and will make a recommendation of finding to be considered by the Title IX Hearing Panel. During the investigation process, all those interviewed will have an opportunity to review their interview summaries for accuracy. Along with interview summaries, written statements, and other information the University deems relevant, the Investigator(s) may also include in the report prior allegations of, or findings of responsibility for, similar conduct by the Respondent. In evaluating Complaints, the Investigator(s) will use a 'preponderance of the evidence' standard (i.e., that it is more likely than not that sexual misconduct or harassment occurred).

Upon the conclusion of the investigation, the report will be forwarded to the Title IX Coordinator and the Student Conduct System Administrator responsible for initiating disciplinary resolution proceedings. Upon receipt of the investigative report, the University will notify all parties that the investigation is complete and provide information about next steps in the process.

VII. Hearings

The Student Conduct System Administrator shall convene and facilitate the hearing. The hearing shall be closed to the public. A verbatim account of the hearing will be maintained for possible use should there be an appeal. There will also be record of the deliberation. Except as specifically outlined below, only the Hearing Panel, the Student Conduct System Administrator, the Investigator and University legal counsel will be allowed at the hearing or the deliberation.

Both the Complainant and the Respondent may have a Support Person of their choice present to support and assist them during the hearing. The Support Person may be an attorney. Support Persons may not direct questions or comments to the Hearing Panel or to any witnesses, but they may consult with the student they are assisting. The Student Conduct System Administrator shall not allow a Support Person's presence to inhibit the parties' open testimony or the conduct of the hearing.

In order to comply with law protecting the privacy of education records of students and to provide an orderly process for the presentation and consideration of relevant evidence without intimidation or pressure, the hearing process is confidential. Therefore, documents prepared in anticipation of the hearing (notice of hearing, complaint, investigators' report, any written testimony or evidence), oral testimony, or other evidence introduced at the hearing, or any written summary of the hearing, may not be disclosed except as required or authorized by law.

The Hearing Panel will review the report prepared by the Investigator and will attempt to learn all that is relevant to the matter subject to the NWU Procedures for Resolution of Complaints against Students and Code of Student Conduct. The Hearing Panel will determine if additional information is needed from the parties involved. If further clarification is needed, the Hearing Panel will interview the Complainant, who may be accompanied by a Support Person. The Support Person may not participate directly in the hearing, but may consult with the complainant. The Respondent shall not have the right to be present during the interview between the Complainant and the Hearing Panel. If the Complainant refuses to appear, and the Hearing Panel is unable to make a final finding without the Complainant's testimony, the Hearing Panel reserves the right to declare the complaint withdrawn and the case closed.

If the Hearing Panel requests additional information they will always interview the Complainant before the Respondent. The Respondent may be accompanied by a Support Person. The Support Person may not participate directly in the hearing, but may consult with the Respondent. The Complainant shall not have the right to be present during the interview between the Respondent and the Hearing Panel. If the

Respondent refuses to appear before the panel, the panel reserves the right to render a finding on the basis of evidence submitted.

If deemed necessary, after interviewing the Complainant and the Respondent, the Hearing Panel shall have the discretion to interview witnesses who, in the judgment of the Panel, can provide information relevant to the alleged assault, that is not clearly provided in the Investigator's report. Neither the Complainant nor the Respondent has the right to be present during witness testimony or to have access to statements made by witnesses during the hearing. The Hearing Panel has the discretion to disclose to either party information gained from witness testimony if, in its judgment, such disclosure would further the purpose of the proceeding. The Hearing Panel shall keep witnesses' names confidential. The Hearing Panel may require subsequent interviews with the Complainant, the Respondent, or the witnesses.

VIII. Decisions – Notice of Outcome

At the conclusion of the hearing, the Title IX Hearing Panel will determine whether to uphold the recommendation of findings from the Investigator, or to rescind the recommendation. In making this determination, the Hearing Panel will use a 'preponderance of the evidence' standard (i.e., that it is more likely than not that sexual misconduct or harassment occurred). Further the Title IX Hearing Panel will:

- 1). Direct the Student Conduct System Administrator to prepare a notice of findings which will contain only the following information: the name of the Respondent; whether the Respondent has been found responsible or not responsible for the Complaint(s) of sexual assault or harassment; and sanctions imposed, if any. Both the Respondent and the Complainant have a right to this information.
- 2). Direct the Student Conduct System Administrator to prepare a summary of the Hearing and an explanation of the panel's reasoning for its determination. This summary will be reviewed by the Title IX Hearing Panel and is the property of Nebraska Wesleyan University and will not be disclosed except as authorized or required by law.
- 3). Student Conduct System Administrator delivers the notice of findings to both the Complainant and the Respondent in a sealed, confidential envelope through their University student mailboxes not more than five business days following the conclusion of the hearing. Mail Center staff will document proof of receipt.

IX. Sanctions

A. Written Warning: is a notice in writing to the student that the student is engaging or has engaged in misconduct.

B. Probation: Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to have engaged in any additional misconduct during the probationary period. A copy of the document imposing disciplinary probation will be sent to a dependent student's parent or guardian.

C. Loss of Privileges: is denial of specified privileges for a designated period of time.

D. Discretionary Sanctions: Are work assignments, essays, and service to the University or community, or other related discretionary assignments.

E. Residence Hall Suspension: is separation of the student from the residence halls for a definite period of time, after which the student will be eligible to return, subject to conditions for readmission, which may be specified. No housing payment refunds will be made if a student is suspended from the residence halls. A copy of the document imposing residence hall suspension will be sent to a dependent student's parent or guardian.

F. Residence Hall Expulsion: is permanent separation of the student from the residence halls. No housing payment refunds will be made if a student is expelled from the residence halls. A copy of the document imposing residence hall expulsion will be sent to a dependent student's parent or guardian.

G. University Disciplinary Suspension: is separation of the student from the University for a defined period of time, and exclusion from university premises, privileges, and activities. No refunds of tuition, fees, room and board will be made if a student is suspended from the University. Notice of this action will appear on the student's transcript until such time as the student is re-admitted or is eligible for re-admission. At the end of the period of suspension, the student is eligible to return, subject to any conditions for re-admission that may be specified. A copy of the document imposing disciplinary suspension will be sent to a dependent student's parent or guardian.

H. University Disciplinary Expulsion: is permanent separation of the student from the University and permanent exclusion from university premises, privileges, and activities. No refunds of tuition, fees, room and board will be made if a student is expelled from the University. Notice of this action will appear permanently on the student's transcript. A copy of the disciplinary letter imposing disciplinary expulsion will be sent to a dependent student's parent or guardian.

I. Withholding Degree: is the process of withholding awarding a degree otherwise earned until the completion of the process set forth in the NWU Code of Student Conduct. It includes the completion of all sanctions imposed.

X. Appeal

A decision reached by the Title IX Hearing Panel or a sanction imposed by the Hearing Panel may be appealed by the Complainant or Respondent to the Student Conduct Appellate Panel. An individual or organization may appeal only one-time for each Title IX Hearing Panel decision. Such appeals will be in writing and will be delivered to the Student Conduct Board Administrator within five days of receipt of the notification of the Hearing Panel decision.

Except as required to explain the basis of new information, an appeal will be limited to review of the transcribed hearing and supporting documents for one or more of the following purposes:

1. To determine whether the original Investigation and Title IX Hearing was conducted fairly in light of the Complaint and the information presented, and in conformity with prescribed procedures giving the Complainant a reasonable opportunity to prepare and present information that the Sexual Misconduct and Harassment policy was violated, and giving the Respondent a reasonable opportunity to prepare a response to the Complaint.
2. To determine whether the decision reached regarding the Respondent was based on substantial information, that is, whether the facts in the case were sufficient to establish that it was more likely than not that the sexual misconduct as described in the Sexual Misconduct and Harassment policy did occur.
3. To determine whether the sanction(s) imposed were appropriate for the misconduct for which the Respondent was found responsible.
4. To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because the person appealing did not know such information and/or facts at the time of the original Title IX Hearing.

Procedures:

1. Upon receipt of an appeal, the Student Conduct System Administrator will notify the convener of the Student Conduct Appellate Panel and will deliver to that individual the written appeal, the verbatim record of the hearing, any supporting documents, including the original complaint and any written materials submitted at the hearing.
2. The convener will bring the Panel together, which will review the verbatim record and all supporting information from the hearing and make a decision either to uphold the appeal or to uphold the original Title IX Hearing Panel decision. At least two members of the Student Conduct Appellate Panel must participate in any appeal.
3. In any case where the Student Conduct Appellate Panel decides to uphold the appeal, the Panel will then make one of several decisions:
 - A. Make a final decision concerning the substance of the appeal or the sanctions that have been imposed, or both.
 - B. Return the case to the Title IX Hearing Panel for reconsidering their decision. In this case, the Student Conduct Appellate Panel will prepare a written document addressed to the Student Conduct System Administrator providing guidance to the Title IX Hearing Panel in reconsidering their original decision. This document could include a recommendation to re-open the hearing. A copy of this document should be included in the disciplinary file. The Student Conduct Appellate Panel should also produce a document addressed to the student who filed the appeal stating the Panel's decision, with copies so that the Complainant, the Respondent, and Student Conduct System Administrator are informed. A copy of the document should also be included in the disciplinary file. In cases where an appeal is upheld citing, "to consider new information," the case should always be referred back to the Title IX Hearing Panel.
 - C. Make a decision regarding changes in sanctions, and prepare a written description addressed to the individual filing the appeal with copies so that the Complainant, Respondent, and the Student Conduct System Administrator are informed of the decision. A copy should also be included in the disciplinary file.
4. In any of these instances the materials provided by the Student Conduct Appellate Panel should include a clear reference to the reasons for upholding the appeal.
5. In any case where the Student Conduct Appellate Panel decides to uphold the decision of the Title IX Hearing Panel they should prepare a written document addressed to the individual filing the appeal with copies so that the Complainant, Respondent, and Student Conduct System Administrator are informed of the decision. This document must state that this decision is final. This process must be completed within 10 days of receipt of the appeal and supplementary materials.
6. At the conclusion of any appeal, the Student Conduct Appellate Panel will forward the appeal file and resulting correspondence to the President of the University, who may or may not reverse, affirm, modify or provide post relief of a previous judgment. The President will notify the Appellate Panel when his/her review is complete, and will direct the Panel regarding what materials may be sent to the various parties and when they may be sent.

This process is confidential and the highest ethical standards must be maintained throughout.

This Policy is thoroughly reviewed on an annual basis. The Policy may be updated periodically for accuracy and clarity. The most up to date and current version can be found on the Sexual Misconduct Policy (Title IX) webpage.

[The NWU Board of Governor's approved these procedures on September 9, 2016.]

Access to Campus Facilities

Residential Facilities Security

The following descriptions are the University's efforts to provide a residential environment sensitive to student safety and security. No systems, however, can guarantee individual safety. Everyone must exercise personal caution and accept individual responsibility for the safety of their person and property:

- Each facility has a REC (Residential Education Coordinator) who is a member of the professional staff, assigned to and/or living in the facility. In most instances, several PAs (Peer Assistants) who are students who live on-site.
- PAs make rounds of Plainsman, Burt North, Centennial, Pioneer, Johnson, Heim /White Suites and the Townhouses each evening. PAs do safety checks of outside doors and first floor windows to ensure they are locked and screens are on windows.
- All resident halls are secured 24 hours a day. Only the residents of each building or commuter students participating in the Connect to Campus Program can enter using an electronic fob access system. The following apartments do not have fob systems: 5240, 5400 and 5448 Madison; 2800 N 54th and 5204 Madison (a theme house).
- All rooms have "coded" keys. If a room key is lost, the finder will not know the room number or the building of the key. Once a key is reported lost or stolen, the "core" of the lock can be readily changed to prevent entry by the person who found the key; thus, the coded keys have a two-step protection system.
- A cellular phone is attended by a Student Life staff member on duty 24/7
- Emergency lighting will come on if there is a power loss in the hallways and stairways. Each facility has fire alarms, extinguishers, smoke/heat detectors and sprinkling systems on each floor.
- Most room doors have a peephole to enable residents to establish identity before admitting anyone.
- Security cameras are at most residential facility entrances as well as at other locations throughout campus and are operational.

General Facilities Security

Campus buildings have regularly scheduled operating hours. These hours which are posted on the external doors of each building are maintained to protect everyone and the equipment in them. The hours are subject to change during holidays, down times and to accommodate special activities. Should emergencies arise alterations to posted hours may be necessary.

Please leave when the facility closes, if you need to stay after hours make sure you have the appropriate permission. If you are in a facility after it closes notify security at (402) 432-9238 of your presence and also when you leave. Always carry your official University photo identification card, you may be asked for identification by Security or any other University Official.

Building/Office Hours

| | | |
|---------------|-----------------|--------------|
| Elder Theatre | Monday-Saturday | 7 am - 11pm |
| | Sunday | 12pm - 11pm |
| Lucas Hall | Monday-Thursday | 8 am - 10 pm |
| | Friday | 8 am - 5 pm |
| | Saturday | 11 am - 5 pm |
| | Sunday | 4 pm - 10 pm |

| | | |
|--------------------------------|----------------------------|----------------------------------|
| Old Main | Monday-Friday | 7 am - 5:30 pm |
| Olin Hall of Science | Monday-Thursday | 7 am - 10 pm |
| | Friday | 7 am - 5:30 pm |
| | Saturday | 12 pm - 5 pm |
| | Sunday | 2 pm - 10 pm |
| Rogers Fine Arts | Monday-Friday | 7 am - 12 am |
| | Saturday | 9 am - 5 pm |
| | Sunday | 2 pm - 12 am |
| Smith-Curtis | Monday-Thursday | 7 am - 10:30 pm |
| | Friday & Saturday | 7 am - 5:30 pm |
| Cochran-Woods Library | Monday-Thursday | 7:45 am - 12 am |
| | Friday | 7:45 am - 5 pm |
| | Saturday | 12 pm - 6 pm |
| | Sunday | 2 pm - 12 am |
| Weary Center | Monday-Thursday | 6:15 am - 11 pm |
| | Friday | 6:15 am - 7 pm |
| | Saturday | 12 pm - 5 pm |
| | Sunday | 1 pm - 9 pm |
| Burt Hall South | Monday-Thursday | 8 am - 8 pm |
| | Friday | 8 am - 5 pm |
| | Saturday | Depending on Forensics' Schedule |
| Roy G. Story Student Center | Academic Year Daily | 7 am - 12 am |
| | Summer Break Monday-Friday | 7 am - 5 pm |
| Residential Education | Monday-Friday | 8 am - 12pm 1pm - 5pm |
| Resident Halls | Locked 24 hours a day | |

Campus Security

Campus Security Officer

Nebraska Wesleyan University employs a security company to provide CSOs (Campus Security Officers). The CSOs serve as additional eyes and ears on campus and are available to assist LPD and LFD (Lincoln Fire Department) as needed. Their duties include (but not limited to) protecting University community members and property by securing doors and gates; checking offices, classrooms and laboratories; patrolling campus grounds, buildings and parking lots. They also provide escort service when requested. The CSOs are trained in crime prevention, safety and patrol techniques. They are not armed, they can use physical force as a defense and they do not make arrests. Daily activity reports are created by each shift and if a crime/incident occurs a separate incident report is made along with a phone call to the CSACs. CSOs do not do regular security rounds to off-campus residence of recognized fraternities and sororities.

The University also hires off-duty LEOs (law enforcement officer) throughout the year to patrol the campus. The off-duty LEOs are not on campus to investigate crimes; however, they can use their law enforcement authority

to take action if they observe any illegal activity on campus. Wesleyan community members should be advised the off-duty LEOs will carry their issued firearms.

Nebraska Wesleyan University's campus is under the jurisdiction of LPD, the Department's Northeast Team. LPD have the right to come onto campus to investigate reported crimes and make arrests. LPD regularly report to the administration any criminal activity which has occurred in the University Place neighborhood, including student Greek houses.

Security/ Safety Awareness Programs

In the fall each employee and new employees receive a copy of the Emergency Procedures Guidebook, which outlines emergency procedures as well as crime reporting procedures. Additional information is provided through periodic notices published in the weekly faculty/staff announcements on Nebraska Wesleyan's web page, giving helpful tips on security and reporting crimes/incidents on campus or around campus. The student newspaper also has periodic articles on campus security and crime. Special memos are circulated to the staff on an as needed basis if certain crime situations prevail. Another good source of information is the student planner/handbook.

All Wesleyan community members should be aware that personal property theft can occur on campus. Items most likely to be stolen are: radios and speaker equipment (from vehicles), unattended wallets and purses (from offices), unattended backpacks and laptops (from commons areas). All members are responsible for their own personal belongings and should take simple, common sense precautions to protect their valuables.

Crime Prevention Programs

Crime Prevention Programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year.

Residential Education personnel provide students with a variety of educational strategies on how to protect themselves from sexual assault, theft and other crimes.

A group of students from SAS and the Dean of Students along with the Director of Physical Plant walk the campus after dark each semester and evaluate the campus lighting and landscaping in terms of safety and security. Based on their analysis, the SAS makes recommendations regarding changes that will make the campus a more secure environment.

Student Life provides every CLAS student with Wesleyan Watch information promoting the theme that campus security is everybody's business, along with Campus Security, LFD, LPD and Student Health phone numbers. The Wesleyan Watch information is included in the student planner/handbook, which is placed in each CLAS student's campus mailbox.

Annual Programing

The University has educational programs to promote the awareness of rape, acquaintance rape, dating violence, domestic violence, sexual assault, and stalking. These educational programs include primary prevention and awareness programs for all incoming students and new employees.

Student Life Programing for Incoming Students:

- All incoming CLAS students were requested to complete CAP (College Alcohol Profile) online before arriving on campus.
- An Understanding Sexual Assault brochure has been developed and is distributed to all incoming students during NSO.

Student Life Programing for All Students:

- Sex Signals, a program on alcohol and drug use; safe party and dating practices is Co-sponsored together by SAS, WEB (Wesleyan Entertainment Board) and the Residence Life Office.
- The Nebraska Wesleyan University Campus Coalition for Alcohol Initiatives does a quarterly bulletin board in Smith Curtis promoting alcohol awareness.
- Students who receive an alcohol related citation from LPD are required to meet with the Dean of Students.
- The Nebraska Wesleyan University Campus Coalition for Alcohol Initiatives worked with the Nebraska Collegiate Consortium to Reduce High Risk Drinking to develop and print a set of three different posters on Bystander Intervention. These were personalized to our campus and post throughout campus.
- Sexual Misconduct or Violence Resource Persons, Sexual Harassment Resource Persons and Personal Harassment Resource Persons are designated. Their contact information is distributed to all CLAS students through the student planner/handbook.
- Posters with contact information for on and off campus resources are distributed to all residence hall floors and various campus buildings, should a student be the victim of, (or become aware of) sexual misconduct or violence.
- A brochure regarding Nebraska Wesleyan University's alcohol policy was developed and distributed to all upper class students in resident halls.
- All Nebraska Wesleyan CLAS students are required to indicate that they have read the Nebraska Wesleyan University's Alcohol and Drug Policy, substance abuse resources on and off campus, effects of various illegal substances, and campus/legal consequences for violation of policies/laws pertaining to the use of alcohol/drugs, before being permitted to validate their class schedule.

Residential Education Programing:

System-Wide

- All buildings have posted contact information for all emergency numbers relevant to Nebraska Wesleyan's campus.
- Residential education staff training includes: hostile intruder response; sexual assault, safety and emergency procedures; alcohol education, drug prevention, first aid and CPR.

Residential Education Newsletter Articles for 2015 covered the following topics:

- Fire prevention & alcohol
- Personal safety

Safety-Related Programs in the Residence Halls in 2015 covered the following topics:

- Alcohol
- Fire prevention/response
- Personal Safety
- Bystander Intervention
- Title IX
- Dating Violence

Also in 2015 Residential Education office provided a special week-long series of programming on the topic of fire safety that was implemented in partnership with Lincoln Fire & Rescue.

Nebraska Wesleyan University Alcohol and Drug Policy:

Because of the serious problems related to the abuse of alcoholic beverages and controlled substances, and because this practice can lead to a loss of effectiveness in human life and does not contribute to the teaching-learning process, the Nebraska Wesleyan University community reaffirms its position of serious concern about and opposition to the use of alcoholic beverages/controlled substances in this environment. Therefore, the Nebraska Wesleyan University community urges all of its members to exercise mature judgment and social responsibility when making decisions regarding the use of alcoholic beverages/drugs. The University is committed to helping individuals who are suffering from an alcohol dependency/drug abuse problem, and we urge the members of the Wesleyan community to become actively engaged in alcohol and drug education, prevention and treatment programs when appropriate.

Nebraska Wesleyan complies with Federal, State, and local laws including those which regulate the possession, use and sale of alcoholic beverages/controlled substances. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. This University community further denounces and prohibits the sale, possession, distribution or use of illegal drugs by Wesleyan community members. Such laws are strictly enforced by the University. Violators are subject to University disciplinary action, criminal prosecution, fine and imprisonment.

Regarding Employees

Each employee has received the Policy Statement on Alcohol and Drugs approved by the Board of Governors and each newly hired employee receives materials at the time of employment as directed by the Drug Free Schools and Communities Amendments of 1989.

Violation of this policy by employees may subject the employees to institutional sanctions including, (but not limited to) mandatory counseling as prescribed by Nebraska Wesleyan University; suspension from work without pay until the problem has/is abated, termination, referral for prosecution.

As a condition of employment, all employees must abide by the terms of this statement, and must report to the human resource office any arrest and all subsequent convictions under a criminal drug statute for conduct in or out of the workplace no later than five days after the arrest and subsequent conviction. In the event of such a conviction, an employee will be subject to personnel action up to and including termination, and may be required to participate in an appropriate alcohol/drug abuse assistance or rehabilitation program.

Regarding Students

Students have received the Policy Statement on Alcohol and Drugs approved by the Board of Governors, Students receive information on the implementation of the University's Alcohol and Drugs Policy in the student planner/handbook. The Student Life and Campus Community Division provides drug and alcohol abuse preventions programs in compliance with Section 120 (a) and (d) of the Health Education Act. Description of these programs can be obtained from the Student Life Office.

In support of this policy, the Nebraska Wesleyan University Campus Coalition on Alcohol Initiatives has developed a three-year strategic plan to reduce high-risk drinking on campus. This plan is based on a broad Environmental Management Approach as recommended in "Experiences in Effective Prevention", an August 2007 publication by the US Department of Education's Alcohol and Other Drug Prevention Models on College Campuses Grants, pages 7-9. The approach includes:

- Offering and promoting social, recreational, extracurricular, and public service options that do not include alcohol and other drugs.
- Creating a social, academic, and residential environment that supports health-promoting norms.
- Limiting the availability of alcohol and other drugs both on and off-campus.
- Restricting marketing and promotion of alcohol and other drugs.
- Developing and enforcing campus policies, and enforcing local, state and federal laws.

The Nebraska Wesleyan University Campus Coalition on Alcohol Initiatives is a campus group consisting of representatives of the following campus entities:

- Dean of Students Office and Campus Judiciary
- Student Health Center
- Greek Life
- Residence life
- Counseling Services
- Curriculum Committee
- Student Athlete Advisory Board
- SAS

The charge of the committee is to coordinate Nebraska Wesleyan’s alcohol education efforts including social norming.

Additionally, SAS sponsors Wesleyan Wheels, a “safe ride home” program using the services of a local cab company. To encourage use of the safe ride program and awareness of safety in general, Wesleyan placed the phone numbers of Wesleyan Wheels and the phone number of Wesleyan’s 24/7 security phone on the back of each student’s parking hang tag.

| 2015 Crime Statistics | | | | | |
|--|-----------|------------------------------------|-----------------|-------------|---------------------------------------|
| | On Campus | University Controlled (Non-campus) | Public Property | GRAND TOTAL | Residence Halls (subset of On-Campus) |
| Crimes | | | | | |
| Aggravated Assault | 5 | 0 | 0 | 5 | 4 |
| Arson | 0 | 0 | 0 | 0 | 0 |
| Burglary | 4 | 0 | 0 | 4 | 4 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 |
| Manslaughter | 0 | 0 | 0 | 0 | 0 |
| Murder | 0 | 0 | 0 | 0 | 0 |
| Theft | 3 | 0 | 0 | 3 | 0 |
| Robbery | 0 | 0 | 0 | 0 | 0 |
| Forcible Sex Offenses (Total) | 4 | 0 | 0 | 4 | 4 |
| Forcible Rape | 0 | 0 | 0 | 0 | 0 |
| Forcible Sodomy | 0 | 0 | 0 | 0 | 0 |
| Sexual Assault W/Object | 0 | 0 | 0 | 0 | 0 |
| Forcible Fondling | 1 | 0 | 0 | 1 | 0 |
| Non-Forcible Sex Offenses (Total) | 0 | 0 | 0 | 0 | 0 |
| Incest | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape | 0 | 0 | 0 | 0 | 0 |
| Arrests (Persons) | | | | | |
| Liquor Law Violations | 1 | 0 | 0 | 1 | 1 |
| Drug Abuse Violations | 0 | 0 | 0 | 0 | 0 |
| Weapons Violations | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals | | | | | |
| Liquor Law Violations | 127 | 0 | 0 | 127 | 125 |
| Drug Abuse Violations | 6 | 0 | 0 | 6 | 6 |
| Weapons Violations | 0 | 0 | 0 | 0 | 0 |
| Violence Against Women Act Crimes | | | | | |
| Domestic Violence | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 |
| Stalking | 1 | 0 | 0 | 1 | 1 |

Lincoln Campus: No bias crimes and no fires
 Omaha Campus: One burglary, no bias crimes and no fires

2014 Crime Statistics

| Crimes | On Campus | University Controlled (Non-campus) | Public Property | GRAND TOTAL | Residence Halls (subset of On-Campus) |
|--|-----------|---------------------------------------|-----------------|-------------|--|
| Aggravated Assault | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 |
| Burglary | 1 | 0 | 1 | 2 | 0 |
| Manslaughter | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 |
| Murder | 0 | 0 | 0 | 0 | 0 |
| Larceny/Theft | 2 | 1 | 5 | 8 | 2 |
| Robbery | 1 | 0 | 0 | 1 | 0 |
| Rapes | | | | | |
| Rape Completed | 1 | 1 | 0 | 2 | 1 |
| Attempts to Commit Rape | 0 | 0 | 0 | 0 | 0 |
| Historical Rape | 0 | 0 | 0 | 0 | 0 |
| Sodomy | 0 | 0 | 0 | 0 | 0 |
| Sexual Assault W/Object | 0 | 0 | 0 | 0 | 0 |
| Sex Offenses | | | | | |
| Fondling | 0 | 1 | 0 | 1 | 0 |
| Incest | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape | 0 | 0 | 0 | 0 | 0 |
| Arrests (Persons) | | | | | |
| Liquor Law Violations | 3 | 0 | 1 | 4 | 1 |
| Drug Abuse Violations | 0 | 0 | 0 | 0 | 0 |
| Weapons Violations | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals | | | | | |
| Liquor Law Violations | 59 | 0 | 0 | 59 | 54 |
| Drug Abuse Violations | 3 | 0 | 0 | 3 | 3 |
| Weapons Violations | 0 | 0 | 0 | 0 | 0 |
| Judicial Referrals | | | | | |
| Liquor Law Violations | 20 | 0 | 0 | 20 | 15 |
| Drug Abuse Violations | 19 | 0 | 0 | 19 | 16 |
| Weapons Violations | 0 | 0 | 0 | 0 | 0 |
| Violence Against Women Act Crimes | | | | | |
| Domestic Violence | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | 0 | 0 |

Cardboard box caught fire in the kitchen of Theta Chi put out by sprinkler system. Fire department did check entire building.
No crimes or fires to report on the Omaha Campus.

| 2013 Crime Statistics | | | | | |
|--|-----------|------------------------------------|-----------------|-------------|---------------------------------------|
| | On Campus | University Controlled (Non-campus) | Public Property | GRAND TOTAL | Residence Halls (subset of On-Campus) |
| Crimes | | | | | |
| Aggravated Assault | 3 | 1 | 0 | 4 | 1 |
| Arson | 0 | 0 | 0 | 0 | 0 |
| Burglary | 1 | 0 | 0 | 1 | 1 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 |
| Manslaughter | 0 | 0 | 0 | 0 | 0 |
| Murder | 0 | 0 | 0 | 0 | 0 |
| Theft | 7 | 0 | 1 | 8 | 4 |
| Robbery | 0 | 0 | 0 | 0 | 0 |
| Forcible Sex Offenses (Total) | 0 | 0 | 0 | 0 | 0 |
| Forcible Rape | 1 | 0 | 0 | 1 | 1 |
| Forcible Sodomy | 0 | 0 | 0 | 0 | 0 |
| Sexual Assault W/Object | 0 | 0 | 0 | 0 | 0 |
| Forcible Fondling | 0 | 0 | 0 | 0 | 0 |
| Non-Forcible Sex Offenses (Total) | 0 | 0 | 0 | 0 | 0 |
| Incest | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape | 0 | 0 | 0 | 0 | 0 |
| Arrests (Persons) | | | | | |
| Liquor Law Violations | 0 | 0 | 0 | 0 | 0 |
| Drug Abuse Violations | 0 | 0 | 0 | 0 | 0 |
| Weapons Violations | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals | | | | | |
| Liquor Law Violations | 1 | 0 | 1 | 2 | 1 |
| Drug Abuse Violations | 2 | 0 | 0 | 2 | 2 |
| Weapons Violations | 0 | 0 | 0 | 0 | 0 |
| Violence Against Women Act Crimes | | | | | |
| Domestic Violence | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 |
| Stalking | 2 | 1 | 0 | 3 | 0 |

Lincoln Campus: No hate crimes and one fire Willard Sorority shed out back 2013
 Omaha Campus: No hate crimes, no fires, one theft and one stalking

Description of On-campus Student Housing Facility Fire Safety Systems

| Facility | Fire Alarms Monitored Off Site | Have Sprinkler Systems | Smoke/Heat Detectors | Have Fire Extinguishers | Evacuation Plan Placards | Evacuation/ Fire Drills Done Each School Year | Fire Rated Doors On All Resident Rooms Stairwells Laundry Rooms Kitchens Entryways |
|-------------------------------|--------------------------------|------------------------|----------------------|-------------------------|--------------------------|---|--|
| Centennial Hall | X | X | X | X | X | 4 | X |
| Johnson Hall | X | X | X | X | X | 4 | X |
| Pioneer Hall | X | X | X | X | X | 4 | X |
| Plainsman Hall | X | X | X | X | X | 4 | X |
| Heim& White Suites | X | X | X | X | X | 4 | X |
| Heurmann House | X | X | X | X | X | 4 | X |
| Holder House | X | X | X | X | X | 4 | X |
| Huge House | X | X | X | X | X | 4 | X |
| Finley House | X | X | X | X | X | 4 | X |
| Unvert House | X | X | X | X | X | 4 | X |
| Theme House 5204 Madison | X | X | X | X | X | 4 | X |
| Apts. 5019 Huntington | X | X | X | X | X | 4 | X |
| Apts. 2800 N 54 th | X | X | X | X | X | 4 | X |
| Apts. 5240 Madison | X | X | X | X | X | 4 | X |
| Apts. 5400 Madison | X | X | X | X | X | 4 | X |
| Apts. 5448 Madison | X | X | X | X | X | 4 | X |

All fire equipment in on-campus student housing facilities is tested by certified fire protection companies once a year and as needed, (Nebraska Wesleyan's Physical Plant Team checks all fire extinguishers, emergency lights and cigarette receptacles the first week of every month).

Procedures For Evacuation of Student Housing Facilities Should a Fire Occur.

If a fire occurs, it should be reported immediately to the LFD Lincoln Fire Department by calling 911. Fire alarm should be activated and the building evacuated. A call should be placed to the REC on-duty and the CSO. The REC and CSO are responsible for notifying the Dean of Students, Provost, Vice President for Finance, Assist Vice President for Finance and Director of Physical Plant. All occupants of the building are to be accounted for when everyone is out.

On-Campus Student Housing Facilities Fire/ Evacuation Drills

Each on-campus student housing facility has fire/evacuation plans posted in each resident room also by each entry and exit. RECs and PAs go through a fire training session that also includes hands on training with fire extinguishers. The RECs educate residents regarding evacuation procedures and destination locations for residents to gather.

Each on-campus student housing facility is required to have two fire drills every semester in order to prepare residents in case of a fire. The students are not forewarned of drills and are expected to leave the building. Failure to evacuate the building during a fire drill or a fire, also tampering with any kind of fire suppression equipment will result in a \$250.00 fine as well as the possibility of additional sanctions as outlined in the Code of Student Conduct.

RECs and PAs will periodically check smoke detectors in all rooms. Smoke detector checks will not always be announced. During break periods, the RECs will check rooms for safety before closing the buildings.

Fire Safety For On Campus Student Housing

Each on-campus student housing facility has sprinkler systems, heat/smoke detectors, fire extinguishers, pull stations, horns/bells/strobes, emergency lighting, and fire doors to resident rooms, stairwells, laundry rooms and kitchens. Each on-campus housing facility's fire panel is tied directly to the LFD. They are also monitored by NECO who alerts LFD and contacts Wesleyan of any alarms.

Nebraska Wesleyan only allows approved, safe, low wattage portable electrical appliances. This includes: hair dryers, curling irons, non-halogen desk lamps, radios, TVs, stereos, electric blankets, computers, fans, thermostatically controlled coffee makers, hot pots and popcorn poppers. All candles and candle warmers are strictly prohibited in on-campus housing. Additional sources of ignition that are prohibited include, but are not limited to, incense, hookahs, lanterns, charcoal, lighter fluid, Bunsen type burners and propane.

Outdoor grilling is only allowed with University provided and authorized grills that are located north of Plainsman Hall and on the west side of the Townhouse Village. Personal grills are not allowed on University property.

Smoking is not permitted in any on-campus housing or any building on campus. Campus community members smoking outside must do so at least 15 feet from the building. All cigarette butts must be placed in receptacles provided.