

BUENA VISTA UNIVERSITY

2010

*Annual Campus Security
and Fire Safety Report*

**BUENA VISTA
UNIVERSITY**

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Introduction

Safety and security is the number one concern to of the entire campus community: students, faculty, staff and visitors. While Buena Vista University and Storm Lake are comparatively safe environments, the campus is not exempt from the types of crime that exist in other Northwest Iowa Communities. Effective Safety and security require cooperation and assistance from everyone at the University.

The Student Right to know and Campus Security Act of 1990 recently renamed the Jeanne Clery Disclosure of Campus Security and Crime Statistic Act, was enacted by Congress and signed into law in November of 1990. In 1992, and most recently in 2000, Congress significantly amended the law, expanding the reporting criteria.

In compliance with the “Act”, Buena Vista University’s Campus Security has published this report to provide its students, employees, and visitors with an overview of the University’s security resources, policies and procedures, as well as crime statistics. The report is updated annually and is provided to all students, employees and applicants for admission and employment, as well as anyone who requests a copy.

Law Enforcement Authority

The Buena Vista University’s Campus Security is the office responsible for the safety and security of the campus community. The department includes a director, 5 full-time professional staff, and 1 part-time staff member. In addition, the department has between 15 to 20 student employees. The director reports to the Vice President for Student Services/Dean of Students (VPSS/DOS). Campus Security employees are not sworn or commissioned law enforcement officers. With the exception of the director, all on-duty personnel wear a distinctive security uniform. They provide basic security services to the campus community and are on duty 24 hours a day. Campus Security staff attend training programs specifically designed for security personnel. The Campus Security Office works closely with the Storm Lake Police Department and encourages victims to report crimes to local police.

Crime and Emergency Reporting Procedures

The Campus Security Office is located in the Student Services suite in the Harold Walter Siebens Forum. They can be contacted by calling 2500 on campus and 712-749-2500 from off campus. Any criminal incidents, emergencies or other suspicious behavior may be reported by calling Campus Security at 2500 or by 911 for local emergency services. The non-emergency number for local emergency services is 712-749-2525.

Students and employees may also report criminal offences to the Vice President for Student Services/Dean of Students, Associate Dean of Students, Residence Hall Directors, Resident Advisors, coaches, faculty and staff advisors to student groups.

Confidential Reporting Procedures

If a person is the victim of a crime and does not want to pursue action within the University judicial system or the criminal justice system, you may still want to consider making a confidential report. You may report an incident to any campus security officer confidentially or you may submit a report anonymously by going to the Campus Security website and using the form provided. Reports filed in this manner are counted and information on patterns of crime are used to alert the campus community of potential danger.

Timely Warnings

Buena Vista University is committed to providing a safe and secure environment for everyone. In the event of a serious crime or incident that occurs on campus and poses a threat to students, staff, faculty or visitors, the Campus Security Department will provide a timely notice via electronic newsletter called BVU News, computer base pop-up screen called BVU Alert, posting flyers throughout campus, as well as posting on the Campus Security website, and if circumstances warrant, published in the school newspaper, *"The Tack,"* and/or announced over campus TV and radio.

Responsibility of the BVU Community

Your safety on campus is vitally important. The key to a safe and secure environment is cooperation. Members of the campus community are expected to assume a certain amount of responsibility for their personal safety and the security of their property. The following safety and security tips are provided as a guideline.

- Never take personal safety for granted
- Try to avoid walking alone at night
- Stay in well-lit areas
- Walk close to the curb, away from bushes or alleys
- Request a campus security escort
- Lock your room door, even for a few minutes
- Do not leave valuables unattended or visible
- Do not lend your keys or ID's to anyone
- Inform your roommate or friends if you plan on remaining away from your room overnight
- Place identifying number or information mark on articles of value

Crime Awareness and Prevention

Buena Vista University believes that it is better to act early to prevent crime rather than react to it after it has been committed. Ultimately, we are all responsible for our own safety/security and the safety/security of those around us. Members of the campus community are encouraged to participate and be aware of crime prevention programs that are available to them. Following is a list that are offered to the community:

- Security Escort Service. Escort services are available upon request 24 hours a day
- Crime Prevention material. Printed crime prevention information is available from Campus Security and Residence Life
- Crime Prevention Presentations. Members of the Campus Security Department are available to talk to any student or employee group. These talks are designed to educate members of the community about security issues and various techniques that can be used to prevent crime on campus
- Sexual Assault/Misconduct Education and Prevention. In cooperation with Campus Counseling, Residence Life, and Health Services, sexual assault awareness, education, and prevention presentations are available and made to the campus community each year
- Facility Surveys. Facility and grounds surveys are conducted by Facilities Management and Campus Security to identify and evaluate areas of safety.
- Motorist Assist Program. The Motorist Assist Program is a 24 hour services and provides jump-start, and lock out services to the campus community
- Found Property Program. Campus Security is designated as the official campus location for receiving and storing found property. Individuals wishing to inquire about an item they have lost should contact the Campus Security Office.

In addition, numerous efforts are made to advise members of the campus community on a timely basis of all campus crime and crime related problems, to include the following:

- Annual Security report. A comprehensive annual report of crime related information is compiled, published and widely distributed to the community.
- Daily Incident Log. The Campus Security Office maintains and records a daily log of all crimes and incidents reported to campus authorities. The log includes crime information and is available upon request at the Campus Security Department.
- Crime Alert Bulletin. In the event of a crime or incident that poses a threat to students, employees, or others, a “Crime Alert Bulletin” is prepared and distributed via computer based pop-up called BVU Alert, campus email, posting flyers on campus and if necessary via BVU television and radio.

Missing Person Policy

For purposes of this policy, a student will be considered missing, if a roommate, classmate, faculty member, family member or other campus person has not seen the person in a reasonable amount of time. A reasonable amount of time may vary with the time of day and information available regarding the missing person's daily schedule, habits, punctuality, and reliability. Individuals will also be considered missing immediately, if their absence has occurred under circumstances that are suspicious or cause concerns for their safety. If the initial report that a person is missing is made to a department other than the Department of Campus Security, the

employee receiving the report will ensure that the Department of Campus Security is contacted immediately.

Procedure: Procedures for designation of emergency contact information

- a. **Students age 18 and above and emancipated minors:** Students will be given the opportunity during each semester registration process to designate a confidential contact person to be notified in the case that the student is determined to be missing and that only authorized campus officials in furtherance of a missing person investigation may have access to this information. If a student does not provide the confidential contact information, emergency contact information submitted by a student upon registering shall be used an individual or individuals to be contacted by the college “in case of emergency.” An emergency contact designee will remain in effect until changed or revoked by the student.
- b. **Students under the age of 18:** In the event a student who is not emancipated is determined to be missing pursuant to the procedures set forth below, the college is required to notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing in accordance with the procedures set forth below.

I. Official notification procedures for missing persons

- a. Any individual on campus who has information that a residential student may be a missing person must notify the Department of Campus Security or any Buena Vista University Official as soon as possible.
- b. The Department of Campus Security will gather information about the residential student from the reporting person and from the student's acquaintances (description, clothes last worn, where student might be, who student might be with, vehicle description, information about the physical and mental well being of the student, an up-to-date photograph, class schedule, etc.). Appropriate campus staff will be notified to aid in the search for the student.
- c. If the above actions are unsuccessful in locating the student within 4 hours of the report or it is apparent immediately that the student is a missing person (e.g., witnessed abduction), the Department of Campus Safety will contact the Storm Lake Police Department to report the student as a missing person and the local law enforcement agency will take over the investigation.
- d. No later than 24 hours after determining that a residential student is missing, the Vice-President for Student Services and Dean of Students or his designee will notify the emergency contact (*for students 18 and over) or the parent/guardian (for students under the age of 18) that the student is believed to be missing.

**Contact is contingent upon the correct emergency contact information being made available by the student.*

II. Campus communications about missing students

In all cases of a missing student, the law enforcement agency conducting the investigation will provide information to the media that is designed to obtain public assistance in the search for any missing student. The University's Marketing and Communication Office is available to provide consultation on communication with the investigating law enforcement agency. Any media requests to the University will be directed to the University Marketing and Communications Office. Prior to providing the Buena Vista University community

with any information about a missing student, the University Marketing and Communications Office shall consult with the Department of Campus Security and with law enforcement authorities to ensure that communications do not hinder the investigation.

Sexual Assault/Misconduct Policies

Buena Vista University will not tolerate sexual aggression in any form. The University is committed to a campus environment, which is free from the emotional and physical threat of sexual assault. A student, staff, administrator or faculty member charged with sexual misconduct can be prosecuted under Iowa criminal statutes and/or disciplined under the University's Sexual Misconduct Policy. Buena Vista University affirms that those who bring charges forward-whether administrators, faculty, staff, or students will be supported and will be treated with dignity and respect.

Victims are strongly encouraged to report sexually abusive behaviors to the Office of Student Services Counseling Services, Campus Security or SAVE (Students Against A Violent Environment) as soon as possible after the incident. Compassionate support, assistance and treatment services are available on attending to the needs of the victim. All reports of sexual aggression are taken with the utmost seriousness, and the victim will be referred to the appropriate support persons for assistance. Victims are encouraged to preserve evidence in case they would like to pursue charges at a later date. Confidentiality will be protected and support for victims will be provided when not in conflict with overriding community interests.

Buena Vista University proceedings are separate and distinct from state and federal legal proceedings. If the victim wishes to enter the legal system, it will be necessary to file separate charges with local law enforcement officials. The University will provide support to victims who choose to file charges with local law enforcement. Even if criminal justice authorities choose not to prosecute, the University will pursue disciplinary action at the request of the victim.

During a university disciplinary case, the accuser and the accused are entitled to the same opportunities to have others present during the disciplinary hearing. Sanctions for sexual misconduct may include a variety of disciplinary actions, up to and including probation, suspension, and expulsion, as well and/or criminal prosecution.

In certain instances, state and federal law requires institutions to take certain action for the safety of the community and welfare of the complainant, even if not requested by the complainant. This includes, but is not limited to, changes in classes and housing.

Decisions will be made with sensitivity to the complainant and in a fair and reasonable manner.

There shall be no statute of limitations on campus, as long as the accused remains enrolled at the University.

If an accused student withdraws from the University after the incident, the disciplinary hearing will go forward with or without the accused. The accused may return to campus for the hearing.

A complete copy of the Sexual Misconduct Policy may be found in the student handbook, as well as on the University web site.

Sexual Assault/Misconduct Reporting Procedures

Sexual assault can happen to anyone, at anytime, and anyplace. Should you become a victim of a sexual assault, some of the immediate reactions you may experience may include anger, disbelief, anxiety, and fear. No matter what your reaction, you should do two things immediately: (1) Report the incident to either University officials, or law enforcement, and (2) Seek medical attention. Above all, do not try and face the situation alone. Please consider contacting a family member, friend, University Counseling Services, a SAVE (Students against a Violent Environment) Advocate, or a Clergy member. These people can offer support and assistance. A victim of a sexual assault may file a complaint with the university by reporting the assault to the Director of Campus Security, the Associate Dean of Students, or the Vice President for Student Services/Dean of Students.

If the complainant chooses to proceed with internal action, he or she may choose from among three hearing options.

- The Sexual Misconduct Hearing Board: For any particular hearing, the board will consist of one administrator, one faculty or staff member, and one student. The combination to be determined by the status of the persons involved. The members and alternates of the Hearing board will be selected by President's Council and the Judicial Board. The Vice President for Student Services/Dean of Students is responsible for selecting representatives to serve on a particular Hearing Board.
- The Administrative Hearing Board. This Board consists of three administrators, selected by the Vice President of Student Services/Dean of Students. The process for a member of the faculty, administration or staff accused of sexual misconduct shall be a hearing before the Administrative Hearing Board which will make a finding of fact to the appropriate Vice President who will determine the final disposition. In the event the accused is a Vice President, the finding of fact will go to the President of the University for Disposition. In the matter that the accused is the President, the matter will go to the Chair of the Board of Trustees.
- The Dean's Hearing: The Dean's Hearing consists of the Vice President for Student Services/Dean of Students or his/her designee. The VPSS/DOS, or his/her designee has the right to refer the case to one of the Hearing Boards.

The University will file charges on campus with the consent of the complainant. The University will support the complainant regardless of the decision he or she makes regarding the filing of a complaint on campus and/or with law enforcement officials.

If the complainant wishes to file a complaint with local law enforcement, a university official will be available to provide support and assistance in filing the complaint, if the complainant wishes.

Registered Sex Offender Information

The Federal Campus Sex Crimes Prevention Act, enacted and went into effect on October 28th, 2002. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders register in a state to provide notice,

as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student. For the State of Iowa, you may obtain this information by contacting the Buena Vista County Sheriff's Department, County Courthouse, Storm Lake, Iowa 50588, 712-749-2530, or inquire through the Iowa Sex Offender Registry at www.iowasexoffender.com.

Residence Hall and Campus Facilities

Campus facilities are open to students, employees and guests during normal business hours. Because of the University's size and location, formal policy for identification and admission of visitors has not been necessary, however students, staff and faculty are requested to notify campus security of any suspicious persons or circumstances. Individuals not having legitimate business on campus may be arrested for criminal trespass after being asked to leave. Loitering or soliciting is not permitted on campus.

The university has 6 residence halls. Resident Directors (RDs) and Resident Advisors (RAs) live in the residence halls and are trained to assist individuals on the floor and to help maintain a healthy educational environment. Residential staff receives training in basic security and emergency procedures.

Campus Security officers also patrol the residential halls, and provide support to the Residential Life staff.

Residence facilities are locked between the hours of midnight and 6am Monday through Friday, and between midnight and 9am on Saturday and Sunday. When doors are locked residents gain access to their building by using their university ID card. Students are issued keys to their room and students are responsible for safekeeping and securing their own rooms.

Non-University over night guests must be registered with the Residence Hall staff, and must have the roommates' approval. Overnight guests are limited to a stay of three consecutive nights. Guests and visitors must adhere to the same regulations as resident students. After regularly established quiet hours members of the opposite gender must be escorted by their host while in any public areas of single gender residence halls.

During holidays and breaks, residence facilities may be locked for longer periods.

Buena Vista University Drug Policy

The University considers the use, possession, distribution, sale or manufacture of illicit drugs or drug-related paraphernalia as contrary to the welfare of the University community and strictly prohibits such activities.

Sanctions for violations of the Drug Policy:

1. Use or possession:

A student or employee who uses or possesses illegal drugs or drug-related paraphernalia will be subject to disciplinary action up to and including immediate suspension, expulsion or discharge from Buena Vista University.

2. Manufacture, distribution and/or sale:

A student or employee, who manufactures, distributes or sells illicit drugs or drug-related paraphernalia will be subject to immediate suspension, expulsion or discharge from Buena Vista University.

Buena Vista University Alcohol Policy

Preface: Buena Vista University supports the laws of the State of Iowa and of all states in which it operates and the expressed intent of any policy pertaining to the use of alcohol at the BVU Storm Lake campus and BVU Centers is to be consistent with all relevant local, state and federal laws and regulations. Employees, students and visitors to Buena Vista University will be required to obey the laws and regulations of the University, understanding that these laws and regulations are made with respect for the common good. Any and all questions of definition and/or classification regarding adherence to the Drug and Alcohol Policy will be determined by the Office of Student Services.

1. This policy applies to the Buena Vista University Storm Lake campus, Buena Vista University Centers, and events and activities sponsored or sanctioned by Buena Vista University.
2. Measures or activities designed to circumvent the intent of this policy or the laws and regulations of the State of Iowa, or, for University-sanctioned activities outside of the State of Iowa, the relevant state or local laws and regulations, will not be tolerated.
3. Possession of alcoholic beverages or their containers, or the consumption of alcoholic beverages by anyone not of legal age, as well as, misrepresentation of age or identity for the purpose of obtaining alcohol, is forbidden on the Buena Vista University Storm Lake campus and on property used by the University at Buena Vista University Centers, pursuant to relevant state and local laws.
4. On the Storm Lake campus, the consumption of alcoholic beverages or possession of open containers of alcoholic beverages including, but not limited to, squeeze bottles and covered mugs, by anyone of legal age, pursuant to the laws of the State of Iowa, is restricted to the privacy (where privacy is defined explicitly as behind closed doors) of residence hall rooms and cottages of legal-age residents. Open containers of alcohol must be kept out of the residence hall hallways and all public areas on University property. Any alcohol available in a can (i.e. beer) is not allowed on campus in its bottled form, unless served by the University Food Service vendor.

All student organized social events on the Storm Lake campus where alcoholic beverages will be distributed or consumed must be registered three days prior to the start of the event in accordance with guidelines maintained by the Vice President for Student Services/Dean of Students. The hosts/organizers of such events are responsible for presenting a plan for monitoring compliance with and for taking reasonable steps to avoid violations of, Buena Vista University policies. Copies of these guidelines are available in the Office of Student Services. These guidelines will be reviewed every two years by the Student Services Committee of the Faculty Senate.

5. Alcohol punch parties, kegs and alcohol in containers larger than a gallon provided by non-licensed vendors are not permitted on the Storm Lake campus. A punch party is any activity that includes the possession, distribution or consumption of uncontrolled

mixtures of alcoholic beverages. Such mixtures are often consumed using containers that are uncontrolled in size.

6. Students who choose to consume alcohol are expected to behave in a mature and responsible manner. Any student whose inappropriate behavior (as defined by the Code of Conduct) on the Buena Vista University Storm Lake campus, or on property used by the University, is perceived to be directly related to alcohol consumption may be disciplined for said behavior and, in addition, may be subject to the sanctions for violations of this Alcohol Policy as well.
7. Buena Vista University reserves the right to create alcohol-free, tobacco-free and/or smoking free living spaces for those students who request it.
8. All alcohol consumed outside a student room must be served by the University Food Service under their license. Such authorization shall result from negotiations between the food service vendor and the President of the University, or his/her designee. At sites used by the University, other than the Storm Lake campus, the possession, sale, distribution, and consumption of alcohol must be consistent with relevant local laws and campus policies and regulations, and the decisions of the President or his/her designee. Open containers of alcohol provided by the University Food Service must be kept in the space in which the alcohol is served. Alcoholic beverages may not be served or consumed in any public space on University property, unless authorized by the President of the University, or his/her designee.
9. Responsibility for obtaining proof of age before serving an alcoholic beverage on University property lies with the organizer and/or host of the event or activity.
10. The possession, consumption, and distribution of alcoholic beverages during ACES performances or lectures are prohibited.
11. Any solicitation (for example, advertising) of alcoholic beverages or their consumption, including any items placed in campus mail, campus email or mailboxes, is prohibited on campus. The Chalk Policy also prohibits solicitation of alcoholic beverages. Note: Advertisements on any official campus radio station (e.g., KBVU), on any official campus television station (e.g., University Cable Network), or in any official campus newspaper (e.g., *The Tack*) are not covered by this provision. Any solicitations or other materials received via U.S. Mail are not covered by this provision.
12. Consumption of alcohol on trips sponsored or sanctioned by Buena Vista University (i.e., athletic trips, Interim trips, conventions, field trips, etc.) shall be consistent with relevant, local laws and regulations, and the decisions of the designated leaders of those trips. Members of the Residence Life Staff are not specifically responsible for enforcing the Drug and Alcohol Policy on any trips sponsored or sanctioned by Buena Vista University.

Student Sanctions for Violations of the Alcohol Policy

The usual sanctions for typical alcohol violations are listed below. However, other discretionary sanctions may be utilized by the judicial board or hearing officer in order to deal effectively and appropriately with the student's behavior in cases where lesser or more severe sanctions might be needed. These may include any sanction allowed under the BVU Code. While we typically work directly with students we reserve the right when appropriate to contact parents.

1. A first violation would typically result in Official Warning, \$35 Fine, and attendance at an alcohol education class.
2. A second violation would typically result in Official Warning, \$50 fine, and alcohol assessment with follow through of any recommended treatment.
3. A third violation would typically result in Probation, \$100 fine and possible removal from university housing if appropriate.
4. Additional violations will most likely result in suspension and treatment. Students should be aware that any official disciplinary sanctions will result in a deduction of points for the room draw process used for application to the suites/honor halls.

Expenditure of Fines Collected for Violations of the Alcohol Policy.

The Office of Student Services will determine how funds in the Alcohol Fine Account will be spent. Typically, these funds are allocated for substance prevention and/or programming efforts throughout the campus community.

Harassment Policy

POLICY STATEMENT SUPPORTING DIVERSITY AND FREE SPEECH

Diversity of views, cultures, and experiences is critical to the academic mission of higher education. Such diversity enriches the intellectual lives of all, and it increases the capacity of Buena Vista University to serve the educational needs of its community.

BVU is also equally committed to academic freedom and free speech. As members of an institution of higher learning, respecting these rights requires that we tolerate expressions of opinion that differ from our own or that we may find abhorrent.

These values of free expression justify protection of speech that is critical for diversity and other principles central to the University's academic mission. However, values of free expression are not supported, but rather are undermined by acts of intolerance that suppress alternative views through intimidation or injury. As members of an institution of higher learning, we must stand against any assault upon the dignity and value of any individual, through harassment that substantially interferes with his or her educational opportunities, peaceful enjoyment of residence, physical security, or terms or conditions of employment (collectively, "protected interests").

Buena Vista University is committed to preventing harassment while protecting individual rights. The BVU community promotes an environment in which incidents of discriminatory harassment are less likely to occur; an environment that is hospitable to all members of the university community regardless of race, sex, color, national origin, religion, age, sexual orientation, disability or status.

Ultimately, however, these goals will not be fully realized unless every member of the University community takes personal responsibility for fostering an environment in which diversity can be appreciated and in which all students and employees can reach their fullest potential. No committee or other entity can substitute for the good will, freely given, by the individuals who make up the University.

I. UNIVERSITY POLICY PROHIBITING HARASSMENT

- A. It is a violation of University policy for any University employee or student to subject any person to harassment.
- B. Harassment defined: Actions constitute harassment if:
 1. They are substantially interfere with another's educational or employment opportunities, peaceful enjoyment of residence, or physical security, and
 2. The actions are intentional and taken with the knowledge that they are likely to substantially interfere with protected interests identified above.

II. Buena Vista University's & FIRST AMENDMENT GUIDELINES

- A. The University's Legal Obligations
As a university and employer, BVU has moral, legal, and, to a limited extent, contractual obligations to maintain reasonable educational, residential, and working environments that allow students and employees to pursue their goals without substantial interference stemming from harassment. BVU is committed to the goal of achieving diversity within the campus community. Principles of academic freedom and constitutional guarantees of free speech, however, limit the University's ability to use restrictions on speech as a means of promoting diversity and opposing harassment and discrimination. Thus, as stated in these policies, the Harassment Policy does not restrict free speech protected by state and federal constitutional laws or by principles of academic freedom.

III. ILLEGALITY OF HARASSMENT

- A. Sexual Harassment
Sexual harassment is prohibited under Title IX of the Educational Amendments Act of 1972 and Titles VI/VII of the Civil Rights Act of 1964, and includes any unwelcome sexual conduct which:
 1. is made a term or condition of an individual's employment; or
 2. has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. These statements also apply to the ability of an individual to obtain an education (as in a situation involving a faculty member/administrator/staff member and a student).

The following is a list that is by no means exhaustive, of conduct considered to be sexual harassment, *if unwelcome and shown to be sufficiently severe and pervasive*:

- direct or indirect threats or bribes for sexual activity
- sexual innuendoes and comments
- intrusive sexually explicit questions
- sexually suggestive sounds or gestures
- repeatedly asking a person out for dates or to have sex
- touching, patting, pinching, stroking, squeezing, tickling, or brushing against a person
- neck/shoulder massage
- rating a person's appearance or sexuality
- ogling, leering or staring at a person's anatomy
- spreading rumors about a person's sexuality or graffiti about a person's sexuality

- name-calling
- sexual ridicule
- jokes about sex or genders
- letters, notes, telephone calls, or material that is of a sexual nature
- displaying pictures, photographs, calendars, cartoons, or other material with a sexually explicit content
- stalking a person

Harris v. Forkli (1993) and *Oncale v. Sundowner (1998)*: To determine the existence of a severe or pervasive harassing environment, the following circumstances must be considered: frequency and duration of conduct; severity of the conduct (physical threats, humiliation, or mere utterances); and the level of interference with the complainant's employment or education. *Sexual Harassment is punishable under federal and state law.*

B. Harassment Based on Race and National Origin

Harassment based on race or national origin can be oral, written, graphic or physical conduct related to an individual's race, color, or ethnicity, including, but not limited to:

- Intimidation or implied or overt threats of physical violence motivated by race, color or national origin
- Acts of aggression or assault upon another, or damage to property of another, motivated by the individual's race, color, or ethnicity
- Demeaning jokes, taunting, racial slurs and derogatory racial nicknames, innuendos, or other negative or derogatory remarks relating to race, color, or ethnicity
- Graffiti, slogans, cartoons, or posters depicting racial/ethnic slurs and/or derogatory sentiments
- Criminal offenses directed at persons because of their race or national origin

C. Harassment Based on Sexual Orientation

Some harassment directed at gay, lesbian, bi-sexual or transgender individuals can fall under the sexual harassment guidelines if it is targeting such individuals for physical sexual advances, etc. Buena Vista University will not tolerate any type of harassment toward members of the gay, lesbian, bi-sexual or transgender community. BVU's harassment policy prohibits any conduct toward individuals based on their sexual orientation that creates a hostile environment. All allegations of such conduct will be investigated and are subject to the hearing procedures of this policy.

D. Other Targets of Harassment

Comments and actions that constitute harassment may also be based on any other protected interest, such as religion, age, ability, and/or physical appearance. Buena Vista University will not tolerate such conduct and all allegations will be investigated and are subject to the same hearing procedures and sanctions as other forms of harassment under this policy.

Retaliation

Buena Vista University will discipline or take other appropriate action against any student, faculty member, staff member, or administrator who retaliates against (or attempts to retaliate against) any person who reports alleged harassment or violence, files a complaint of harassment, or who testifies, assists, or participates in any investigation, hearing or proceeding related to such harassment or violence. Retaliation includes, but is not limited to, any form of threat, intimidation, reprisal, or discrimination.

Jurisdiction

Buena Vista University shall have jurisdiction over all students who are enrolled at Buena Vista University. Any school sponsored or sanctioned activities, during which harassment is alleged to have occurred, shall trigger jurisdiction. For any other alleged incident occurring off campus, however, this jurisdiction will be invoked only upon the written concurrence of the President and the Vice President for Student Services/Dean of Students.

BUENA VISTA UNIVERSITY

CRIME STATISTICS

The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act mandates the manner in which statistics are to be collected and the format in which statistics are to be published.

CRIMINAL OFFENSES

CRIMINAL OFFENSES – ON-CAMPUS	2008	2009	2010
a. Murder/Non-regligent manslaughter	0	0	0
b. Negligent Manslaughter	0	0	0
c. Sex Offenses – forcible	1	1	3
d. Sex Offenses – non-forcible	0	0	0
e. Robbery	0	0	0
f. Aggravated Assault	2	1	0
g. Burglary	6	7	10
h. Motor Vehicle Theft	0	1	0
i. Arson	1	0	0

CRIMINAL OFFENSES – ON-CAMPUS RESIDENCE HALLS

RESIDENCE HALLS ARE A SUBSET OF ON-CAMPUS	2008	2009	2010
a. Murder/Non-regligent manslaughter	0	0	0
b. Negligent Manslaughter	0	0	0
c. Sex Offenses – forcible	1	1	3
d. Sex Offenses – non-forcible	0	0	0
e. Robbery	0	0	0
f. Aggravated Assault	1	1	0
g. Burglary	6	7	10
h. Motor Vehicle Theft	0	0	0
i. Arson	0	0	0

CRIMINAL OFFENSES – NON-CAMPUS (1)	2008	2009	2010
a. Murder/Non-regligent manslaughter	0	0	0
b. Negligent Manslaughter	0	0	0
c. Sex Offenses – forcible	0	0	0
d. Sex Offenses – non-forcible	0	0	0
e. Robbery	0	0	0
f. Aggravated Assault	0	0	0
g. Burglary	0	0	0
h. Motor Vehicle Theft	0	0	0
i. Arson	0	0	0

CRIMINAL OFFENSES – PUBLIC PROPERTY (2)	2008	2009	2010
a. Murder/Non-regligent manslaughter	0	0	0
b. Negligent Manslaughter	0	0	0
c. Sex Offenses – forcible	0	0	0
d. Sex Offenses – non-forcible	0	0	0
e. Robbery	0	0	0
f. Aggravated Assault	0	0	0
g. Burglary	0	0	0
h. Motor Vehicle Theft	0	0	0
i. Arson	0	0	1

ARRESTS

ON-CAMPUS	2008	2009	2010
a. Illegal weapons possession	0	0	1
b. Drug law violations	0	4	1
c. Liquor law violations	3	1	1

RESIDENCE HALLS ARE A SUBSET OF ON-CAMPUS	2008	2009	2010
a. Illegal weapons possession	0	0	0
b. Drug law violations	0	4	0
c. Liquor law violations	1	1	0

NON-CAMPUS	2008	2009	2010
a. Illegal weapons possession	0	0	0
b. Drug law violations	0	0	0
c. Liquor law violations	0	0	0

PUBLIC PROPERTY	2008	2009	2010
a. Illegal weapons possession	0	0	0
b. Drug law violations	0	0	0
c. Liquor law violations	1	6	1

CAMPUS DISCIPLINARY REFERRALS

ON-CAMPUS	2008	2009	2010
a. Illegal weapons possession	0	0	0
b. Drug law violations	0	1	2
c. Liquor law violations	46	23	114

NON-CAMPUS	2008	2009	2010
a. Illegal weapons possession	0	0	0
b. Drug law violations	0	0	0
c. Liquor law violations	1	0	0

PUBLIC PROPERTY	2008	2009	2010
a. Illegal weapons possession	0	0	0
b. Drug law violations	0	0	0
c. Liquor law violations	0	0	0

HATE OFFENSES

2010

Criminal offenses that manifest evidence of prejudice based on race, religion, sexual orientation, gender, disability or ethnicity and can be classified as Hate Crimes as prescribes by the Hate Crimes Statistics Act (28 U.S.C. 534).

*On-campus residence hall vandalism characterized by racial bias

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- Hate crimes are manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, religion, sexual orientation, gender, ethnicity, or disability.
- Does not include hate crimes already included in other categories.
- Individuals not arrested, but referred for possible campus disciplinary action.

Definitions to support the above crime statistics

Crime Definitions. The following definitions are those outlined in the Federal Bureau of Investigation's National Incident-Based Reporting System and are used as the standard of reporting in the information above:

- **Murder:** The willful killing of one human being by another.
- **Negligent Manslaughter:** The killing of another person through gross negligence.
- **Forcible Sex Offense:** Any sexual act directed against another person, forcibly or against that person's will. Includes forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling.
- **Non-Forcible Sex Offense:** Unlawful, non-forcible intercourse. Includes incest and statutory rape.
- **Robbery:** The taking, or attempted taking, of anything of value from one person by another, in which the offender uses force or the threat of violence.
- **Aggravated assault:** An attack by one person upon another, in which the offender uses or displays a weapon in a threatening manner or the victim suffers severe injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Burglary:** The unlawful entry into a building or other structure with the intent to commit a felony or a theft.
- **Motor-vehicle theft:** The theft of a motor vehicle, including automobiles, trucks, motorcycles and mopeds.
- **Arson:** To unlawfully and intentionally damage, or attempt to damage, any real or personal property by fire or incendiary device.
- **Liquor-law violation:** The violation of laws prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages. Does not include driving under the influence or drunkenness violations.
- **Drug-law violation:** The violation of laws prohibiting the production, possession, distribution, and/or use of certain controlled substances and the equipment needed to produce or use them.
- **Weapon-law violation:** The violation of laws prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, knives, explosives, or other deadly weapons.

University Fire Safety Procedures

Fire Safety: Fire safety is of utmost importance in the residence halls and on campus. The following acts are prohibited: recklessly, negligently or knowingly setting any material on fire; burning candles, incense or any open flame in the residence halls; causing a false fire alarm; creating a fire hazard or endangering the safety of persons or property by improper use or possession of hazardous/flammable substances; misuse of or tampering with fire prevention, control or detection equipment, and refusing to promptly comply with fire alarm or fire drill procedures. Due to the high probability of fire, halogen lamps are not allowed in any living area. When a false alarm is caused by an individual and the guilty party can not be found, the residents of the living area will each share the cost of charges imposed by the Storm Lake Fire Department (currently \$165) and any other university costs related to clean-up. Students with information or knowledge of students responsible for causing a false fire alarm are expected to report that information to a university official immediately.

Cooking: Since all resident students must be on a meal plan, the residence hall rooms are not designed for cooking. Ovens and refrigerators are available in the residence hall kitchenettes. Full-size refrigerators are prohibited in all residence hall and suite rooms. Refrigerators should not exceed five cubic feet or 1.5 amp. Cooking utensils with open flames, exposed heating coils or those that use cooking greases are not allowed. This includes grills used indoors, deep fryers, single burners, etc. Toasters, small microwaves, hotpots and hot air popcorn poppers are allowed if in good working condition. Cooking devices are to be unplugged when not in use. Outdoor grills should be used at least 10 feet away from any building. Propane tanks shall not be stored inside any residence hall. Storage of these containers can be arranged by contacting maintenance.

Electrical Outlets: Electrical outlets must not be overtaxed. All extension cords should be in good condition and placed so that the wire will not be damaged.

Fire Safety

Description of Student Housing Fire Systems

Every University student residence has:

- An interior fire alarm system with detection throughout the building, including detectors in every sleeping room;
- An interior fire alarm panel which triggers a full first alarm response by Storm Lake Fire Department to the building upon activation; and
- Automatic wet sprinklers in all public corridors.

Please see page 23 for a list of all student residence halls, their fire suppression and detection systems, and fire drills conducted.

Fire Safety Policies and Procedures

The information for evacuation procedures is posted on the inside of the room door of each residence hall room as well as inside the red Emergency Reference Guides placed strategically in residence halls as well as academic buildings, which specifies the type of building construction; instructions on what to do if the fire IS in the posted room or suite; and what to do if the fire IS NOT in the posted room or suite. In addition, every room contains a “You Are Here” floor diagram showing the location of exits on that floor.

The entire Residence Life Staff is required to attend a “Train the Trainer” fire safety class, which includes general fire safety training, roles and responsibilities of Residence Life Staff members, and evacuation procedures.

Fire Safety Precautions

- Keep doorways, corridors, and stairwells clear and unobstructed. Keep fire doors closed.
- Make sure that all electrical appliances and cords are in good condition and UL approved. Do not overload electrical outlets. Use fuse-protected multi-outlet power strips and extension cords when necessary.
- Never store flammable substances in your room or apartment. Unauthorized use of candles and live holiday decorations is not permitted in University buildings.
- Be aware that transmitting a false alarm is a criminal offense that endangers the lives of both building occupants and emergency personnel. It is also an offense to prop open fire doors or to tamper in any way with alarm equipment, electromagnetic locks, or other life safety devices or to block or obstruct paths of egress.

What to do in Case of Fire

If you discover a fire in a campus building:

- Immediately pull the nearest fire alarm as you exit the building.
- When evacuating the building, remember to feel doors before opening them to be sure that there is no fire danger on the other side. If you must enter a smoke-filled room or hallway, stay low, keeping one hand on the wall to avoid disorientation and crawl to the nearest exit, keeping your head near the floor.
- Once you are safely away from danger, call the Public Safety emergency number for your campus to report the fire. If you are off campus, dial 911.
- Leave the building at once but stand by to direct emergency teams to the location of the fire.

Fire Response Dos and Don'ts

- DO treat every alarm as an emergency. If an alarm sounds, exit the building immediately.
- DON'T assume that a fire alarm is a drill or test. All building alarm systems are tested as required by law, but these tests are announced in advance.
- DO remain in your room if you cannot get out of the building because of heat or smoke. Call Campus Security right away. Keep the door closed and await assistance from the Fire Department. If smoke is entering around the door, stuff the crack under the door with sheets, clothes, or blankets. If possible, open the window and wave a brightly colored garment or towel from your window—the Fire Department will be looking for this sign.
- DO close the door behind you if it is safe to leave your room.
- DON'T waste time collecting personal valuables. Take your keys so that you can reenter your room if exit from the building is not possible.
- DON'T use an elevator during a fire emergency: always use the fire stairs.
- DO make your presence known to other occupants and to Public Safety by telephone if you are injured or disabled. Emergency staff members will assist you in leaving the building.

Plans for Future Improvements

All Buena Vista University buildings meet or exceed Storm Lake fire safety requirements. In addition, as the University renovates buildings, additional fire suppression and detection devices are included to bring our buildings above, or beyond, current requirements.

Training: The entire Residence Life Staff is required to attend a “Train the Trainer” fire safety class, which includes general fire safety training, roles and responsibilities of Residence life Staff members, and evacuation procedures.

2010 Statistics and Information Regarding Fires in BVU Residential Facilities

RESIDENCE HALL	Total Fires	Date	Number of injuries requiring treatment at medical facility	Number of deaths related to fire	Value of property damages caused by fire
Briscoe Hall	0		0	0	0
Constitution Hall	0		0	0	0
Grand Hall	0		0	0	0
Liberty Hall	0		0	0	0
McCorkle Hall	0		0	0	0
Pierce Hall	0		0	0	0
Swope Hall	0		0	0	0
White Hall	0		0	0	0

Residence Hall Fire Safety Systems

RESIDENCE HALL	Fire Detection System	Fire Suppression System	Fire Extinguishers Present	Evacuation Plans and Placard	Number of Evacuation Drills Each Year
Briscoe Hall	Smoke Detectors	Full sprinkler system and fire extinguisher devices	Yes	Yes	2
Constitution Hall	Smoke Detectors	Full sprinkler system and fire extinguisher devices	Yes	Yes	2
Grand Hall	Smoke Detectors	Full sprinkler system and fire extinguisher devices	Yes	Yes	2
Liberty Hall	Smoke Detectors	Full sprinkler system and fire extinguisher devices	Yes	Yes	2
McCorkle Hall	Smoke Detectors	Full sprinkler system and fire extinguisher devices	Yes	Yes	2
Pierce Hall	Smoke Detectors	Fire extinguisher devices	Yes	Yes	2
Swope Hall	Smoke Detectors	Fire extinguisher devices	Yes	Yes	2
White Hall	Smoke Detectors	Fire extinguisher devices	Yes	Yes	2

Emergency Communication, Response and Evacuation Procedures

The Emergency Operation Team (EOT) is responsible for coordinating Buena Vista University's (BVU) Emergency Response Plan. The EOT members' duties and responsibilities relate closely to their normal authority and functions. In the event of a crisis, however, coordination and organization of all operations at the University shall be directed by the EOT. The EOT members implement the strategy and planning of the response. They communicate with field personnel, issue instructions to particular units, and monitor progress in carrying out instructions.

The responsibilities of the EOT include but are not limited to:

- 1) Confirming an emergency exists and activating emergency response;
- 2) Identifying the emergency and determining its impact, decide the necessary level of response required to manage the emergency;
- 3) Exercise control over emergency operations and provide guidance on matters of policy and decision-making authority;
- 4) Authorize the evacuation and/or closing of University facilities as required;
- 5) Coordinate the release of all official information and instructions to the public.

In addition to their responsibilities in an emergency, the EOT members are responsible for insuring the University is prepared and in the best possible position to respond to an emergency when it occurs.

In the event of a crisis or possible crisis, the President or his/her designee would declare the need for the members of the EOT to convene and will contact all members of the EOT. This will be done in an expeditious manner consistent with the nature of the crisis or possible crisis. The EOT will confirm whether or not a significant emergency or dangerous situation exists. That determination will depend on the situation, its potential for escalation, its geographical extent, and all other relevant factors. The final determination as to whether a significant emergency and/or dangerous situation exists will be made by the President or his or her designee with input from other EOT members. Additional University personnel will be asked to join the EOT as deemed appropriate to the situation.

Once it has been confirmed that a significant emergency and/or dangerous situation exists, the University will without delay and taking into account the safety of the community, determine the content of the notification and initiate notification system unless notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

The procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to health or safety of students, employees or other members of the University community occurring on the campus shall be by utilizing BVU's mass notification system to notify the campus community. The University's mass notification system includes texting and email messaging, web-based pop-up screen referred to as "BVU Alert," and/or intercoms in each classroom. In addition, the University, as needed, will utilize the University campus security vehicle equipped with a PA system to broadcast emergency messages.

The Director of University Marketing and Communications or his/her designee shall be responsible for contacting local, state and federal officials, as reasonably required, upon confirmation of a significant emergency and/or dangerous situation. This should be done as quickly as possible using the best and fastest communication system available, given the facts and circumstances of the confirmed significant emergency and/or dangerous situation.

The University will test its emergency communication response and evacuation procedures at least on an annual basis and publicize its procedures in conjunction with at least one test per calendar year as well as the date and time of the exercise and whether it was announced or unannounced. In addition, evacuation/fire alarm drills are conducted at least once a semester in each residence hall. In 2010 table top drills were conducted in January with the Emergency Operation Team, and in June with the Student Services Senior Staff.

A placard with location and evacuation information is available on the inside door of each residence hall. There are red emergency information guides installed strategically in all University buildings and common areas in residence halls with location maps and information on various emergencies as well as evacuation options. BVU will encourage all members of the University community to be familiar with this information.

The members of the Emergency Operation Team are as follows:

- President
- Vice President for Business Services
- Vice President for Student Services
- Vice President for Academic Affairs
- Vice President for Institutional Advancement
- Director of Campus Security
- Director of Facilities Management
- Director of Information Technology
- Director of University Marketing and Communications