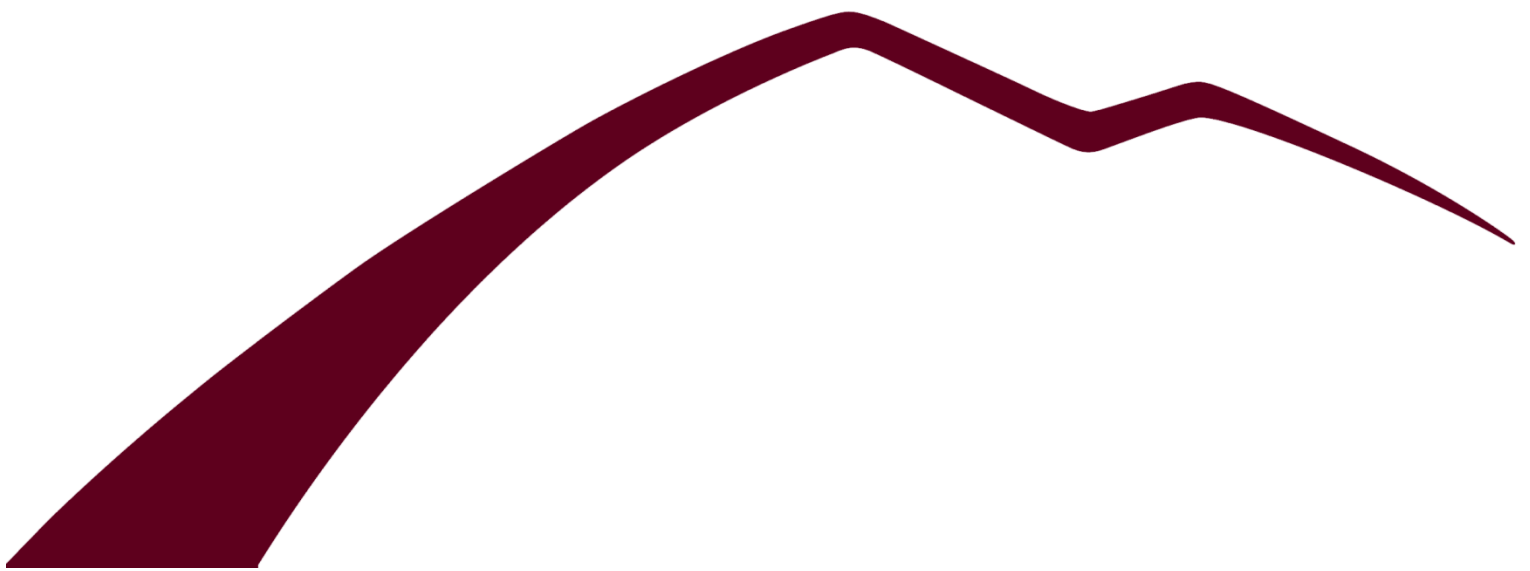


# 2018 Annual Campus Security and Fire Safety Report

University of Montana

*For Calendar Years 2015-2017  
Published September 2018*



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## ANNUAL CAMPUS SECURITY AND FIRE SAFETY REPORT



The University of Montana produces, publishes, and distributes the Annual Security and Fire Safety Report (ASR) at the beginning of each academic year, as mandated by the Clery Act. The ASR outlines for each campus security policies and procedures, practices and programs, and crime statistics to help keep our students and employees safe and our facilities secure.

To facilitate greater awareness among our community members, the ASR includes yearly crime statistics as collected and maintained by campus police officers, and other campus security authorities at University of Montana campuses, and is found online at the [UM Police website](http://www.umt.edu/police) (<http://www.umt.edu/police>). This, the 2018 ASR Edition, is distributed for the 2018-2019 academic year; it includes data from the 2015-2017 calendar years.

This report covers security policies, procedures, data, and maps for the University of Montana Mountain Campus, Missoula College River Campus (formerly Missoula College East), Missoula College West Campus, and Bitterroot College. Please use the Table of Contents to navigate through the specific sections of the ASR.

## From the President



At the University of Montana, we take seriously our shared responsibility to foster a safe campus. We understand that a thriving and healthy community requires our collective efforts to maintain a safe and supportive environment both on campus and in the vibrant community of Missoula.

The Annual Campus Security and Fire Safety Report provides a comprehensive compilation of crime statistics and campus safety information. This report responds to the requirements of the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and outlines not only our policies and crime reporting but also our crime prevention efforts and extensive campus resources dedicated to building safety awareness. This information is critical in helping all of us to understand our responsibilities in actively creating a safe University of Montana environment.

Our University of Montana Police Department (UMPD) is a critical partner in these efforts. UMPD provides security and law enforcement services for our campus, including on all of our auxiliary properties. However, UMPD does not work alone. Our law enforcement professionals rely on all of us to report suspicious activity on university property—we are their partners in this work. Please call UMPD to make a report at (406) 243-6131 or dial 911 for emergencies.

Thank you for making the University of Montana a community that prioritizes safety awareness and crime prevention. While the University of Montana takes measures to maintain campus safety, crime prevention and personal safety depend also on individual awareness. Please join us in our work. Become familiar with the content and tips in this report, and know your resources in the event of an emergency.

Our community's security is enhanced when all of us become well informed.

Thank you,

Seth Bodnar  
President

## University of Montana Policies

These policies apply university-wide for all campuses, unless otherwise noted.

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### UM's non-discrimination policy

The University of Montana's campuses are committed to providing an environment that emphasizes the dignity and worth of every member of our community and that is free from harassment and discrimination based upon race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation. Such an environment is necessary to a healthy learning, working, and living atmosphere because discrimination and harassment undermine human dignity and the positive connection among all people at our University. Please direct any inquiries regarding UM's non-discrimination policy to the Director of EEO/AA and Title IX Coordinator at [eeoa@umontana.edu](mailto:eeoa@umontana.edu).

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## 1. Preparation of the Annual Security Report

The University of Montana Police Department (UMPD) is responsible for preparing the University's Annual Campus Security and Fire Safety Report. Each year, UMPD publishes the Annual Campus Security and Fire Safety Report, disseminates it to the University community via email, and posts it online at the [UM Police website](http://www.umt.edu/police) (<http://www.umt.edu/police>). Notification of the Annual Campus Security and Fire Safety Report is also provided through Human Resources for prospective employees and through the UM Admissions Office for prospective students. Paper copies may be requested at any time by contacting UMPD at (406) 243-6131.

This report, and the data included in it, is compiled by collecting data, programs, policies, and other information from Campus Security Authorities, and local, state, and federal law enforcement agencies with jurisdictions within or bordering UM. Campus Security Authorities are notified in writing by UMPD of their obligation to maintain records and report incidents to UMPD. If there are any reports taken, they are verified telephonically between UMPD and the reporting Campus Security Authority after the data is forwarded to UMPD.

On May 24, 2017, Missoula College East moved to its new location at 1205 East Broadway, across the river and within one mile of the Mountain Campus and was re-named Missoula College River Campus. From that time forward, it has been included in Mountain Campus security policies and crime statistics.

Reporting is compiled separately for each of the University of Montana's campuses: including the University of Montana Mountain Campus and Missoula College West, both in Missoula, MT, and Bitterroot College in Hamilton, MT.

A separate map and crime reporting chart are provided in this report for all University campuses. As defined by the U. S. Department of Education and for purposes of the charts and maps included in this report:

“**On-campus**” is defined as property owned or controlled by the institution within the same reasonably contiguous geographic area, and used by the institution for its educational purposes. It specifically includes residence halls. It also includes property that is within or reasonably contiguous to the area identified above, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes, such as food or other retail vendors.

“**Non-campus buildings or property**” is defined as (1) any building or property owned or controlled by a student organization that is officially recognized by the institution, or (2) buildings or property owned or controlled by the institution that are used in direct support of, or in relation to, the institution’s educational purposes, are frequently used by students, and are not within the same reasonably contiguous geographic area of the institution.

Finally, “**public property**” is defined as all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

## **2. About the University of Montana Police Department (UMPD)**

### **Safety – Our #1 Priority**

The University of Montana Police Department (UMPD) is responsible for law enforcement on the University of Montana Mountain Campus, and Missoula College West. Its jurisdiction extends within a mile of each campus’s boundaries for University-related activities. The authority for UMPD is derived from Montana Code Annotated, Section 20-25-321. UMPD is located in Building 32 (Physical Plant), directly east of the Washington-Grizzly Stadium.

UMPD provides continuous year-round security and law enforcement protection to the University community. Twenty-four hour police services are provided with access to municipal fire and emergency medical services.

UMPD staffs detectives, a bicycle patrol, K9 officers, and a Community Liaison Officer for residence halls, described in Section 7 of this report. Residence halls and the Villages (University Villages and Lewis & Clark Village) are also assigned an Area Officer to work closely with resident students and staff.

### **Working relationship with local, state, and federal law enforcement agencies**

UMPD maintains Memorandums of Understanding (MOUs) with three other law enforcement agencies: the Missoula Police Department (MPD), the Missoula County Sheriff’s Office (MCSO), and the Montana Highway Patrol (MHP). Under these MOUs, UMPD may request assistance for aid from any of these agencies during the response or investigation of a call for service. The MOUs allow UMPD to enforce vehicle and traffic laws within the boundaries of the campus or on streets and alleys contiguous to campus. UMPD assumes first jurisdiction and responsibility for all felony crimes occurring on campus, except for crimes against persons or felony drug crimes which are referred to MPD. UMPD assumes first jurisdiction on all misdemeanors occurring on University property and will provide mutual aid and support to the Missoula Police Department on request as available.

In addition to working with the Missoula Police Department, the Missoula County Sheriff’s Office, and the Montana Highway Patrol, UMPD works with several other local, state, and federal law enforcement agencies on incidents that occur on other UM properties not contiguous

with the Mountain Campus. These properties include the Missoula College West Campus, Bitterroot College in Hamilton, and several other research facilities and land parcels. Additional law enforcement agencies include the U.S. Forest Service Law Enforcement (USFS), the Hamilton Police Department (HPD), the Lake County Sheriff’s Office (LCSO) and the Confederated Tribal Police Department (CTPD). A table listing these agencies is provided below.

**Table 1: UM Properties and Law Enforcement Jurisdictions**

<b>UM Campuses/Properties</b>	<b>Law Enforcement Agencies (Apart from UMPD) with Jurisdiction Within or Bordering UM Property</b>
UM Mountain Campus – Missoula	MPD, MHP, USFS
Fraternities and Sororities (Privately owned)	MPD
Jacob’s Island (Public)	MPD
Kim Williams Trail (Public)	MPD, MCSO, US
MonTEC, Suite 129 (Leased space)	MPD
Dornblaser Park and Ride	MPD
President’s Home	MPD
University-Owned Houses, 5 <sup>th</sup> and 6 <sup>th</sup> Streets	MPD
SpectrUM Discovery Area (Leased space)	MPD
Palmer Street Offices (Leased space)	MPD
Fort Missoula	MCSO
Lubrecht Experimental Forest	MCSO
Bandy Experimental Ranch	MCSO
Golf Building at the Ranch Club	MCSO
Peak Racquet Center (Leased space)	MCSO
Flathead Lake Biological Station, Yellow Bay	LCSO and CTPD
Missoula College River Campus	MPD
Missoula College West	MCSO
Bitterroot College	HPD

**Crimes involving student organizations at off-campus locations**

UM has four residential sororities and five residential fraternities that are considered “non-campus” property for purposes of the Annual Security Report. The Missoula Police Department has jurisdiction of these residential fraternities and sororities. When a crime is reported at a fraternity or sorority house, the Missoula 911 dispatch center will alert the Missoula Police Department. The Missoula Police Department may then request UMPD to respond as backup.

Several student organizations utilize space in houses owned by the University located on South 5<sup>th</sup> Street East and South 6<sup>th</sup> Street East near the Mountain Campus. The organizations occupying these houses include the Muslim Student Association (MSA), UM Flat (two locations), the Black Student Union, and the International House.

If a crime is reported, UMPD responds to these locations. Under the Memorandum of Understanding, the Missoula Police Department might also respond and/or provide patrol and backup assistance as needed.



## **Role, Authority, and Training**

All UM police officers receive training and state certification at the Montana Law Enforcement Academy and subscribe to the Montana Public Safety Officer Standards and Training (POST). They complete additional in-service and regional training in firearms, defensive tactics, legal updates, evidence gathering, traffic investigations, sexual assault first responder training, and a variety of crime investigation and crime prevention techniques. All University Police 911 dispatchers are trained and certified by the state.

**Special Victims Unit:** UMPD employs a detective who is embedded with the Special Victims Unit (SVU) at the Missoula Police Department (MPD). This UMPD detective is responsible for felony crimes occurring in UMPD jurisdiction. MPD detectives are assigned to work felony cases with the UMPD detective. If no felony cases occur, the UMPD detective is assigned to work cases with MPD detectives, which involve UM students that occur in MPD jurisdiction.

**Special Event Team Members:** UMPD also employs non-sworn Special Event Team (SET) members to provide additional security at athletic and entertainment events. SET members are trained annually by UMPD. The training includes venue security, UM policies, de-escalation techniques, and enforcement communication. SET members work in collaboration with UMPD to assist in the enforcement of University rules and regulations and the safeguarding of the campus community.

**Crime Prevention:** UMPD takes a proactive role on campus by promoting safety and crime prevention through outreach programs and services. UMPD offers a variety of programs and services to the campus community. These include GrizWalk, which is a student escort service, and the Community Liaison Officer assigned to the residence halls. Crime prevention and safety resources are described further in Section 7 of this report.

**Dispatch and Parking:** UMPD's dispatch center is continuously staffed with trained and certified dispatchers who answer calls for service, dispatch officers and other emergency personnel to incidents, and monitor burglary and fire alarms. The department also employs students who carry out a variety of roles including administrative support and parking services.

## **3. Reporting Crimes and Other Emergencies**

### **A. Crime or Emergency Reporting**

Crime is a reality at the University of Montana, and preventing crime is everyone's responsibility on campus. Unreported crime is a criminal's greatest ally. If you suspect a criminal act has taken place, contact the University of Montana Police Department (UMPD), located in the Facilities Services Building just behind the Washington Grizzly Stadium, or dial:

#### **UM Mountain Campus (includes Missoula College River Campus):**

**Emergency:** 911 or (406) 243-4000 UMPD emergency  
**Non-Emergency:** (406) 243-6131 UMPD

#### **Missoula College West:**

**Emergency:** 911  
**Non-Emergency:** (406) 243-6131 UMPD

## ***Bitterroot College:***

**Emergency:** 911  
**Non-Emergency:** (406) 363-2100 Hamilton Police Department or  
(406) 243-6413 UMPD

Suspicion of crime does not require proof. If you suspect a crime has been committed or is being committed, call the UMPD immediately at 406-243-4000. Make a difference, call. Only concerned citizens can prevent crime.

If you are a victim or witness of a crime: Report the incident immediately to the UMPD. If you can, gather pertinent information, such as sex, race, hair color, length and texture, body size, clothing description, scars and other noticeable characteristics, modes of travel, and type of vehicle, color and license information.

Suspicious persons: If you see anyone acting suspiciously, call 911. Do not approach the individual yourself. Report the type of suspicious behavior and location. Relay pertinent information concerning the involved person including: age, sex, dress, vehicle and direction of travel.

Bomb threats: If you receive a bomb threat, it is important to obtain as much information as possible from the caller. Things to ask are: (1) location of bomb, (2) time of explosion, and (3) type of bomb. Make mental notes about the caller's voice, and background noises which you may hear. Call 911 immediately. Do not panic. The UMPD will search the area, and notify emergency services. The UMPD will determine if evacuation is necessary.

**What to Report:** When calling the police to report an incident, please try to provide the following information:

1. Your name (optional)
2. Location of incident
3. Type of incident
4. Description of suspect, vehicles or other pertinent information
5. Return telephone number (optional)

## **B. Limited Voluntary, Confidential Reporting**

If you are a victim of a crime and do not want to pursue action through the University system or the criminal justice system, you may still want to consider making a confidential report. Anyone may make an anonymous report to UMPD in person, over the phone, or online at the [UMPD website](http://www.umt.edu/police) (<http://www.umt.edu/police>).

With your permission, the UMPD Chief (or designee) can file a report on the details of the 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 incidents involving students, employees, and visitors; determine if there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger.

Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

### **C. UMPD Response to Reported Crime**

UMPD will respond to reports of crime against persons and all property owned, controlled, leased or operated by the University of Montana within their jurisdiction. On a 24-hour basis, UM dispatchers can instantly dispatch University Police, and Missoula Fire and Emergency Medical Services, and if needed, will request assistance from the Missoula Police Department (MPD) and/or Missoula County Sheriff's Office (MCSO).

All reports of criminal activity occurring within the UMPD jurisdiction will be investigated and, if the investigation confirms a violation of the state criminal code, the matter will be referred to the Missoula City Attorney or Missoula County Attorney for prosecution. Reports of criminal activity received by UMPD occurring outside its jurisdiction will be referred to the appropriate city or county law enforcement agency.

### **D. Emergency Green Light Telephones**

There are 17 green light emergency phones located throughout the Mountain Campus with a direct connection to UMPD. These phones have green lights above them and are labeled "Emergency." Additional green light emergency phones are located at University Villages, Lewis & Clark Village, the Dornblaser Park-N-Ride, and Missoula College West Campus. Additional tan emergency phones are mounted to the outside walls of residence halls and other campus buildings.

No dialing is required with emergency phones. Simply push the button and UMPD dispatch will answer. When these phones are activated, dispatch will send a UMPD officer to that location. The caller should try to tell the dispatcher the problem and stay on the line unless the caller's safety is in danger. If a caller is unable to communicate with the dispatcher, a University police officer will still respond to the location.

# Map 1: Emergency Telephone Locations – UM Mountain Campus



**Safety**

- ♥ AED Location
- ◆ Emergency Phones
- Lights at Night On Off

## **4. Campus Alerts – Timely Warnings and Emergency Notifications**

The University may send out two types of alerts that satisfy Clery Act requirements to keep the campus informed about safety and security threats: (a) “Timely warnings,” and (b) “Emergency Notifications.”

“**Timely Warnings**” are sent to the campus community for Clery-reportable crimes occurring on campus property that represent a serious and continuing threat to the campus community.

“**Emergency Notifications**” are sent to the campus community when a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus property.

The UMPD will quickly decide whether to issue a timely warning and/or emergency notification after reviewing factors such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts. The UMPD will also determine the appropriate audiences in the campus community to receive the notice and whether the emergency information should be provided to the larger community. Timely Warnings and Emergency Notifications issued by UMPD are also sent to local law enforcement.

The University may also issue a third kind of alert, called “**UM Alert**,” to inform students, staff, and faculty of situations that may affect the health, safety, or well-being of the campus community that do not involve crimes or may not necessarily occur on campus property. The UM Police Chief or designee will, in consultation with other UM officials as appropriate, decide when to issue a UM Alert.

### **A. Timely Warning Notices**

Timely Warning notices will be distributed to the entire campus community as soon as pertinent information is available and the UMPD Police Chief or designee has determined there is a serious or continuous threat to the campus community. A Timely Warning may be issued for crimes as criminal homicide, robbery, burglary, motor vehicle theft, arson, and hate crimes. Cases of aggravated assault and sexual assault are evaluated on a case-by-case basis, depending on the facts of the case and the information known to UMPD. However, this list is not inclusive and warnings may be issued for other crimes as determined by the UM Police Chief or designee.

Timely warning notices are distributed for Clery-reportable locations and areas. Very generally, Clery-reportable locations and areas include the Mountain Campus, Missoula College campuses, Bitterroot College, other locations owned or controlled by UM, public property that is within the same reasonably contiguous geographic area of the University, fraternity and sorority properties, or other properties owned or controlled by a student organization recognized by UM.

The content of a timely warning notice generally includes a brief summary of the incident, a physical description, whether the case is under investigation, sufficient pertinent information to inform the community, resources, safety and prevention tips, and where to report additional information.

Institutions must keep confidential the names and personally identifying information of crime survivors when issuing a timely warning notice. UMPD does not release a crime survivor’s personally identifying information. When issuing a timely warning notice for sensitive matters such as sexual assault, UMPD makes every effort to not release specific incident details that may identify a crime survivor. However, situations may arise in which UMPD may need to

release information such as a location that could lead to identification of a crime survivor. UM must balance the need to provide information of an ongoing or serious threat to the campus community while also protecting the confidentiality of the crime survivor to the maximum extent possible. If a timely warning notice is issued for a sensitive matter, UMPD will make every effort to notify the crime survivor before the warning is released.

Timely warning notices are developed and activated under the direction of the UMPD Police Chief or a designee. Timely warning notices are distributed via mass email to the “umontana.edu” email accounts of all students and employees. Notices also are sent via text to all students and employees who have opted to receive such text messages, and may be posted on the UMPD Twitter account to be immediately received by individuals who follow or subscribe to that account. Timely warning notices are also posted on UM’s home page and the UMPD website and may be distributed by other social media channels as the situation dictates. Updates to the UM community about any particular case resulting in a Timely Warning are posted on the UM Safety website: <http://www.umt.edu/safety/>.

Timely warning notices are sent as soon as pertinent information is available and, in the case of a reported crime, as soon as UMPD determines the timely warning notice will not interfere with assisting a victim or with law enforcement’s response. Follow-up information may be distributed later, such as if a suspect has been apprehended. Timely warning notices include information intended to inform the community, enable community members to protect themselves, provide prevention and safety tips, and aid in the prevention of similar crimes.

## **B. Emergency Notifications**

An Emergency Notification is notice of an imminent threat or a dangerous situation, ranging from a fire or chemical spill on or near campus, to an armed intruder, or an outbreak of a serious illness. UMPD will issue an Emergency Notification immediately upon confirmation that a dangerous situation exists so students, employees, visitors and – as needed – University neighbors are aware and can take measures to stay safe.

An emergency is an event that poses an immediate threat to the health and safety of students and employees. UM will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat.

University students and employees are directed on the UMPD website to report emergencies to UMPD (406-243-4000) or to call 911 (Missoula County Emergency).

When UMPD confirms that a significant emergency or dangerous situation exists, officials will take into account the safety of the campus community, consult with other officials as appropriate, determine what information to release about the situation, and begin the notification process. The University may not immediately issue a notification for a confirmed emergency or dangerous situation if doing so would compromise efforts to assist a victim or victims, contain the emergency, respond to the emergency, or otherwise mitigate the emergency.

## **5. Emergency Communication Systems and Evacuation Procedures**

The Emergency Communication Systems and Evacuation Procedures apply to the University of Montana Mountain Campus and the Missoula College-West campus only.

## **A. Emergency Communication Systems**

UM has multiple ways to communicate with the campus community, or with designated segments of the campus community, when UMPD determines the need to alert campus about an immediate threat to the health or safety of students and employees through a timely warning notice or emergency notification discussed in the previous section.

This communication strategy provides: (1) information about an emergency, (2) a location where more information can be obtained, and (3) a method to update or send an “All Clear” message. The emergency mass communication strategy includes the following elements:

- 1. Email notification.** UMPD uses the Regroup emergency notification system to send an email with emergency information to all “umontana.edu” email addresses. If UM wants to send an email to subgroups of employees or students, it may use the campus Infogriz notification system.
- 2. Cell phone text message notification.** UMPD uses the Regroup emergency system to send a text message to those students and employees who have opted in to receive UM text messages. We encourage students and employees to opt in to receive these texts. Visitors, parents, alumni, donors, and the general public can also sign up to receive text notifications. Text **Join UM-alerts to 30890.**
- 3. Web page banner.** Using the Regroup emergency system, UM can automatically place a UM Emergency notification on the University’s home page, where information can be changed and updated as needed.
- 4. Social media posts.** UMPD has a Twitter account and University Relations also can deploy UM’s Twitter and Facebook accounts as needed during an emergency.
- 5. LED mass emergency notification system.** Buildings on the Mountain Campus have an LED reader board for UMPD to post emergency messages. The LED system can also sound an audible alarm.
- 6. Residence life notification system.** Star Rez is the UM housing management system and allows Residence Life staff to reach all UM students living in residence halls and in UM apartments.
- 7. Communication with the larger community.** Other communication tools to reach segments of UM audiences are the UM Alumni Foundation database, which allows the University to email alumni, donors, public officials, and other stakeholders; and UM’s email newsletter to parents of students.

## **B. Emergency and Evacuation Procedures**

UM publicizes general emergency response and evacuation procedures to the broad campus community through an [Emergency Preparedness website](http://www.umt.edu/emergency) at <http://www.umt.edu/emergency>. This website includes an Emergency Quick Guide, the Emergency Operations Plan, an Active Shooter Immediate Response plan, and an Active Shooter Preparedness Guide. Additionally, evacuation maps are posted in every on-campus residence hall building and other buildings as required by fire code.

Residence Life students receive a Residence Hall Handbook at the beginning of the academic term that reviews fire safety procedures and expectations. Unannounced fire drills to practice those procedures are conducted annually.

Twice each year (fall and spring), Residence Life staff will inspect each residence hall room or apartment for the purpose of identifying violations of fire codes. The inspection is also used to

educate the residents on fire safety. Any noted violations must be corrected. Follow-up inspections are also conducted.

Resident Assistants and full-time staff members in Residence Life receive extensive training each fall. This training includes a review of fire safety components to the buildings, expectations of the staff, evacuation procedures and the role of staff, fire safety policies, and emergency assistance procedures. Staff members are also advised of what to expect during the annual fire safety inspection process.

### **C. Testing the Campus Emergency Notification System**

The University's emergency notification system is tested on at least an annual basis. The test is an opportunity to remind the campus community about established evacuation procedures. Each test is documented and includes the date, time, and whether the test was announced or unannounced. The Campus Emergency Notification System was tested on August 27, 2016, December 22, 2016, and December 30, 2017 in announced tests.

### **D. Evacuation and Emergency Response Drills**

UM tests its emergency response and evacuation procedures at least annually through scheduled drills, exercises, and appropriate follow-up activities designed to assess and evaluate University emergency plans and capabilities. Evacuation procedures are tested in academic/office buildings and residence halls. The tests may be announced or unannounced. Tabletop scenario emergency response tests were conducted at each of the campuses: UM Mountain campus on December 6, 2017, Bitterroot College on December 12, 2017, and Missoula College West Campus on December 14, 2017. These exercises were announced, documented, and reviewed by the participants.

## **6. Missing Student Policy and Notification**

Federal regulations require the University of Montana to provide a policy about missing students who reside in on-campus housing.

### **Missing Students Policy**

If a member of the University community believes a residential student is missing, they should immediately inform the Residence Life Office in Turner Hall Room 101 or at (406) 243-2611 or the University of Montana Police Department at (406) 243-4000.

Students residing in University of Montana on-campus housing may designate a Missing Person Contact person, someone the student would like informed in the event the student is missing. Students may change or update their Missing Person Contact information at any time by contacting the Residence Life Office at (406) 243-2611.

Missing Person Contact information will be registered confidentially and will be accessible only to the University of Montana Police Department or the Director of Residence Life for the purpose of a missing person investigation.

- A. **Where to Report:** Reports of missing students should be directed to the UM Residence Life Office in Turner Hall Room 101 or by calling (406) 243-2611 or the University of Montana Police Department at (406) 243-4000.
- B. **Residence Life Office:** When a student residing in on-campus housing is reported missing by any source, the UM Residence Life Office will:



1. Immediately refer the missing student report to UMPD; and
  2. Notify the President, Vice President for Enrollment and Student Affairs, and Dean of Students/Student Conduct Officer.
- C. **UM Police Department:** When the UM Residence Life Office refers a missing student report to UMPD, UMPD will:
1. Investigate to determine the validity of the report;
  2. Attempt to determine the location and status of the missing student; and
  3. Within 24 hours of receiving the referral, report to the UM Residence Life Office the results of its investigation.
  4. If the student has designated a Missing Person Contact, UMPD will notify the Missing Person Contact within 24 hours of a UMPD missing determination;
  5. If the student is under 18 years of age and not legally emancipated, UMPD will notify the student's custodial parent or guardian and any designated Missing Person Contact within 24 hours of a UMPD missing determination;
  6. Regardless of whether or not the student has identified a Missing Person Contact, if the student is 18 or older or a legally emancipated minor, UMPD must inform the Missoula Police Department of the missing student within 24 hours; and
  7. Aid in any subsequent investigation conducted by the Missoula City Police Department.
- D. **Dean of Students/Student Conduct Officer:** Upon receiving notification of a missing student, the Dean of Students/Student Conduct Officer *may*:
1. Inform University officials that may have knowledge of the student's background or situation;
  2. Inform the student's major college Dean; and
  3. Notify the student's instructors of his/her absence.

## **7. Campus Security Policies, Crime Prevention, and Safety Awareness Programs**

### **A. Crime Prevention and Education Programs for Students and Employees**

UM's educational programming concerning security awareness, personal safety, and crime prevention, including the prevention of sexual assault, other forcible and non-forcible sex offenses and personal safety techniques are offered by a variety of groups and individuals on campus each year, including the University of Montana Police Department, Environmental Health and Risk Management, Curry Health Center, the Student Advocacy Resource Center (SARC), the Residence Life Office, and others.

UMPD provides safety and security education through numerous presentations to on-campus groups and other presentations upon request. The UMPD website provides crime prevention information, including crime prevention tips, crime alerts, a link to the Montana Department of Justice Sexual or Violent Offender List, and other useful information.

SARC and the Equal Opportunity and Affirmative Action Office, which houses the Title IX Coordinator, provides outreach and educational programming upon request for residence halls,

fraternity and sorority life and student groups on topics related to risk reduction/harm reduction; bystander intervention; Alcohol, Tobacco, and Other Drugs; and healthy relationships.

Environmental Health and Risk Management provides safety and compliance training to University employees including workplace safety, occupational health and safety, and laboratory training courses.

Programs and presentations available annually include:

- Personal safety and property protection
- Crime prevention and reporting
- Bicycle safety
- New Student Orientation
- New Employee Orientation
- Alcohol Education and DUI laws
- Alcohol and Drug Awareness
- Occupational and Workplace Safety
- Drug-free Workplace Education Training
- Crime prevention covering crimes such as rape, acquaintance rape, domestic violence, dating violence, sexual assault, sexual intercourse without consent, relationship violence, privacy in communications, and stalking
- International Student Orientation
- University Village Orientations
- Residence Hall Floor Talks
- Anti-bullying techniques and skills
- Others upon request of student groups and employee departments

Students living in residence halls are provided security information at check-in. Residence Life staff regularly address residence hall safety and security rules, precautions, and personal safety considerations with all residents at floor and hall meetings. Safety and security rules and guidance are also provided on the Residence Life website.

## **B. Crime Prevention Services for the Campus Community**

### **Crime Prevention Services and Resources Provided by UMPD**

UMPD collaborates with numerous departments from across the campus to provide crime prevention services and resources to the campus community that reflect best practices in crime prevention. The goals for these programs are personal safety for anyone on campus and reduction of crime. UMPD is committed to promoting an educational environment that emphasizes prevention and reduction of crime, both on campus and off campus.

**GrizWalk** – This service provides members of the campus community with a safe walking or driving escort around campus anytime between dusk and dawn. The objective of GrizWalk is to ensure that no campus member has to walk on campus alone after dark. When called, two GrizWalk team members will meet the caller and walk or use a golf cart to drive them to their destination. GrizWalk members travel the campus in pairs, wear distinctive clothing, and carry radios and flashlights. The GrizWalk team is made up of student employees and has the oversight of a UMPD officer. GrizWalk team members also serve as additional eyes and ears on campus. They have contact with UMPD dispatch via a designated phone to communicate any safety concerns. This nighttime service is available seven days a week when school is in

session. If GrizWalk is unavailable, University police officers will provide the same service. Call (406) 243-2777 for more information or to have GrizWalk accompany you to your destination.

**K-9 Team** – UMPD has two K-9 teams of explosive detection animals. The teams are used on campus and in the Missoula community per memorandums of understanding with other jurisdictions. The K-9 teams add a higher level of security and prevention to the campus.

**Safety Planning** – UMPD provides comprehensive safety planning for any student or employee of UM who feels they may be in danger from another person. Representatives from UMPD, SARC, and Title IX meet with the individual to plan, problem solve, and utilize resources to provide additional levels of safety on campus and in the community. Residence Life staff and the Dean of Students may also be involved.

**Community Liaison Officer** – A designated UMPD officer is assigned to work primarily in the residence halls to assist in responding to crimes in progress and ongoing investigation. This position also serves as a safety resource to residence hall staff and students.

**Area Officer for Residence Halls** – Designated UMPD officers are assigned a group of residence halls of responsibility and are tasked with building relationships with that community. Students and staff are more likely to trust officers they see on a regular basis, and they are more apt to see those officers as community members. These relationships help officers become aware of criminal activity or other concerns and aid in effective problem solving.

**Surveillance Cameras** – As a proactive measure in crime prevention, security video cameras have been installed in certain high-traffic exterior and interior public spaces on campus. UMPD dispatch monitors these surveillance cameras 24 hours a day, 7 days a week.

**Bicycle Registration** – Students, faculty, and staff are encouraged to register their bicycles in order to deter thefts and help UMPD recover and return lost and stolen property. Registration services are available at the UMPD office, Missoula City Hall, and various Missoula bicycle dealerships

### **Additional Crime Prevention Services Provided by the Campus**

**Residence Hall Security** – University police officers patrol the residence halls. Residence hall staff members are also on duty 365 days a year with 24-hour assistance available. Entrances to all residence halls and the exterior areas of Lewis & Clark Village are also equipped with video security surveillance. Resident Assistants routinely provide programs for residents on topics related to safety and security.

**Electronic Alarm Systems** – A variety of intrusion, fire, and general emergency alarms are installed on campus. University Police monitor these alarms and can provide immediate response to alarms if needed.

**Security Provided by Facilities Services** – Facilities Services maintains University buildings and grounds with attention to safety and security issues. Facilities Services regularly inspects campus facilities, responds to reports of potential safety and security hazards, and makes repairs. UMPD, as well as individual students, faculty, and staff, help with these activities. Call the Facilities work order desk at (406) 243-6091 to report safety or security hazards.

**Architectural Design and Security Surveys and Review** – UMPD and Facilities Services also review campus buildings and exteriors periodically to ensure that safety and security considerations are built into all aspects of the campus infrastructure.

### **C. Behavioral Intervention Team (BIT)**

The Behavioral Intervention Team is a campus wide team of appointed professionals responsible for identifying, assessing, and responding to serious concerns and/or disruptive behaviors by students who may threaten the health or safety of the campus community. The Vice President for Enrollment and Student Affairs provides Cabinet oversight to the BIT. The team typically meets weekly throughout the year.

Anyone who has a concern—including students, staff, and community members—can make a referral to the BIT. Upon receipt of a referral, the BIT team members will meet or collaborate to strategize about options for appropriate management and response, depending upon the unique circumstances of the case. [Information about the team](#), a list of members, and an online referral form is available on the University BIT website at <http://www.umt.edu/student-affairs/BIT-Behavioral%20Intervention%20Team/default.php>.

### **D. Campus Weapons Policies**

The possession or use of any firearm, ammunition, explosive devices, or any unlawful weapon of any kind is not permitted on University property or in University facilities except as described in relevant University policies and procedures. Students living in residence halls must register weapons with UMPD and follow mandatory requirements for possession and use. Weapons cannot be stored within residence halls for any period of time. All other requests to bring weapons on University property must be submitted in advance to UMPD.

### **E. University of Montana Student Conduct Code**

The University of Montana Student Conduct Code promotes honesty, integrity, accountability, rights, and responsibilities associated with constructive citizenship in UM's campus community. The Code describes expected standards of behavior for all students, including for academic conduct and general conduct, and clearly outlines students' rights, responsibilities, and the campus disciplinary processes for adjudicating alleged violations.

The procedures described in the Code are administrative procedures designed evaluate alleged violations of University policies and determine appropriate sanctions for students if necessary. These procedures are not legal proceedings. Although many elements of the law (such as due process) influence and inform UM's campus disciplinary proceedings, the campus processes do not follow all the rules and procedures of a formal legal proceeding, nor are they intended to.

Disciplinary sanctions for violating any standard in the General Conduct section of the Student Conduct Code may include disciplinary warning, disciplinary probation, suspension, or expulsion from the University. The University may also require restitution or withhold a degree. Additional conditions or restrictions that may be imposed include eviction from University housing, restriction or banning from on-campus facilities, restriction or prohibition from attending campus events or participating in certain campus activities, and/or requirements to attend and complete classes, programs, workshops, and counseling sessions.

The [UM Student Conduct Code](#) is available on the University of Montana website at <http://www.umt.edu/studentconductcode>.

### **F. Disclosure of Disciplinary Proceeding Results for Violent Crime**

The University of Montana will disclose to the alleged victim of a crime of violence or non-forcible sex offense the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of the offense or violation. If the alleged victim

is deceased as a result of the crime or offense, UM will provide the results of the disciplinary proceeding to the victim's next of kin.

## **G. Crime Prevention Tips**

Tips from UMPD to help keep you and your property safe:

- Report all suspicious persons/circumstances to the University of Montana Police Department immediately by calling (406) 243-4000 (emergency).
- Avoid walking alone at night. Use the GrizWalk service.
- Do not allow tailgating into any building (letting someone follow you through a locked door). Remember that residence halls are restricted to the students who live there and their guests.
- Know the locations of the emergency telephones and the emergency call boxes located around campus. Campus maps show the locations of emergency telephones.
- Add the University of Montana Police Department emergency number to your cell phone contacts: (406) 243-4000.
- Engrave owner applied numbers such as a driver's license number on items of value, especially if the items don't have serial numbers. Register your electronic items and bikes with the University of Montana Police Department.
- Inventory your personal property and insure it with personal insurance coverage. Take and keep photos of valuable items.
- Backup your computer daily in case it gets stolen.
- Lock up bicycles using proper locking procedures and a good quality lock such as a U-lock available for a small charge from University of Montana Police Department.
- Always lock car windows and doors when leaving your car.
- If you know you will be returning to your vehicle when it's dark outside, use well-lit parking lots. Park under a street light if possible.
- Do not leave valuables in your car. If you must, put valuables in your trunk prior to your arrival at your destination.
- Carry only those items of value that you need on your person; e.g., limit the amount of cash and the number of credit cards you carry; never carry your social security card in your purse or wallet.
- Never leave valuables (wallet, purses, books, laptops, etc.) unattended and unsecured, even for a bathroom break.
- Always lock the door to your residence hall room, whether or not you are there. Keep windows closed and locked when you are away.
- Do not leave messages on your door advertising that you are leaving or when you are returning. This alerts thieves to your absence.

Anyone with information about crimes or potential threats to the campus community should report them to the University of Montana Police Department. Call (406) 243-4000 or visit the office, which is located in the Physical Plant building, east of Washington-Grizzly Stadium.

## **8. Campus Security Authorities (CSAs)**

CSAs include University Police, campus security-related personnel and officials who have significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. CSAs must report crimes to UMPD by calling UMPD at (406) 243-6131; or the CSA may report online using the [CSA Crime Report](#)

[Form](https://cm.maxient.com/reportingform.php?UnivofMontana&layout_id=5) (https://cm.maxient.com/reportingform.php?UnivofMontana&layout\_id=5). Crimes reported to any CSA will be included in the annual crime statistics found later in this report.

For the general purposes of this report, all other students, employees, and community members should report knowledge of Clery crimes to any of the following campus offices, depending on the circumstances of the incident. This information will assist the institution in making timely warning notices and emergency notifications and will also be used in compiling the annual crime statistics included in this report.

**For emergencies:** As a reminder, in emergencies students, faculty, and staff should call 911 or the law enforcement agency identified earlier in this section for UM-Mountain Campus, Missoula College West, or Bitterroot College.

**For non-emergencies:** Students, faculty, and staff should report knowledge of Clery crimes to any of these campus offices:

**University of Montana Police Department (UMPD)**

(406) 243-6131 (Non-emergency)  
Physical Plant, Building 32

**Dean of Students Office**

Dean of Students/Student Conduct Officer  
(406) 243-5225, University Hall, Room 022

**Equal Opportunity and Affirmative Action Office/Title IX Coordinator**

Title IX Coordinator  
(406) 243-5710, University Hall 006

**Residence Life Office**

Director, Residence Life  
(406) 243-2611, 101 Turner Hall

**Department of Athletics**

Director or Senior Associate Athletic Director  
(406) 243-5435, Hoyt Athletic Center, Room 200

**CSA Training and Identification**

University of Montana officials responsible for overseeing Clery practices meet annually to update a centrally-maintained CSA list in the UMPD offices. Further, UM staff members who are identified as Senior CSAs help to provide information regarding new CSAs.

UM employees identified as CSAs are trained by either online training; or in-person training from an on-campus Clery expert from the UMPD or other identified offices.

**Professional Counselors and Other Confidential Employees**

According to the Clery Act, professional mental health counselors who are appropriately credentialed and hired by UM to serve exclusively in a counseling role are not considered a CSA. On UM's campus this includes the following:

- Professional counselors through the Counseling Center at the Curry Health Center
- Medical professionals at the Curry Health Center
- Counselors and advocates in Student Advocacy Resource Center (SARC)

- Counselors at the Clinical Psychology Center

As a matter of practice and training, but not policy, UM encourages professional counselors to discuss with those they are counseling the voluntary, confidential, and other reporting options available to them, as appropriate and in the context of the therapeutic, counseling, or advocacy relationship. They do not provide statistics to UMPD for inclusion in the Annual Campus Security Report.

The Counselor Education Department in the Phyllis J. Washington College of Education and Human Sciences offers a class on intimate relationships in which graduate student counselors provide optional counseling to undergraduate students under the supervision of professional counselors. Counselors in this context are also considered confidential employees. They do not provide statistics to UMPD for inclusion in the Annual Campus Security Report but they may discuss reporting options with victims as applicable to the case.

The University of Montana does not employ pastoral counselors.

## **9. Security of and Access to University of Montana Facilities**

UM has established policies and practices designed to provide security and access in its facilities, whether academic or administrative offices, residences, or other campus locations.

### **A. Academic and Administrative Buildings**

UM's Mountain Campus is generally open to the public. Academic buildings are open 7:00 AM to 8:00 PM Monday through Friday and on weekends as needed. Administrative buildings are open from 8:00 AM to 5:00 PM Monday through Friday.

UMPD monitors the issuance of keys and access to buildings. Access to classrooms and laboratories is limited to those who work and study in those areas. Access to any building after hours is limited to those who have been issued keys or granted electronic access.

The University Center and the Mansfield Library are open to the public during scheduled hours. UM also hosts art, music, cultural, and sporting events at various venues open to the public.

In addition, the University has adopted the following additional security practices:

1. Rules that require exterior building doors are not propped open when the doors are locked.
2. The right to prohibit, limit, or otherwise restrict access to or use of its buildings, facilities or other property as may be necessary to provide for the orderly conduct of the University's educational, research, and service programs and the safety and security of the campus property, students, employees, and guests.
3. Substantial outdoor lighting installations which help deter criminal behavior and enhance security; lighting is routinely patrolled to identify outages and periodically assessed to assure effectiveness.
4. UMPD officers patrol campus property 24 hours a day.
5. A policy requiring background checks for new employees; potential employees with criminal backgrounds may be denied employment to protect the campus community.

### **B. Security and Access of On-Campus Residence Halls**

Residence halls are subject to substantial security policies and measures, including restricted access. Entrances to all the residence halls are locked 24 hours a day, including holidays and

break periods, and students must use their Griz Cards to gain access to the building where they live. In some buildings, wing doors limit free access within the building. Students who live on floors with wing doors must use their Griz Card to swipe in from 8:00 PM to 10:00 AM. Most floors or wings in the halls are divided by gender. Guests of the same gender (or relatives) are allowed to stay overnight in the halls with consent of roommates.

Entrances to the residence halls have video security surveillance. The exterior lighting around the periphery of the buildings is effective and well-maintained. UMPD officers patrol the residence hall areas. Rooms inside the residence halls have safety door viewers and chain door guards. Bulletin boards adjacent to each Resident Assistant's room keep floor residents informed of campus events, programs, potential security risks, and campus incidents. Residence Life staff members are available on a 24-hour basis to address emergencies.

A complete list of security policies is outlined in the [Residence Hall Handbook](#) available online or from the Residence Life Office.

### **University Villages**

University Villages is comprised of three apartment complexes and is located within four blocks of the Mountain Campus. Students, faculty, staff, and their immediate families are permitted to live in these apartments. Improved lighting, numerous routine patrols by UMPD, and on-going crime prevention efforts have been established for University Villages.

### **Lewis & Clark Village**

Lewis & Clark Village is located approximately eight blocks from the Mountain Campus and includes 192 two- and three-bedroom apartments in eleven buildings. The Village is designated for single upper-class or graduate students. Electronic access, safety viewers, and chain door guards are provided for each apartment. An electronic message sign is strategically located at the mail delivery area to communicate important messages to students. The Village has effective exterior lighting, and exterior areas are monitored by video surveillance.

## **C. Other UM Campuses, Facilities, and Properties**

### **Missoula College River Campus and Missoula College West**

Missoula College is the two-year college of the University of Montana. It includes two campuses – Missoula College River Campus (formerly known as Missoula College East) and Missoula College West.

Missoula College River Campus is open from 6:30 AM to 6:00 PM Monday through Friday. Griz Card access is required after hours and on weekends. Missoula College River Campus follows the Mountain Campus security policies

Missoula College West administrative and academic buildings are open from 7:00 AM to 9:00 PM Monday through Thursday and until 5:00 PM on Friday. Missoula College West is located at 3639 South Avenue in Missoula County near Fort Missoula. UMPD officers respond to calls for service at this location on a year-round basis. Because this campus is located just over four miles from UM's Mountain Campus, the Memorandum of Understanding may be activated to allow for a faster response by Missoula County Sheriff's deputies.

### **Bitterroot College – Hamilton, Montana**

Bitterroot College administrative offices are open from 8:00 AM to 5:00 PM Monday through Friday. Academic areas for student computer use and study areas are open from 8:00 AM to



8:00 PM Monday through Thursday, and until 7:00 PM on Friday. Libraries at these campuses are open to the public during scheduled hours.

The Bitterroot College campus is located at 103 South 9th Street in the City of Hamilton, approximately 50 miles south of UM's Mountain Campus. The Hamilton Police Department provides first responder law enforcement to this location on a year-round basis.

## **10. UM's Response to Gender and Sexual Violence**

### **A. Statement of Policy Prohibiting Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

In response to gender and sexual violence, the University has adopted the Discrimination, Harassment, Sexual Misconduct, Stalking, and Retaliation policy ("Sexual Misconduct Policy") and accompanying Discrimination Grievance Procedures.

UM's Sexual Misconduct Policy prohibits and defines sexual assault, dating violence, domestic violence and stalking in addition to other acts of sexual misconduct and sexual harassment. Note that UM policy definitions may differ from Clery Act definitions and Montana State law. Under the policy, sexual misconduct includes sexual assault, inducing incapacitation for sexual purposes, sexual exploitation, dating and domestic violence (termed "relationship violence") and stalking.

In addition, the Sexual Misconduct Policy prohibits other forms of discrimination and retaliation. The Sexual Misconduct Policy applies to conduct that occurs on campus and off campus and applies to all students, faculty, and staff.

The complete version of UM's [Sexual Misconduct Policy and Discrimination Grievance Procedures](#) is included in Appendix 1 to this report. Clery Act definitions and Montana State law definitions of dating violence, domestic violence, sexual assault, and stalking are also included in Appendix 1.

In addition to its Sexual Misconduct Policy and Procedures, UM has a strong, coordinated program of targeted educational events, materials, and programs addressing violence prevention, awareness, bystander intervention, and risk reduction. These prevention and awareness programs are described more fully later in this report.

### **B. Retaliation Prohibited**

Retaliation is prohibited by UM policy and federal law. Any retaliation against a person for reporting concerns, or filing, testifying, assisting, or participating in any manner in investigations or proceedings involving allegations of violation of the Sexual Misconduct Policy. Retaliation is subject to the same grievance procedure and the same potential sanctions.

### **C. Reporting to the University or to Law Enforcement**

In the event that sexual assault, stalking, dating or domestic violence do occur, UM takes the matter very seriously. UM will provide victims with written notification of their rights, options, and resources, including counseling and victim advocacy. The written notification will also include how to request interim measures such as academic accommodations, support changing a living, working, or transportation situation, assistance obtaining a no-contact directive on campus or a court ordered protective order, referral to a counselor on or off campus, referral to medical care on or off campus, or assistance finding information about immigration or legal issues. UM will

provide such accommodations and assistance if the victim requests them and they are reasonably available, regardless of whether the victim chooses to report the crime to the police.

Everyone is encouraged to report if they experience one of these issues or if they know of someone who is a victim.

Victims have the right to:

- Pursue action through both UM's process and the criminal process
- Pursue action only through UM's process
- Report to the police and decline to pursue further action by law enforcement
- Seek confidential support on campus through Counseling Services and/or SARC or off campus through confidential resources listed below
- Report to the UM Title IX Coordinator and decline to pursue further action
- Report anonymously
- Do none of the above (victims are still encouraged to seek support)

### **Reports to UM's Title IX Coordinator and Office of EEO/AA**

Reports to the EO/Title IX Coordinator may be made via several avenues:

- Call the EO/Title IX Coordinator office at (406) 243-5710 and leave a private voice message
- Send a confidential email to one of the EO/Title IX Coordinator staff at [eoaa@umontana.edu](mailto:eoaa@umontana.edu)
- File a complaint or report on the form available on the [EO/Title IX Coordinator website](http://www.umt.edu/eo) (www.umt.edu/eo)
- Mail a letter to the EO/Title IX Coordinator office at University Hall, 006, Missoula MT 59812; or
- Visit one of the EO/Title IX Coordinator staff in University Hall, 006

### **Reports to Law Enforcement**

You have the option to notify law enforcement. Contacting police will be confidential and does not require you file a report or pursue criminal charges against the offender. You may call either the Missoula Police Department (MPD) by calling 911, or the University of Montana Police Department (UMPD) at (406) 243-4000.

### **Anonymous Reporting**

The EO/Title IX Coordinator accepts anonymous and third-party reports of conduct and will follow up on such reports. The individual making the report is encouraged to provide as much detailed information as possible to allow the coordinator to investigate and respond as appropriate. The EO/Title IX Coordinator may be limited in the ability to investigate an anonymous report unless sufficient information is furnished to conduct a meaningful and fair investigation.

### **Required Reporting by UM Employees**

In order to enable UM to respond effectively and to proactively stop instances of sexual assault, dating violence, relationship violence and stalking involving students, all University employees must, within 24 hours of receiving the information, report all information they have about possible sexual misconduct involving UM students to the EO/Title IX Coordinator. This includes names of involved individuals and any other details such as time and location.

## **D. Amnesty**

UM strongly encourages students to report instances of misconduct involving themselves or other students. Students who report information about sexual misconduct involving themselves or other students will not be disciplined by UM for any violation of the University's drug or alcohol possession or consumption policies in which they might have engaged in connection with the reported incident. This statement regarding amnesty can be found in UM's [Sexual Misconduct Policy](http://www.umt.edu/policies/browse/personnel/discrimination-harassment-sexual-misconduct-stalking-and-retaliation) at <http://www.umt.edu/policies/browse/personnel/discrimination-harassment-sexual-misconduct-stalking-and-retaliation>.

## **E. Confidential Resources – On Campus**

There are several resources available on campus and in the community that provide free, confidential support to victims of sexual misconduct, dating or domestic violence, and stalking.

### **Student Advocacy Resource Center**

The [Student Advocacy Resource Center](#) (SARC) provides free and confidential peer counseling and crisis intervention to student survivors of sexual and relationship violence, as well as support and information for family and friends. Services are available to survivors at all stages of recovery, from initial crisis intervention to healing, through support groups and peer counseling. Talking with SARC does not start a campus or law enforcement investigation.

#### **Student Advocacy Resource Center (SARC)**

Curry Health Center

634 Eddy Ave.; use East Entrance, upstairs, Room 108

24-hour hotline: (406) 243-6559.

<http://www.umt.edu/student-advocacy-resource-center/>

### **Curry Health Center Medical Clinic**

[Curry Health Center \(Curry\) Medical Clinic](#) is available to UM students. Curry can assist with most medical concerns including pregnancy and STD testing following an assault, and does not collect forensic evidence in cases of sexual assault. Curry providers are not required to report to the EO/Title IX Coordinator. Talking with Curry professionals does not start a campus or law enforcement investigation.

#### **Curry Health Center Medical Clinic**

634 Eddy Ave.; Use Main Entrance, upstairs

(406) 243-4330

Email: [contactcurry@mso.umt.edu](mailto:contactcurry@mso.umt.edu).

<http://www.umt.edu/curry-health-center/>

### **Office of Equal Opportunity and Affirmative Action**

The [Office of Equal Opportunity and Affirmative Action](#) investigates and responds to reported incidents of sexual misconduct in accordance with the University's [Discrimination, Harassment, Sexual Misconduct, Stalking, and Retaliation policy](#). The Title IX team in the EO/AA office can work to arrange interim measures to help you feel safe on campus (including housing and class schedule changes) and to ensure that you receive any assistance needed for continued productive access to all of your educational programs. They can also provide you with additional information about options for pursuing an investigation.

Reporting to the University EO/Title IX Coordinator will open a conversation about informal options or formal campus processes such as a campus investigation into whether it is more

likely than not that the Sexual Misconduct Policy was violated. Reporting to the EO/Title IX Coordinator will open a conversation about interim measures such as academic accommodations, support changing a living, working, or transportation situation, assistance obtaining a no-contact directive on campus or a court ordered protective order, referral to a counselor on or off campus, referral to medical care on or off campus, or assistance finding information about immigration or legal issues. UM will provide such accommodations and assistance if the victim requests them and they are reasonably available, regardless of whether the victim chooses to report the crime to the police.

If the other person involved is a UM student, consider a University no-contact directive through the Title IX Coordinator (406-243-5710). A no-contact directive is an official warning from the University to the other person that they must avoid contact with you or potentially face disciplinary consequences under the UM Student Conduct Code. The specific expectations of the no-contact directive can be adjusted to fit the needs of the case. If you contact the Title IX Coordinator about a no-contact directive, they will meet with you to describe the process and talk about next steps.

### **University of Montana Police Department**

The [UM Police Department](#) has sworn officers who are specially trained to respond to emergency and non-emergency reports of sexual misconduct 24 hours a day. Officers can explain the options for medical exams, counseling, advocacy, and the processes for reporting assaults as crimes.

#### **UMPD**

Physical Plant, Building 32

Located west of Washington-Grizzly Stadium, across Campus Drive

24-hour emergency line: (406) 243-4000 or dial 911

Non-emergency line: (406) 243-0211

<http://www.umt.edu/police/>

## **F. Off Campus Resources**

### **First Step Resource Center at Providence St. Patrick's Hospital**

[First STEP](#) is located at Providence St. Patrick Hospital offers specially trained nurses or nurse practitioners who will meet clients/assault victims at a private, safe clinic. First STEP offers a comprehensive medical assessment, evidence collection, lab tests, and medication as needed, and education and information. Going to First Step Resource Center does not trigger a law enforcement or University report of sexual assault. All evidence can be stored for up to one year. First STEP provides on-site access to community advocates and law enforcement as requested. The number for First STEP's 24-hour hotline is (406) 329-5776.

#### **First Step Resource Center**

Providence St. Patrick's Hospital

24-hour line: (406) 329-5776

<https://montana.providence.org/services-directory/services/f/first-step-resource-center>

### **YWCA Pathways Program**

YWCA Missoula's [Pathways program](#) offers safe shelter, crisis counseling, and support for survivors of domestic or dating violence, sexual violence, and stalking. They can provide free and confidential emergency shelter, walk-in peer counseling, support groups, and legal, personal, and medical advocacy.

### **YWCA Pathways Program**

YWCA Missoula

1130 West Broadway

Missoula, MT 59802

24-hour crisis line: (406) 542-1944 or (800)483-7858

<https://ywcaofmissoula.org/services/domestic-violence/>

### **Crime Victim Advocate Program**

The [Crime Victim Advocate Program](#) provides free and confidential assistance to victims of violent crime such as sexual assault. Advocates can help you file police reports, obtain Temporary Orders of Protection, and offer support and assistance throughout the court process. They offer assistance regardless of whether you choose to report to law enforcement, are unsure about reporting, or have reported and the case is under investigation. They are open from 8:30-4:30 on Mondays, Tuesdays, Thursdays, and Fridays, and 8:30-3:00 on Wednesdays.

### **Crime Victim Advocate Program**

317 Woody Ave.

Missoula, MT 59802

Phone: (406) 258-3830 or (866) 921-6995

<https://www.missoulacounty.us/government/civil-criminal-justice/crime-victim-advocate-program>

### **Supporters of Abuse Free Environment (SAFE), Inc.**

The SAFE staff and board is a dedicated group comprised of individuals who are both trained and dedicated to providing services and support to survivors of domestic and sexual violence. SAFE offers crisis services, emergency housing, transitional housing, children's services and community outreach.

### **SAFE – Ravalli County**

Hamilton, MT

24-hour hotline: (406) 363-4600

[safe@safeinthebitterroot.org](mailto:safe@safeinthebitterroot.org)

### **City and County Law Enforcement Offices**

City and county law enforcement officers are available 24 hours a day to respond to emergency and nonemergency calls about sexual misconduct. In cases of sexual assault, officers can explain the options for medical exams, counseling, advocacy, and the processes for reporting assaults as crimes. Officers will ask if you want an advocate present to help you through the proceedings. You can reach local law enforcement by dialing 9-1-1 in an emergency. Non-emergency calls can be made to: Missoula City Police is (406) 552-6300, Missoula County Sheriff is (406) 258-4810, and (406) 363-2100 Hamilton Police Department.

### **G. What to Do if You Experience Sexual Assault, Dating Violence, Domestic Violence, or Stalking**

Your safety is important. What happened was not your fault. The following are options you can consider. If you are a friend helping someone who is a victim, support their decisions and try not to tell them what to do. Find ways to help them make decisions for themselves.

**Seek Medical Attention.** After an incident of sexual assault, dating violence or domestic violence, you should consider seeking medical attention as soon as possible at First Step

Resource Center at St. Patrick's Hospital, offering physical evidence recovery kit collection, access to forensic nurse examiners and/or sexual assault nurse practitioners in a safe and private environment, 24 hours a day. First Step Sexual Assault Nurse Examiners (SANE) are specially trained and are sensitive to the needs of assault survivors. In the State of Montana, evidence may be collected and held for a year even if you choose not to make a report to law enforcement. University police can arrange for immediate transport to First Step Resource Center. If you are uncomfortable going to the hospital, Curry Health Center is available to UM students and can provide a wellness check including pregnancy and STD testing following an assault, but it does not conduct forensic exams. Going to First Step Resource Center does not trigger a law enforcement or University report of sexual assault.

**Develop a safety plan.** Speak with a University counselor or advocate; for an appointment contact SARC or Counseling Services (406-243-6559) located at the Curry Health Center. The Title IX Coordinator can also assist you (406-243-5710).

**Preserve Evidence.** It is important to preserve evidence in case you decide to go to the police and press charges.

Medical forensic evidence may be collected if a sexual assault occurred within 120 hours of the evidence collection. The passage of time may make it more difficult, but not impossible for a SANE to obtain forensic evidence. You may request an exam and forensic evidence collection at no cost and without having to file a police report. The costs of the evidence collection will be covered as part of Montana's Forensic Rape Examination Payment Program.

If you are considering a medical forensic exam it is important that you try to preserve all physical evidence. Do not wash, use the toilet, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper bag (no plastic bags).

Preserve evidence that would be useful in a campus and/or criminal investigation in case you decide to report the incident to law enforcement. Save texts and social media posts. Evidence might include pictures of injuries, forensic examination, written and electronic communications, text messages, emails, photos, and other evidence that might show a course of conduct.

**Seek Support from Confidential Resources.** If you wish to talk about these options confidentially, you can talk to anyone on the list of confidential resources listed above. They can assist with counseling, help you decide how and to whom to report. Additional resources are available on the [Equal Opportunity website](http://www.umt.edu/eo/) at <http://www.umt.edu/eo/>.

**Consider Reporting to Police or the Title IX Coordinator at UM.** It is your choice whether to report and seek an investigation. Reporting to police and moving forward with an investigation can potentially lead to criminal consequences for the person who harmed you. Reporting to the Title IX Coordinator and choosing to move forward with a campus investigation can lead to university student conduct code or personnel consequences for the individual who harmed you.

## **H. UM Response to Reports of Sexual Misconduct**

UM has designated the Office of Equal Employment Opportunity/Affirmative Action (EO/AA) to oversee the University's compliance with state and federal civil rights laws, including law covering sexual misconduct, dating violence, domestic violence, stalking, and retaliation. EE/AA is responsible for implementing the Discrimination, Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and Retaliation Policy and related procedures. This policy covers all faculty, staff, students, and visitors accessing UM programs and services.

Violations of this policy will be addressed through the Discrimination Grievance Procedures. Consequences for violating this policy will depend on facts and circumstances of each particular situation.

### **I. Written Notification about Resources and Interim Protective Measures to Complainants**

When the EO/Title IX Coordinator receives a report that a student or employee has experienced dating violence, domestic violence, sexual assault, or stalking, whether the offense occurs on or off campus, she will provide a written notification through email to the complainant about the campus Sexual Misconduct Policy and procedures, rights and reporting options, notice of available assistance on and off campus, and notice of how to request interim accommodations or protective measures. Such assistance can include counseling, health care, victim advocacy, legal assistance, visa and immigration assistance, student financial aid assistance and other services. In addition, assistance can include help with housing, transportation, work and may also include assistance with no contact or protective orders on or off campus.

The notification describes that UM will provide interim accommodations or protective measures if the complainant requests them and they are reasonably available regardless of whether a complainant chooses to report to the police or start a formal University investigation. The notification also includes information about how to contact the Title IX Coordinator to discuss requesting a University Investigation into whether the Sexual Misconduct policy was violated and/or assistance reporting to police to start a criminal investigation into whether a crime was committed, or obtaining the other assistance described.<sup>1</sup>

The EO/Title IX Coordinator will oversee fulfilling UM's obligation to implement interim measures to ensure the safety of the complainant and that the complainant's educational experience is not jeopardized.

### **J. Written Notification about Resources and Interim Protective Measures to the Campus Community**

In addition to assuring the Title IX Coordinator provides information to victims upon receipt of a report, UM also regularly provides written information to all members of the campus community through a *Sexual Harassment and Sexual Assault Resource Guide* printed and distributed by the EO/Title IX Coordinator and SARC. This resource guide raises awareness about sexual harassment and sexual assault and provides suggested steps for what someone should do if they have been sexually assaulted. It describes UM's policy on dating violence, domestic violence, sexual assault, stalking, and sexual harassment, and options for reporting to the Title IX Coordinator, to UMPD, and/or to local law enforcement. Numerous resources are also provided with contact information, addresses, phone numbers, email addresses, and websites.

The resource guide is given to all residence hall students at floor meetings. It is also made available through many other venues around campus, including the SARC office, the Curry Health Center, and the Dean of Students' office. An electronic version is available on the EO/Title IX Coordinator's website. In responding to calls about possible dating violence, domestic violence, sexual assault, or stalking, UMPD officers also hand out the resource guide directly to victims as part of a resource packet.

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<sup>1</sup> Respondents receive written notifications regarding a particular case in an appropriate manner as well.

## **K. Sanctions for Violations of the University's Sexual Misconduct Policy**

The Dean of Students/Student Conduct Officer is charged with imposing disciplinary sanctions for students who are found to have violated the University's Sexual Misconduct Policy for dating violence, domestic violence, sexual assault, stalking, sexual harassment, or any other form of sexual misconduct. As outlined in the Sexual Misconduct Policy, the possible sanctions that may be applied are the same as those described in the UM Student Conduct Code for "General Conduct," Section VI. C and included in Appendix 1 to this report.

According to this section of the Conduct Code, specific sanctions may include disciplinary warning, disciplinary probation, suspension, or expulsion from the University. UM may also require restitution or withhold or revoke a degree. Additional conditions or restrictions that may be imposed include eviction from University housing, restriction or banning from on-campus facilities, restriction or prohibition from attending campus events or participating in campus activities, and/or requirements to attend and complete classes, programs, workshops, and counseling sessions. Disciplinary records for violations of the Sexual Misconduct Policy are maintained in the same manner as other student disciplinary records, as described at Section VI. F. of the Student Conduct Code. Both the complainant and respondent will simultaneously be informed of the outcome of any institutional disciplinary action arising from allegations of domestic violence, dating violence, sexual assault, or stalking, and the procedures to appeal.

## **L. Confidentiality of Complaints and Reports**

UM is committed to protecting the privacy of all individuals involved in an investigation and resolution of a report under this policy. UM is also committed to providing assistance to help students, employees, and third parties make informed choices. With respect to any report under this policy, UM will make reasonable efforts to protect the privacy of participants, in accordance with applicable state and federal law, while balancing the need to gather information to assess the report and to take steps to eliminate prohibited conduct, prevent its recurrence, and remedy its effects.

The integrity of any investigation process depends on ensuring reasonable expectations of confidentiality. UM will keep confidential the complaint, report, witness statements, and any other information provided by the complainant, respondent, or witnesses and will disclose this information only to these parties: to the complainant, respondent, or witnesses as necessary to give fair notice of the allegations and to conduct the investigation; to law enforcement consistent with state and federal law; to other UM officials as necessary for coordinating interim measures or for health, welfare, and safety reasons; and to government agencies that review UM's compliance with federal law.

If a reporting party or complainant requests that an investigation not be conducted, the EO/Title IX Coordinator will consider the reasons for the request, including concerns about continued safety of the person reportedly harmed and members of the campus community. The EO/Title IX Coordinator must also balance considerations about the continued health and safety of members of the community against a reporter's or complainant's desire not to have the report investigated. In cases when a reporting party or complainant does not want to have a report investigated, but the coordinator has concerns that not taking formal or informal action might endanger the health or safety of members of the campus community, she will initiate confidential consultation with appropriate individuals to analyze the situation and assist in determining appropriate measures to take. Consultation may occur with the Dean of Students/Student Conduct Officer, chair(s) of the Behavioral Intervention Team (BIT), UMPD, Clery compliance officer, Director of SARC, psychological health professionals, Director of



Residence Life, Director of Human Resources, and legal counsel. The EO/Title IX Coordinator will make the ultimate decision about whether to conduct a formal investigation or respond to the report in another manner, including taking informal or interim support actions.

Pursuant to the Clery Act, UM includes statistics about Clery-reportable offenses in this Annual Security Report and provides those statistics to the U.S. Department of Education in a manner that does not include any personally identifying information about individuals involved in an incident. The Clery Act also requires UM to issue timely warnings or emergency notifications to the University community about certain crimes that have been reported and may continue to pose a serious or continuing threat to students and employees. Consistent with the Clery Act, UM withholds the names and other personally identifying information of complainants when issuing timely warnings or emergency notifications to the campus community, and in the maintenance of the daily crime log.

UM will also maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. For example, information related to a report of prohibited conduct will be shared with a limited circle of UM employees who “need to know” in order to assist in the assessment, investigation, and resolution of the report. All employees who are involved in UM’s response to reports of prohibited conduct receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law.

### **FERPA and HIPPA Privacy**

UM follows state and federal law with regard to student records. The privacy of student educational records will be protected in accordance with the Family Educational Rights and Privacy Act (FERPA). The privacy of an individual’s medical and related records generally is protected by the Health Insurance Portability and Accountability Act (HIPAA).

### **M. UM Education Programs to Promote Awareness of and to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

UM prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking. Violence prevention and education encompasses multiple strategies designed to reduce the occurrence of dating violence, domestic violence, sexual assault, and stalking. Prevention strategies involve empowering the campus community to examine, question, and change the social, cultural, political, and environmental factors that influence violence.

UM considers education to be a primary defense against discrimination, harassment, sexual misconduct, stalking, and retaliation. The EO/Title IX Coordinator has received detailed training about best practices to identify, investigate, and work to address instances of sexual violence against UM students. The Campus Assault Prevention Coordinator, who is also the Director of SARC, has also received extensive training in prevention and education related to dating violence, domestic violence, sexual assault, and stalking and provides extensive opportunities for trainings and educational programs throughout the campus community. The Dean of Students/Student Conduct Officer, who may be involved in coordinating interim actions in sexual misconduct cases, and who is responsible for issuing sanctions for students who have been found to have violated UM’s sexual misconduct policy, has also received detailed training about best practices in student conduct, Title IX policies and procedures, and adjudication of sexual misconduct cases in a higher education setting.

UM also provides anti-discrimination training to all new employees, which includes training about sexual misconduct involving students.

Educational efforts and discussions relating to the topics of sexual assault and alcohol begin for all students when they first visit the campus as part of New Student Orientation. Programs are reinforced throughout the year by media campaigns, outreach events, and other presentations in the residence halls and fraternity and sorority houses. The EO/Title IX Coordinator, SARC, and other professionals from the campus community provide training to numerous campus groups, including student athletes.

**Primary prevention programs** are defined as:

Programming, initiatives, and strategies intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

**Awareness programs** are defined as:

Community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge, and share information and resources to prevent violence, promote safety, and reduce perpetration.

The complete list of University of Montana's primary prevention and awareness programs in the areas of dating violence, domestic violence, sexual assault, sexual harassment, retaliation, and stalking for students and employees are included in Appendix 1.

## **N. Sex Offender Registration – Campus Sex Crimes Prevention Act**

Montana's Sexual or Violent Offender Registration Act is designed to protect the public from sexual or violent offenders by requiring them to register with local law enforcement agencies in the jurisdiction where they reside. Information about offenders is made available to the public.

This Registry provides an up-to-date listing of sexual and violent offenders who are required to register their whereabouts. The registry can be found on the [Montana Attorney General's office website \(https://app.doj.mt.gov/apps/svow/\)](https://app.doj.mt.gov/apps/svow/).

## **11. UM Policies Governing Alcohol and Other Drugs**

The University of Montana is committed to a campus community environment that promotes the health, safety, personal development, and academic success of students, faculty, and staff. The Drug-Free Schools and Communities Act Amendments of 1989 prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on school and campus property or as part of any school or campus activity.

This section provides important information about alcohol, drugs, UM's policies regarding these substances, and the sanctions the institution may impose on those who violate these policies, including employees and students. Information about local, state, and federal laws applicable to the use and abuse of alcohol and other drugs is also provided.

## **A. Alcohol and Illegal Drugs – Policies & Disciplinary Action**

The possession, sale, or service of alcohol on the UM campus is governed by Montana state law, Board of Regents policies, and UM alcohol policies. The primary responsibility for enforcement of alcohol laws is with UMPD.

The unlawful possession, sale, consumption, or furnishing of alcohol by students or employees on campus property is strictly prohibited. It is illegal to sell, furnish, or provide alcohol to any person under the age of 21 years of age. The possession of alcohol by anyone under the age of 21 in a public place or a place open to the public is illegal. Except for students age 21 or older who are allowed to consume and possess alcohol in their University apartments or assigned rooms in the residence halls, it is a violation of the UM alcohol policies for anyone to consume or possess alcohol in any public or private area of campus without prior University approval.

UM's campus is designated "drug free." The possession, manufacture, sale, or distribution of any controlled substance is illegal under both state and federal laws. Such laws are enforced by UMPD. Violators are subject to potential University disciplinary action, criminal prosecution, fines, and/or imprisonment.

### **Drug and Alcohol Policies for Employees & Disciplinary Action**

For UM employees, Human Resource Services publishes a Drug-Free Workplace policy and procedure as well as a Drug & Alcohol Testing policy and procedure. UM employees receive a written copy of this policy statement annually. HR also provides notice on its website that employees who violate this policy will be subject to disciplinary action in accordance with personnel policy or collective bargaining agreements.

All current and prospective employees are encouraged to review these policies, as well as the University's alcohol policies. All are available at the following links:

[UM Faculty and Staff Drug-Free Workplace policy & procedures:](http://www.umt.edu/policies/browse/personnel/drug-free-workplace)

<http://www.umt.edu/policies/browse/personnel/drug-free-workplace>

[UM Faculty and Staff Drug and Alcohol Testing policy and procedures:](http://www.umt.edu/policies/browse/personnel/drug-alcohol-testing)

<http://www.umt.edu/policies/browse/personnel/drug-alcohol-testing>

[University alcohol policies:](http://www.umt.edu/policies/browse/facilities-security/alcohol) <http://www.umt.edu/policies/browse/facilities-security/alcohol>

An updated [summary of state and federal drug and alcohol laws and associated penalties](#), including penalties for impaired driving in Montana, Montana drug-related laws, and federal drug penalties associated with possession of a controlled substance, can be found on the Vice President for Enrollment and Student Affairs' website at:

<http://www.umt.edu/vpesa/Drug%20and%20Alcohol/Summary%20of%20Alcohol%20and%20Drug%20Laws.pdf>

UM students must also abide by the [University of Montana Student Conduct Code](#), available at [www.umt.edu/studentconductcode](http://www.umt.edu/studentconductcode), published on the Dean of Students' website. The Dean of Students/Student Conduct Officer sends out an annual notice at the beginning of the year to students reminding them of the Student Conduct Code and their responsibility as citizens of the community to familiarize themselves with University rules and policies.

Students should also review and understand all of the University alcohol and drug policies that are referenced in the Student Conduct Code and summarized on the Student Affairs' website at

<http://www.umt.edu/vpesa/Drug%20and%20Alcohol/Summary%20of%20Alcohol%20and%20Drug%20Laws.pdf>.

The UM Student Conduct Code specifically prohibits the following behavior, section (VI. A. 11):

Use, possession, or distribution of alcoholic beverages on University premises or at University-sponsored activities except as permitted by University policies (see UM facility use policies and UM alcohol and drug policies).

Students must also abide by all local, state, and federal laws regarding drugs and alcohol as enforced by law enforcement.

### ***Students in University Housing***

In addition to the Student Conduct Code, students living in University housing must abide by all Residence Life rules and policies. The Assistant Director of Student Conduct & Programs for Residence Life is responsible for enforcing and sanctioning drug and alcohol violations that occur in the residence halls and in University housing.

### ***Associated Students of the University of Montana & Recognized Student Groups***

The Associated Students of the University of Montana (ASUM) provides [information for students on their website](http://www.umt.edu/asum/student_groups/alcohol_drug.php) ([http://www.umt.edu/asum/student\\_groups/alcohol\\_drug.php](http://www.umt.edu/asum/student_groups/alcohol_drug.php)). ASUM states on their website that personnel and Student Conduct Code action will be taken against any student or ASUM employee who violates the University's drug and alcohol policies. Recognized student groups and student organizations may also be held accountable for University drug and alcohol violations through ASUM and/or the Dean of Students under the Student Conduct Code.

### ***Fraternities and Sororities***

For fraternities and sororities at UM, the possession and consumption of alcoholic beverages at residential houses and at any official group functions must conform to policies established by the Board of Regents, UM, the Fraternity and Sorority Mutual Relationship Agreement, and their national chapters, local ordinances, and state and federal laws. The [UM Fraternity and Sorority Mutual Relationship Agreement](http://www.umt.edu/fsi/docs/important-documents/Relationship_Agreement.pdf) is available at [http://www.umt.edu/fsi/docs/important-documents/Relationship\\_Agreement.pdf](http://www.umt.edu/fsi/docs/important-documents/Relationship_Agreement.pdf).

### **Disciplinary Actions and Possible Sanctions for Students**

When a student violates the UM Student Conduct Code, the University may initiate disciplinary action resulting in a sanction. Possible sanctions, depending on the severity of the violation, could include disciplinary warning, disciplinary probation, and/or community service.

Students who violate University policies may also be referred to the [Behavioral Health Options Program](http://www.umt.edu/curry-health-center/Counseling/Behavioral-Health-Options.php) offered through the Curry Health Center (<http://www.umt.edu/curry-health-center/Counseling/Behavioral-Health-Options.php>) and described in more detail below.

Repeated violations of the Student Conduct Code could result in more severe disciplinary sanctions, including suspension or expulsion.

### **State and Federal Drug and Alcohol Laws and Associated Penalties**

A [summary of state and federal drug and alcohol laws and associated penalties](#), including penalties for impaired driving in Montana, Montana drug-related laws, and federal drug penalties associated with possession of a controlled substance, is provided on the Vice President for Student Affairs' website at

<http://www.umt.edu/vpesa/Drug%20and%20Alcohol/Summary%20of%20Alcohol%20and%20Drug%20Laws.pdf>.

### **Medical Marijuana**

Although Montana state law permits the use of medical marijuana, meaning use by persons possessing lawfully issued medical marijuana cards, federal laws prohibit marijuana use, possession, and/or cultivation at educational institutions and on the premises of other recipients of federal funds. Therefore, the use, possession, or cultivation of marijuana for medical purposes is therefore not allowed on any UM property or in University housing, nor is it allowed at any University-sponsored event or activity.

If an incident involving illegal use of alcohol and/or drugs occurs involving an employee or a student, the University will cooperate fully with law enforcement agencies and will determine appropriate internal disciplinary actions. Individuals who violate University policies, city ordinances, and/or state or federal laws are subject to disciplinary action under the UM Student Conduct Code, the Fraternity and Sorority Mutual Relationship Agreement, and/or relevant UM personnel policies. Student sanctions under the Student Conduct Code may include disciplinary warning, probation, suspension, expulsion, restitution, and/or community service, as well as required attendance at educational programs. Employees who violate policies will be subject to disciplinary action in accordance with personnel policies, collective bargaining agreements, and local, state, or federal laws. Employees could also be subject to termination and/or criminal prosecution.

### **Tobacco Free UM**

UM works to provide a safe and healthy environment for its employees, students, and visitors with regard to exposure to secondhand smoke. In light of the U.S. Surgeon General's findings that exposure to secondhand tobacco smoke and the use of tobacco cause significant health hazards, UM became a tobacco-free environment 2011. Students found in violation of the tobacco free policy may be referred to the Dean of Students for disciplinary action. Employees found in violation may be referred to HR for appropriate follow-up.

## **B. Drug and Alcohol Abuse Prevention and Education Programs & Resources**

A summary of drug and alcohol abuse prevention and education programs and a listing of drug and alcohol resources for students and employees is included in [UM's 2014 – 2016 Drug and Alcohol Program Biennial Review](#), provided at <http://www.umt.edu/vpesa/Drug%20and%20Alcohol/2014-2016%20Biennial%20Review>.

[Comprehensive information about UM's drug and alcohol policies, prevention and education programs, and resources for students and staff](#) is also provided at <http://www.umt.edu/vpesa/Drug%20and%20Alcohol>.

## **12. Annual Disclosure of Crime Statistics**

Under the Clery Act, UM is required to report annual crime statistics showing reported occurrences of specific types of crime for the benefit of current and prospective students and employees.

UMPD prepares the Annual Campus Security and Fire Safety Report each year in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (the Clery

Act). The full text of this report is provided on the [UMPD website](http://www.umt.edu/police) (<http://www.umt.edu/police>). Paper copies are available at the offices of UMPD and the Dean of Students.

To prepare this report, UMPD classifies crimes according to the FBI Uniform Crime Reporting Handbook, the National Incident-Based Reporting Standards, and the Handbook for Campus Safety and Security Reporting, 2016 Edition, published by the U. S. Department of Education. Montana law is used to define drug, liquor, and weapons law violations, as well as incidents of domestic violence.

Crimes are reported by calendar year in which the crime was reported to UMPD or a campus security authority. When recording reports of stalking that span calendar years, UMPD must record a crime statistic for each and every year in which the stalking takes place and is reported to UMPD or a campus security authority.

Crimes must be classified by location: whether the crime occurred on campus, in or on a non-campus property, or public property. UM must identify, of the crimes that occurred on campus, the number that took place in the residence halls on campus. When records reports of stalking, the location is identified as where the perpetrator first engaged in the stalking course of conduct, or where the victim first became aware of the stalking.

Crime statistics reported in the annual security report do not contain the identity of the victim or the person accused of the crime.

## **A. Collection of Crime Statistics from Other Law Enforcement Agencies**

The crime statistics information in this report pertains to crimes on the University of Montana Mountain Campus, Missoula College West, and Bitterroot College that occurred on “on-campus”, “non-campus”, or “public property”.

In preparing this report, the UMPD collects crime reports from Campus Security Authorities on each separate campus. UMPD also collects crime statistics in cooperation with local, state, and federal law enforcement agencies having jurisdictions within or bordering UM Clery geography identified in Table 1 of this report.

## **B. Campus Crime Logs**

UMPD keeps a daily crime log for the University of Montana Mountain Campus that records crimes by their nature, date, time, general location, and disposition of the complaint. The crime log is available for public inspection on UMPD’s website at <http://www.umt.edu/clery/required-disclosures/crime-log/default.php> or in person at UMPD, Facilities Services Building, Room 136.

Missoula College West maintains a daily crime log that is available for public inspection in person at 2795 37<sup>th</sup> Ave, Missoula, MT, Building TT1, Room TT7A.

Bitterroot College maintains a daily crime log that is available for inspection in person at 103 S 9<sup>th</sup> St., Hamilton, MT, in the Administrative & Student Services Offices, Room 101E.

## **C. Definitions of Reportable Crimes under the Clery Act:**

- **Criminal Homicide—Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
- **Criminal Homicide—Manslaughter by Negligence:** The killing of another person through gross negligence.

- **Sexual Assault (Sex Offenses):** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
  - **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
  - **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
  - **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.
- **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed. Aggravated assault includes poisoning (date rape drug, or other poisoning). An aggravated assault using a date rape drug may be classified as a sexual assault.
- **Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.
- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Motor vehicle theft includes all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned – including joyriding.)
- **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

## **Arrests and Disciplinary Referrals for Violations of Liquor, Drug, and Weapons**

### **Laws:**

- **Liquor Law Arrests:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.
- **Drug Law Arrests:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
- **Weapons Law Arrests: Carrying, Possessing, Etc.:** 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.

- **Referred for Campus Disciplinary Action (Liquor, Drug, and Weapons Law Violations):** The referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

### **Hate Crimes & Definitions:**

- **Hate Crime:** A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability.

The crimes of larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property are also reported under Clery Act requirements if it is determined the victim was intentionally selected because of the perpetrator's bias against the victim.

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

### **Violence Against Women Reauthorization Act of 2013 (VAWA) Crimes:**

In accordance with the Violence Against Women Reauthorization Act of 2013, the University of Montana prohibits **dating violence**, **domestic violence**, and **stalking**, as these terms are defined for purposes of the Clery Act. Appendix 1 to this report includes the Clery Act and State of Montana definitions for these crimes. Where the definitions differ, the Clery Act definition must be used for purposes of reporting annual crime statistics. State definitions are included for educational and awareness purposes only.

### **D. Unfounded Crimes**

The UMPD may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where UMPD has fully investigated the reported crime and, based on the results of this full investigation and evidence, has made a formal determination that the crime report is false or baseless and therefore "unfounded." Only sworn or commissioned law enforcement personnel may "unfound" a crime report for purposes of reporting a Clery crime. The recovery of stolen property, the low value of stolen property, the refusal of a victim to cooperate with the prosecution, and the failure to make an arrest do not "unfound" a crime report. UMPD must disclose in this annual security report the total number of crimes that were



“unfounded” and subsequently withheld from its crime statistics during each of the three most recent years.

UM may not withhold, or subsequently remove, a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other similar noncampus official.

## E. Crime Statistics 2015– 2017

### University of Montana Mountain Campus

Table 2: UM Mountain Campus – Crime Statistics (including VAWA statistics)

Offense	Year	On Campus	Student Housing (subset of On Campus)	Non-campus Building or Property	Public Property
Criminal Homicide: Murder and Non-negligent Manslaughter	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Criminal Homicide: Manslaughter by Negligence	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Robbery	2015	0	0	0	0
	2016	1	0	0	0
	2017	0	0	1	0
Aggravated Assault	2015	1	1	3	0
	2016	2	1	1	0
	2017	2	2	0	0
Burglary	2015	14	11	3	0
	2016	10	6	5	0
	2017	9	5	0	0
Motor Vehicle Theft	2015	2	0	0	0
	2016	2	0	0	1
	2017	2	0	0	0
Arson	2015	0	0	0	0
	2016	1	0	0	0
	2017	2	2	0	0
Dating Violence	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Domestic Violence	2015	11	10	0	0
	2016	13	8	0	0
	2017	18	17	0	1
Stalking	2015	7	2	0	0
	2016	9	6	0	0
	2017	16	3	0	0
Rape	2015	1	1	1	0
	2016	12	10	0	0
	2017	5	5	4	0
Fondling	2015	5	5	1	0
	2016	4	3	0	0
	2017	1	1	0	0
Incest	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0

Offense	Year	On Campus	Student Housing (subset of On Campus)	Non-campus Building or Property	Public Property
Statutory Rape	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Liquor Law Arrests	2015	36	8	0	2
	2016	21	10	1	2
	2017	9	2	0	12
Drug Law Arrests	2015	25	24	0	0
	2016	29	26	0	0
	2017	12	11	0	0
Weapons Law Arrests	2015	1	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0

**Table 3: UM Mountain Campus – Disciplinary Referrals**

Other Offenses	Year	On Campus	Student Housing	Non-campus Building or Property	Public Property
Liquor Law Violations	2015	215	215	0	0
	2016	211	210	1	0
	2017	202	202	0	0
Drug Law Violations	2015	149	149	0	0
	2016	108	108	0	0
	2017	209	209	0	0
Illegal Weapons Violations	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0

**Hate Crimes**

2015: Two on-campus student housing Vandalism, one characterized by religious bias and one characterized by sexual orientation bias

2016: Three on-campus Vandalism characterized by religious bias, and one on-campus Intimidation characterized by religious bias

2017: One public property Intimidation characterized by race bias

There was one unfounded crime in 2015 and two in 2016.

**Missoula College’s East Campus**

On May 24, 2017, Missoula College East moved to its new location at 1205 East Broadway, across the river and within one mile of the Mountain Campus and was re-named Missoula College River Campus. For 2015, 2016, and through May 23, 2017, the crime statistics in this table reflect the Missoula College East location. Effective May 24, 2017, all Missoula College River Campus crime statistics are reported with the University of Montana – Mountain Campus.

**Table 4: Missoula College’s East Campus – Crime Statistics (including VAWA statistics)**

Offense	Year	On Campus	Student Housing (subset of On Campus)	Non-campus Building or Property	Public Property
<b>Criminal Homicide: Murder and Non-negligent Manslaughter</b>	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
<b>Criminal Homicide: Negligent Manslaughter</b>	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
<b>Robbery</b>	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
<b>Aggravated Assault</b>	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
<b>Burglary</b>	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
<b>Motor Vehicle Theft</b>	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
<b>Arson</b>	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
<b>Dating Violence</b>	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
<b>Domestic Violence</b>	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
<b>Stalking</b>	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
<b>Rape</b>	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
<b>Fondling</b>	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
<b>Incest</b>	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
<b>Statutory Rape</b>	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0

Offense	Year	On Campus	Student Housing (subset of On Campus)	Non-campus Building or Property	Public Property
Liquor Law Arrests	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Drug Law Arrests	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Weapons Law Arrests	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0

**Table 5: Missoula College East – Disciplinary Referrals**

Other Offenses	Year	On Campus	Student Housing	Non-campus Building or Property	Public Property
Liquor Law Violations	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Drug Law Violations	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Illegal Weapons Violations	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0

There were no reported Hate Crimes on the Missoula College East campus for 2015-2017.  
There were no unfounded crimes on the Missoula College East campus for 2015-2017.

### Missoula College West

**Table 6: Missoula College West – Crime Statistics (including VAWA statistics)**

Offense	Year	On Campus	Student Housing (subset of On Campus)	Non-campus Building or Property	Public Property
Criminal Homicide: Murder and Non-negligent Manslaughter	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Criminal Homicide: Negligent Manslaughter	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0

Offense	Year	On Campus	Student Housing (subset of On Campus)	Non-campus Building or Property	Public Property
Robbery	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Aggravated Assault	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Burglary	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Motor Vehicle Theft	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Arson	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Dating Violence	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Domestic Violence	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Stalking	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Rape	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Fondling	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Incest	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Statutory Rape	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Liquor Law Arrests	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Drug Law Arrests	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0

Offense	Year	On Campus	Student Housing (subset of On Campus)	Non-campus Building or Property	Public Property
Weapons Law Arrests	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0

**Table 7: Missoula College West – Disciplinary Referrals**

Other Offenses	Year	On Campus	Student Housing (subset of On Campus)	Non-campus Building or Property	Public Property
Liquor Law Violations	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Drug Law Violations	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Illegal Weapons Violations	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0

There were no reported Hate Crimes on the Missoula College West campus for 2015-2017.  
There were no unfounded crimes on the Missoula College West campus for 2015-2017.

**Table 8: Bitterroot College – Crime Statistics (including VAWA statistics)**

Offense	Year	On Campus	Student Housing (subset of On Campus)	Noncampus Building or Property	Public Property
Criminal Homicide: Murder and Non-negligent Manslaughter	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Criminal Homicide: Negligent Manslaughter	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Robbery	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Aggravated Assault	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0

Offense	Year	On Campus	Student Housing (subset of On Campus)	Noncampus Building or Property	Public Property
Burglary	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Motor Vehicle Theft	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Arson	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Dating Violence	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Domestic Violence	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Stalking	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Rape	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Fondling	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Incest	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Statutory Rape	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0

**Table 9: Bitterroot College – Disciplinary Referrals**

Other Offenses	Year	On Campus	Student Housing	Non-campus Building or Property	Public Property
Liquor Law Violations	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0
Drug Law Violations	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0



Other Offenses	Year	On Campus	Student Housing	Non-campus Building or Property	Public Property
Illegal Weapons Violations	2015	0	N/A	N/A	0
	2016	0	N/A	N/A	0
	2017	0	N/A	N/A	0

There were no reported Hate Crimes on the Bitterroot College campus for 2015-2017. There were no unfounded crimes on the Bitterroot College campus for 2015-2017.

### 13. Annual Fire Safety Report

The Higher Education Opportunity Act enacted on August 14, 2008 requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. The following report details all information required by this act for the University of Montana.

The Residence Life Office on the Mountain Campus is responsible for the overall management and administration of nine residence halls on campus as well as the University Villages and Lewis & Clark Village apartment complexes. Although some Missoula College students live in University housing on the Mountain Campus, there are no on-campus housing facilities at Missoula College or Bitterroot College.

#### A. Definitions

**On-Campus Student Housing:** A student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within a reasonable contiguous area that makes up the campus.

**Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

#### B. Fire Safety Policies

The Residence Life Office provides information on their website about Fire Safety policies in three separate places:

- Information about “Residence Halls,” under “Policies”;
- Information about “Lewis & Clark Village,” under “Policies”; and
- Information about “University Villages,” under “Policies.”

All of these policy statements related to Fire Safety are as follows:

#### Residence Halls Fire Safety Policies

[Residence Halls policies](http://www.umt.edu/housing/rh/policies/) are at <http://www.umt.edu/housing/rh/policies/>.

#### General Safety

In case of a fire, call 911. Fires are potentially a serious problem in all shared living space communities due to the high concentration of individuals living in each building. Please use caution and common sense to avoid a disaster.

Prevention can save your life and the life of others. Explore your community and familiarize yourself with all exits. Keep exits and access areas clear of all debris and storage. Residence Hall staff will conduct fire drills twice annually in order for all residents to evaluate proper evacuation routes in case of a fire emergency.

Please note that halogen lamps, candles with wicks, and incense are not allowed to reduce the risk of fires in the residence halls.

### ***Candles & Incense***

Candles and incense have been found to be a severe fire hazard and their use is prohibited in the residence halls. Wickless candles are an acceptable alternative and provide fragrance without the flame.

### ***Cooking***

Cooking appliances are not allowed in the residence halls except for coffee pots, microwaves, and popcorn poppers. In residence hall kitchens, baking is allowed, but cooking meals that contain meat or cooking with oils is prohibited. Appliances such as toasters, toaster ovens, hot plates, appliances with open elements, and George Foreman-type grills are not allowed.

### ***Decorations***

All natural trees and branches to be used as ornamentation in residence halls or rooms must first be fireproofed, and all decorations must be nonflammable. Residents may not hang items from the ceiling or from sprinkler heads, or create holes in the walls.

### ***Flammable Liquids***

Gasoline, kerosene, alcohol, cleaning fluids, etc., constitute a serious danger and are prohibited in residence halls, as are vehicles containing such fluids.

### ***Halogen Lamps and Lights***

The Consumer Product Safety Commission issued a warning about the dangers of halogen lamps and the excessive operating temperatures of 970 to 1200 degrees F that they produce. Curtains, clothing, paper items, etc., burn quickly when they come into contact with 300W or 500W bulbs. Therefore, light bulbs greater than 150W, either incandescent or halogen, are not allowed.

### ***Hoverboards, Swagways, IO Hawks, and Skywalkers***

The use, possession, or storage of Hoverboards, Swagways, IO Hawks, Skywalkers, and similar devices is prohibited until safety standards for them can be developed and implemented. Recent information has revealed that the batteries in these devices are dangerous and prone to explosion, creating safety and fire risks. Until safety standards for these devices are improved, Residence Life has prohibited them from being in any of our residence halls or apartments.

If you have one of these devices, please remove it. Please know that you will not be able to have it in campus housing and if it is found, you will be asked to remove it from UM property or face disciplinary action.

### **Lewis & Clark Village Fire Safety Policies**

[Lewis & Clark Village policies](http://www.umt.edu/housing/lcv/policies.php) are at <http://www.umt.edu/housing/lcv/policies.php>.

### ***Candles and Incense***

Candles and incense have been found to be a severe fire hazard, and their use is prohibited in the apartments. Wickless candles are an acceptable alternative and provide fragrance without the flame.

### ***Fires***

In case of a fire, call 911. Fires are potentially a serious problem in all apartment communities due to the high concentration of individuals living in each building. Most fires begin due to carelessness. At the top of the list are cooking-related fires. Next on the list are fires that are caused by cigarettes. Please use caution and common sense to avoid a disaster.

Prevention can save your life and the life of others. Explore your community and familiarize yourself with all exits. Keep exits and access areas clear of all debris and storage. This includes:

- Keeping sidewalks, porches, common hallways, and outside landings clear of all items including trash, furniture, toys, appliances, car parts, and exercise equipment. Failure to do so will result in a cleaning/removal fee that will be charged to the offending apartment resident.
- Not using balconies, porches, fences, sidewalks, or any common area as a laundry-drying area.
- Not chaining bikes, motorcycles, or trailers to gas piping, stair rails, electrical conduit, or plumbing pipes. Keeping BBQ grills at least 10 feet away from all buildings, landings, or porches.
- BBQ grills (propane or briquette) are not permitted on the second and third floor balconies due to fire hazard. Permanent grills have been installed on the grounds for your convenience.
- Test your smoke detector(s) once a month. Notify maintenance if you have any problems with them.
- No halogen lamps, candles, or incense.

### ***Fireworks and Combustibles***

Fireworks, gunpowder, and other combustible materials or substances that endanger health and safety in the Lewis & Clark Village area are not permitted.

### ***Hoverboards, Swagways, IO Hawks, and Skywalkers***

The use, possession, or storage of Hoverboards, Swagways, IO Hawks, Skywalkers, and similar devices is prohibited until safety standards for them can be developed and implemented. Recent information has revealed that the batteries in these devices are dangerous and prone to explosion, creating safety and fire risks. Until safety standards for these devices are improved, Residence Life has prohibited them from being in any of our residence halls or apartments.

If you have one of these devices, please remove it. Please know that you will not be able to have it in campus housing and if it is found, you will be asked to remove it from UM property or face disciplinary action.

### ***Smoke Alarms***

All smoke alarms must remain operational at all times. Residents should never disconnect smoke alarms for any reason. Please note: removing, disconnecting, or tampering with the smoke alarm or fire extinguisher will result in Student Conduct Code violations and can result in eviction from Lewis & Clark Village.

## **University Villages Fire Safety Policies**

[University Villages policies](http://www.umt.edu/housing/uv/policies-UV) are at <http://www.umt.edu/housing/uv/policies-UV>.

### ***General Information***

In case of a fire, call 911. Fires are potentially a serious problem in all apartment communities due to the high concentration of individuals living in each building. Most fires begin due to carelessness. At the top of the list are cooking-related fires. Next on the list are fires caused by cigarettes. Please use caution and common sense to avoid a disaster.

Prevention can save your life and the life of others.

- Explore your community and familiarize yourself with all exits. Visit with those living in your apartment about escape routes and a meeting place outside the apartment in case of a fire. Keep exits and access areas clear of all debris and storage. This includes:
  - Keeping sidewalks, porches, common hallways, and outside landings clear of all items including trash, furniture, toys, appliances, car parts, and exercise equipment. Failure to do so will result in a cleaning/removal fee that will be charged to the offending apartment resident.
  - Not using balconies, porches, sidewalks, or any common area as a laundry-drying area.
  - Not chaining bikes, motorcycles, or trailers to gas piping, stair rails, electrical conduit, or plumbing pipes. Keeping BBQ grills at least 10 feet away from all buildings, landings or porches.
- BBQ grills (propane or briquette) are not permitted on the second and third floor balconies due to fire hazard.
- Test your smoke detector(s) once a month. Notify maintenance if you have any problems with them.
- No halogen lamps, candles, or incense

### ***Smoke Alarms***

All smoke alarms must remain operational at all times. Tenants should never disconnect smoke alarms for any reason. Please note: removing, disconnecting, or tampering with the smoke alarm or fire extinguisher is grounds to terminate your lease. Your apartment has at least one battery-operated or electric smoke alarm. When the battery wears down, the alarm will “chirp” every few minutes. Please contact the University Villages Office immediately and we will provide you with a battery so you can replace the old one.

### ***Fire Extinguishers (Craighead/Sisson and Elliott Village Only)***

Your apartment has one 5-pound ABC-type fire extinguisher. Check the fire extinguisher’s charge periodically and call the UV Office immediately when it needs recharging.

### ***Fireworks and Combustibles***

Fireworks, gunpowder, and other combustible materials or substances that endanger health and safety in the University Villages area are not permitted.

### ***Hoverboards, Swagways, IO Hawks, and Skywalkers***

The use, possession, or storage of Hoverboards, Swagways, IO Hawks, Skywalkers, and similar devices is prohibited until safety standards for them can be developed and implemented. Recent information has revealed that the batteries in these devices are dangerous and prone to explosion, creating safety and fire risks. Until safety standards for these devices are improved, Residence Life has prohibited them from being in any of our residence halls or apartments.

If you have one of these devices, please remove it. Please know that you will not be able to have it in campus housing and if it is found, you will be asked to remove it from UM property or face disciplinary action.

### C. Fire Statistics for On-Campus Student Housing Facilities 2015–2017

Table 10: Residential Facility Fire Statistics – 2017

Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	No. of injuries requiring medical treatment	No. of deaths related to fires	Value of Property Loss
Aber Hall	2	1	1-Room filled with smoke after student sprayed Febreze and blew out candle.	0	0	\$0-99
		2	2-Burned plastic bottle found in LLC space	0	0	\$0
Craig Hall	0	0		0	0	0
Duniway Hall	0	0	N/A	N/A	N/A	N/A
Elrod Hall	0	0	N/A	N/A	N/A	N/A
Jesse Hall	1	1	Food burnt in hall kitchen	0	0	\$0-99
Knowles Hall	0	0	N/A	N/A	N/A	N/A
Miller Hall	0	0	N/A	N/A	N/A	N/A
Pantzer Hall	1	1	Student working with flammable artwork in room	0	0	\$750
Turner Hall	0	0	N/A	N/A	N/A	N/A
Craighead Apartments	0	0	N/A	N/A	N/A	N/A
Sisson Apartments	0	0	N/A	N/A	N/A	N/A
Bannack Court	0	0	N/A	N/A	N/A	N/A
Cinnabar Drive	0	0	N/A	N/A	N/A	N/A
Coloma Drive	0	0	N/A	0	0	\$0
Elkhorn Court	0	0	N/A	N/A	N/A	N/A
Emigrant Court	0	0	N/A	N/A	N/A	N/A
Garnet Court	0	0	N/A	N/A	N/A	N/A
Granite Court	0	0	N/A	N/A	N/A	N/A
Helena Court	0	0	N/A	N/A	N/A	N/A

Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	No. of injuries requiring medical treatment	No. of deaths related to fires	Value of Property Loss
Jardine Court	0	0	N/A	0	0	\$0
Landusky Court	0	0	N/A	N/A	N/A	N/A
Laurin Court	0	0	N/A	N/A	N/A	N/A
Ophir Court	0	0	N/A	N/A	N/A	N/A
Pardee Court	0	0	N/A	N/A	N/A	N/A
Pioneer Court	0	0	N/A	N/A	N/A	N/A
Rimini Court	0	0	N/A	N/A	N/A	N/A
Robar Court	0	0	N/A	N/A	N/A	N/A
Yreka Court	0	0	N/A	N/A	N/A	N/A
UV Community Center	0	0	N/A	N/A	N/A	N/A
Lewis & Clark Apartments	0	0	N/A	N/A	N/A	N/A
Lewis & Clark Community Center	0	0	N/A	N/A	N/A	N/A

**Table 11: Residential Facility Fire Statistics – 2016**

Residential Facilities	Total Fires In Each Building	Fire Number	Cause of Fire	No. of Injuries Requiring Medical Treatment	No. of Deaths Related To Fires	Value of Property Loss
Aber Hall	2	1	1–burn marks on room door	0	0	1–\$0-\$99
		2	2–13 doors had words or symbols burned into them	0	0	2–\$3,575
Craig Hall	0	0	N/A	N/A	N/A	N/A
Duniway Hall	0	0	N/A	N/A	N/A	N/A
Elrod Hall	0	0	N/A	N/A	N/A	N/A
Jesse Hall	0	0	N/A	N/A	N/A	N/A
Knowles Hall	0	0	N/A	N/A	N/A	N/A
Miller Hall	0	0	N/A	N/A	N/A	N/A
Pantzer Hall	0	0	N/A	N/A	N/A	N/A
Turner Hall	0	0	N/A	N/A	N/A	N/A

Residential Facilities	Total Fires In Each Building	Fire Number	Cause of Fire	No. of Injuries Requiring Medical Treatment	No. of Deaths Related To Fires	Value of Property Loss
University Villages						
Craighead	0	0	N/A	N/A	N/A	N/A
Sisson	0	0	N/A	N/A	N/A	N/A
Helena Court	0	0	N/A	N/A	N/A	N/A
Bannack Court	0	0	N/A	N/A	N/A	N/A
Garnet Court	0	0	N/A	N/A	N/A	N/A
Pioneer Court	0	0	N/A	N/A	N/A	N/A
Ophir Court	0	0	N/A	N/A	N/A	N/A
Yreka Court	1	1	discarded cigarette in plastic container	0	0	\$650,000
Coloma Court	0	0	N/A	N/A	N/A	N/A
Granite Court	0	0	N/A	N/A	N/A	N/A
Cinnabar Drive	0	0	N/A	N/A	N/A	N/A
Emigrant Court	0	0	N/A	N/A	N/A	N/A
Laurin Court	0	0	N/A	N/A	N/A	N/A
Jardine Court	0	0	N/A	N/A	N/A	N/A
Pardee Court	0	0	N/A	N/A	N/A	N/A
Landusky Court	0	0	N/A	N/A	N/A	N/A
Robar Court	0	0	N/A	N/A	N/A	N/A
UV Community Center	0	0	N/A	N/A	N/A	N/A
Lewis & Clark Villages						

Residential Facilities	Total Fires In Each Building	Fire Number	Cause of Fire	No. of Injuries Requiring Medical Treatment	No. of Deaths Related To Fires	Value of Property Loss
Building A-K	1	1	The fire occurred in the breezeway outside C14 due to a low voltage wire for the smoke alarm being pinched by another pipe/clamp going into the mechanical room	0	0	\$100
Lewis & Clark Community Center	0	0	N/A	N/A	N/A	N/A

**Table 12: Residential Facility Fire Statistics – 2015**

Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	No. of injuries requiring medical treatment	No. of deaths related to fires	Value of Property Loss
Aber Hall	2	1	1–Undetermined/burn marks on doors	1–0	1–0	1–\$0-99
		2	2–Undetermined/ box with burn marks	2–0	2–0	2–\$0-99
Craig Hall	0	0	N/A	N/A	N/A	N/A
Duniway Hall	0	0	N/A	N/A	N/A	N/A
Elrod Hall	0	0	N/A	N/A	N/A	N/A
Jesse Hall	0	0	N/A	N/A	N/A	N/A
Knowles Hall	0	0	N/A	N/A	N/A	N/A
Miller Hall	1	1	Undetermined/Burn mark on wall	0	0	\$0-99
Pantzer Hall	0	0	N/A	N/A	N/A	N/A
Turner Hall	0	0	N/A	N/A	N/A	N/A
Craighead Apartments	0	0	N/A	N/A	N/A	N/A
Sisson Apartments	0	0	N/A	N/A	N/A	N/A
Bannack Court	0	0	N/A	N/A	N/A	N/A
Cinnabar Drive	0	0	N/A	N/A	N/A	N/A
Coloma Drive	0	0	N/A	N/A	N/A	N/A



Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	No. of injuries requiring medical treatment	No. of deaths related to fires	Value of Property Loss
Elkhorn Court	0	0	N/A	N/A	N/A	N/A
Emigrant Court	0	0	N/A	N/A	N/A	N/A
Garnet Court	0	0	N/A	N/A	N/A	N/A
Granite Court	1	1	Unintentional/Hazardous Product	0	0	\$0-99
Helena Court	0	0	N/A	N/A	N/A	N/A
Jardine Court	0	0	N/A	N/A	N/A	N/A
Landusky Court	0	0	N/A	N/A	N/A	N/A
Laurin Court	0	0	N/A	N/A	N/A	N/A
Ophir Court	0	0	N/A	N/A	N/A	N/A
Pardee Court	0	0	N/A	N/A	N/A	N/A
Pioneer Court	0	0	N/A	N/A	N/A	N/A
Rimini Court	0	0	N/A	N/A	N/A	N/A
Robar Court	0	0	N/A	N/A	N/A	N/A
Yreka Court	0	0	N/A	N/A	N/A	N/A
UV Community Center	0	0	N/A	N/A	N/A	N/A
Lewis & Clark Apartments	0	0	N/A	N/A	N/A	N/A
Lewis & Clark Community Center	0	0	N/A	N/A	N/A	N/A

## D. Description of On-Campus Student Housing Fire Safety Systems

Table 113: Residential Facility Fire Safety Systems

Facility *	Fire Alarm Monitoring On Site (By UMPD)	Full Sprinkler System **	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Evacuation (Fire) Drills Each Calendar Year
Aber Hall	Yes	Yes	Yes	Yes	Yes	2
Craig Hall	Yes	Yes	Yes	Yes	Yes	2
Duniway Hall	Yes	Yes	Yes	Yes	Yes	2
Elrod Hall	Yes	Yes	Yes	Yes	Yes	2
Jesse Hall	Yes	Yes	Yes	Yes	Yes	2
Knowles Hall	Yes	Yes	Yes	Yes	Yes	2
Miller Hall	Yes	Yes	Yes	Yes	Yes	2
Pantzer Hall	Yes	Yes	Yes	Yes	Yes	2
Turner Hall	Yes	Yes	Yes	Yes	Yes	2
University Villages	No	No	Yes	Yes	No	0
Lewis & Clark Apartments	Yes	Yes	Yes	Yes	No	0

\* Residence halls at the University of Montana do not have physical addresses. Resident mail is addressed to the building name and emergency responders are directed to the building name.

\*\* "Full Sprinkler System" is defined as having sprinklers in both the common areas and individual sleeping rooms.

In addition to the safety equipment listed in the table above, all UM residence hall floor and wing doors are connected to the fire alarm system. When the fire alarm is activated, the doors shut to help control the potential spread of fire and smoke. Passenger elevators are also connected to the fire system so they do not operate when the alarm is activated.

## E. Residence Hall Fire Drills and Evacuation Policy

Fire drills are planned, supervised, and evaluated annually for the residence halls. During floor meetings that are held the first week of each new semester, Resident Assistants explain fire safety policies and evacuation procedures to students living on the floor. Evacuation maps are posted on every floor to inform students and guests of the locations of the nearest exits. Fire drills are held in each residential building once per semester to provide an opportunity for the residents and employees to practice an evacuation.

If a resident student, employee, or guest of the residence halls discovers a fire and the general fire alarm has not activated, activate the nearest pull station by lifting the plastic cover (a pre-alarm will sound) and pulling the handle down. When the general fire alarm for the residence hall sounds, everyone must evacuate the building immediately via the closest emergency exit. Residents must proceed in an orderly fashion by walking quickly to the nearest emergency egress routes and exit the building. Elevators cannot be used as emergency egress routes.

Students with disabilities who cannot leave the building via emergency egress routes should go to the nearest safe area of rescue and activate the area of rescue signal. Emergency personnel will come to this area and assist with the evacuation.

Once outside, people must move at least 25 feet from the building to allow room for emergency vehicles and personnel to work. During inclement weather, students will be moved inside to other buildings during an emergency. Do not re-enter the building until instructed to do so by a Residence Life staff member or on-scene emergency personnel.

## **F. Policies on Electrical Appliances, Smoking, and Open Flames**

### **Use of Electrical Appliances**

Cooking appliances are not allowed in the residence halls except for coffee pots, microwaves, and popcorn poppers. In residence hall kitchens, baking is allowed, but cooking meals that contain meat or cooking with oils is prohibited. Appliances such as toasters, toaster ovens, hot plates, appliances with open elements, and George Foreman-type grills are not allowed.

### **Smoking & Tobacco Use**

In accordance with UM's tobacco free campus policy, Tobacco Free UM, students may not smoke or use tobacco products outside the residence halls on campus property. Additionally, all campus buildings are designated "No Smoking" in all areas, including residence halls and the rooms in which students reside. Smoking of any kind and the use of all tobacco products (including chew, snuff, etc.) are not allowed in any areas of University housing, including study rooms, restrooms, hallways, stairways, lobbies, elevators, lounges, and student rooms. More information about [Tobacco Free UM](http://www.umt.edu/tobaccofreeum) is available at <http://www.umt.edu/tobaccofreeum>.

### **Open Flames**

Candles and incense present a severe fire hazard and their use is prohibited in the residence halls. Wickless candles are an acceptable alternative and provide fragrance without the flame.

## **G. Fire Safety Education and Training Programs for Students and Employees**

All UM Residence Life staff members attend a fire safety equipment walk-through with a departmental electrician and/or the Associate Director of Residence Life for Facilities. The building walk-throughs educate staff members on the functionality of the sprinkler systems and fire alarm display panels.

During floor meetings held the first week of each new semester, Resident Assistants explain fire safety policies and evacuation procedures to students living on the floor. Evacuation maps are posted on every floor to inform students and guests of where the nearest exits are located. Fire drills are held in each residential building, once per semester, to provide an opportunity for the residents and employees to practice an evacuation.

## **H. Fire Incident Reporting**

If you discover smoke or fire or hear the fire alarm, do the following:

- Call UMPD at (406) 243-4000
- Pull the fire alarm if it is not already sounding
- Notify other people
- Immediately leave the building by the nearest available exit

- Before opening a door, see if it is hot by placing the palm of your hand against it. If the door is hot, remain in the room. If the door is cool, open the door slightly and check the corridor for smoke. If the corridor is free of smoke, proceed to the nearest exit (exterior door or stairwell). Stay low, near the floor, and close doors behind you. If the corridor is too smoky, remain in the room.

If you are on a ground floor, try exiting out a window. If you are on an upper floor, call 911 and let the operator know your location. Try blocking the entrance from smoke and heat. Do not exit onto ledges. Remain calm; emergency responders will assist you as quickly as possible.

## **I. Plans for Future Improvements in Fire Safety**

Residence Life will upgrade fire panels in residence halls as funding is available.

Residence Life has experienced several incidents of students hanging clothing items from sprinkler heads and inadvertently causing the sprinkler to activate. Residence Life staff added labels to sprinkler heads in the residence halls to inform students that they are not to hang items from the sprinklers.

Residence Life staff conduct an annual check of the fire extinguishers located on the individual floors of the residence halls. Staff ensure that the extinguishers are charged and the inspection tags are attached. The Associate Safety and Emergency Manager also conducts an annual walk-through of all residence hall buildings to check for any safety issues. The most recent check was completed during the spring of 2018, and a report was provided to Residence Life for correction of any concerns.

Once a year, professionals from a local fire sprinkler company conduct a check of the fire sprinkler system to make sure the system is ready in case of fire. In conjunction with this check, the Residence Life electrician, who has fire safety certifications, also conducts smoke alarm checks twice a year in each of the individual rooms. The fire systems in all of the residence halls are continually monitored so they are in good working order and proper detection is activated in the event there is a fire.

Residence Life trained all full-time staff and student staff on the Emergency Management Plan for the department. This training covered a variety of situations and will give full-time staff an understanding of their roles when it comes to handling an emergency situation in a building or on campus. Area offices have been outfitted with emergency kits. Residence Life will continue to train and run drills throughout the year to test the emergency management plan for the department.

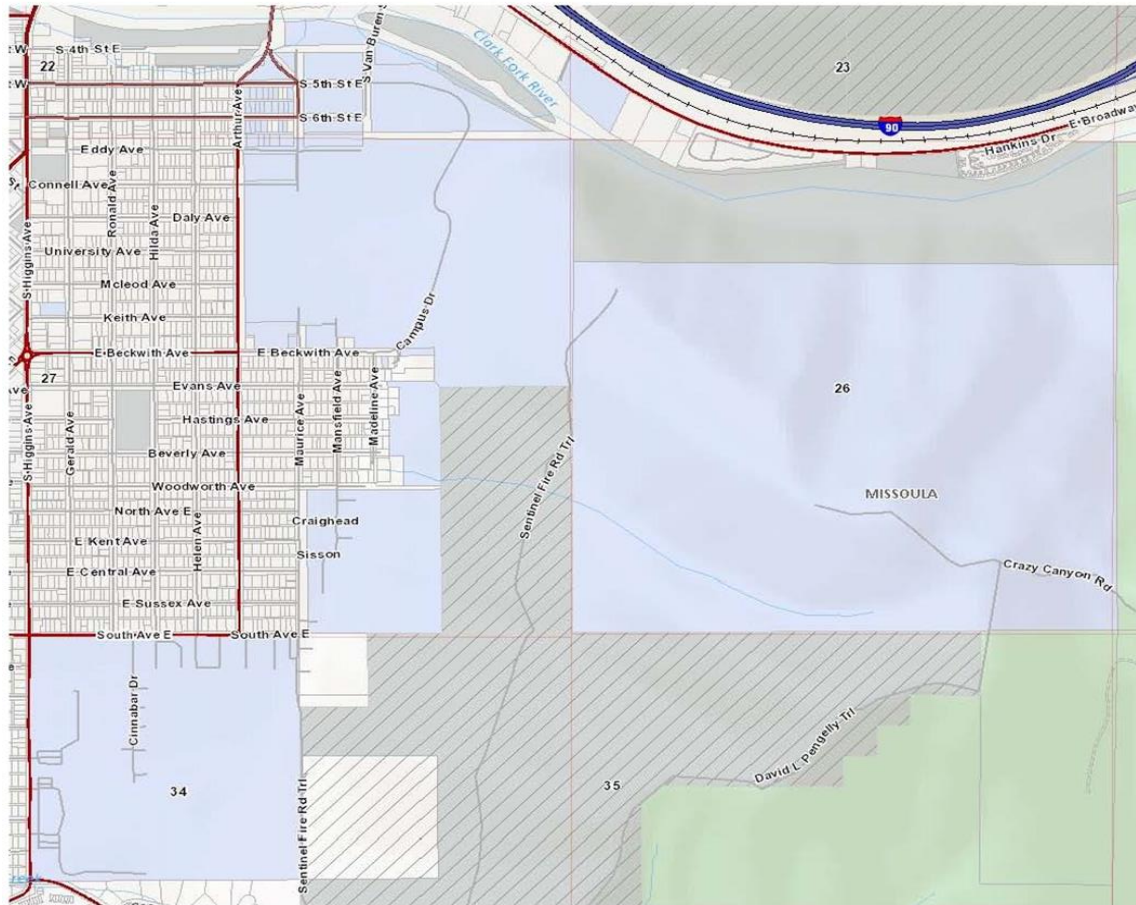
## Campus Maps

Map 2: University of Montana – Mountain Campus and Missoula College River Campus



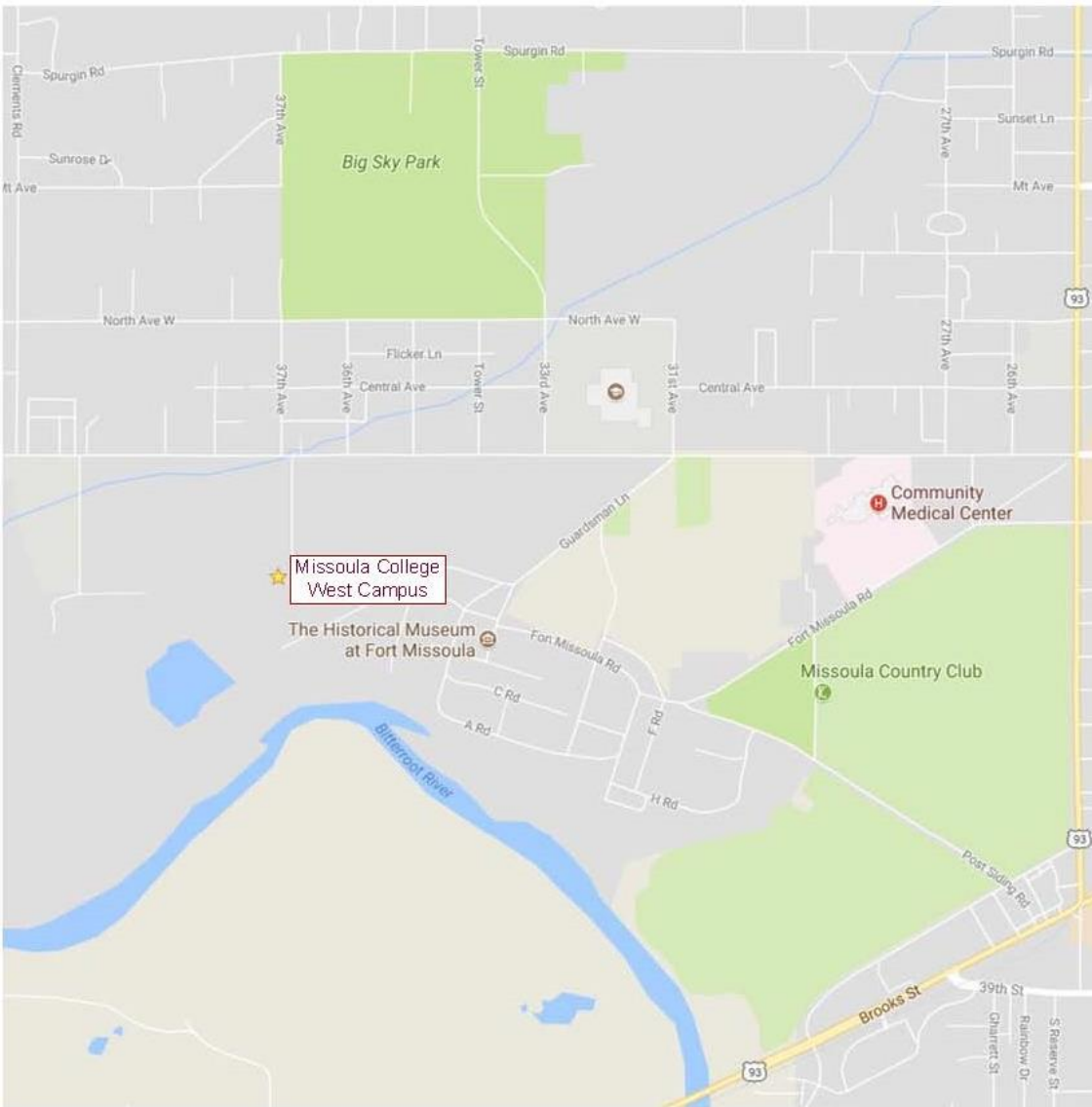
Source: Google maps

**Map 3: On-Campus Clery Geography (shown in blue) for UM Mountain Campus and Missoula College River Campus**



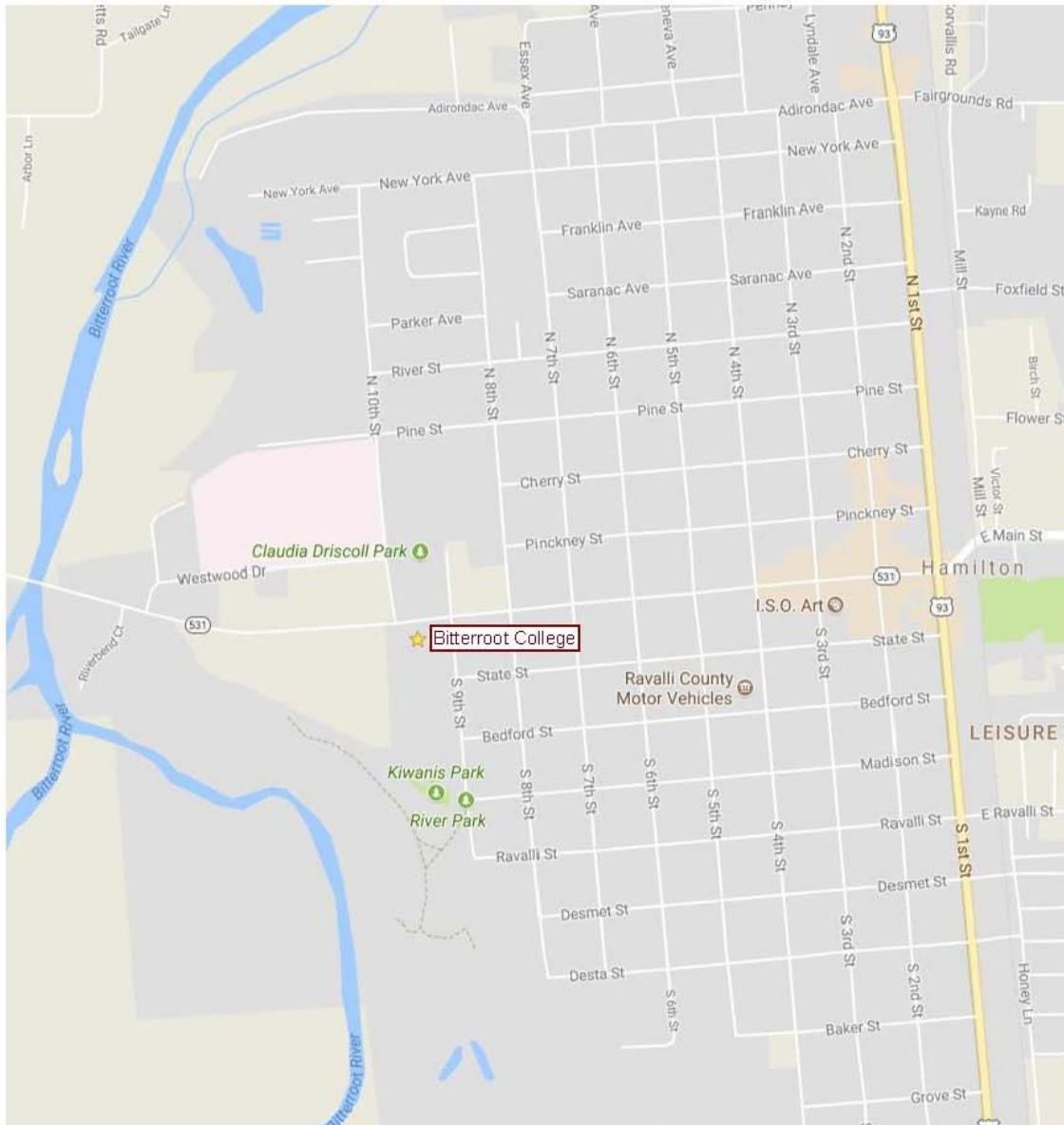
Source: Montana Cadastral (<http://svc.mt.gov/msl/mtcadastral/>)

#### Map 4: Missoula College West



Source: Google maps

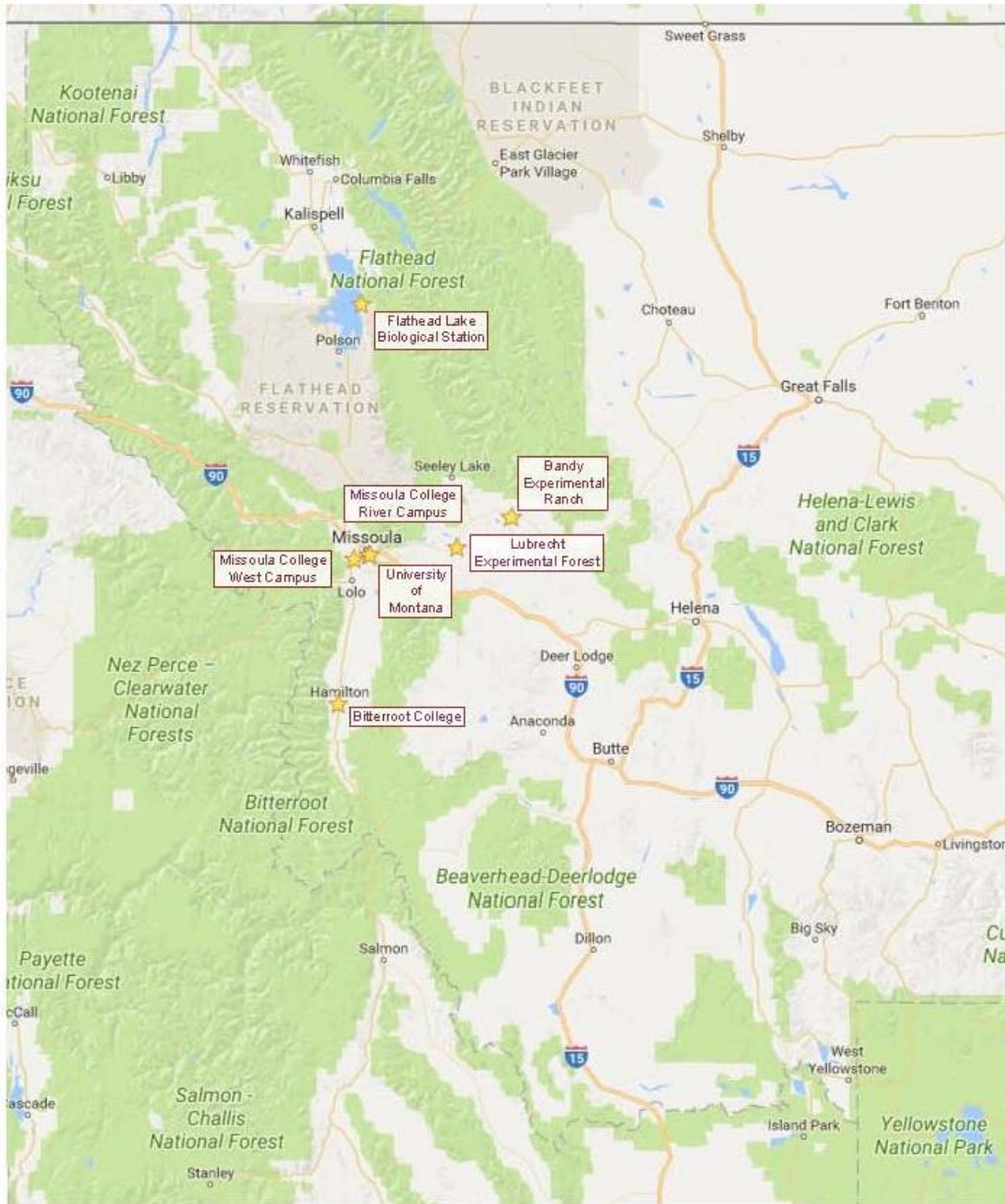
**Map 5: Bitterroot College, Hamilton, MT**



Source: Google maps



**Map 6: UM Campuses and Research Properties**



Source: Google maps

For a complete listing of UM campuses, facilities, and properties, see Section 7.

## **APPENDIX 1**

### **A. UM's Discrimination, Harassment, Sexual Misconduct, Stalking, and Retaliation Policy and Procedures**

#### **Introduction**

In recognition of the University of Montana's commitment to provide a safe and hospitable environment for all members of our community to work and study, the University prohibits sexual misconduct that constitutes sexual harassment, sexual assault, relationship violence, stalking, and claims of retaliation. Sexual misconduct subverts the University's mission, diminishes the dignity of both the Complainant and Respondent, and threatens permanent damage to the careers, educational experience, and well-being of our students, faculty and staff.

Sexual harassment is a form of sex discrimination and is prohibited by University policy, Title VII of the Civil Rights Act of 1964 (Title VII"), Title IX of the Education Amendments of 1972 (Title IX"), and the Montana Human Rights Act. Sexual assault, relationship violence and stalking are also forms of sexual misconduct, and are prohibited by law and this policy.

The Sexual Misconduct Policies and Procedures and the Discrimination Grievance Procedures are designed to provide for prompt, thorough, and equitable investigation and resolution of complaints that involve allegations of sexual misconduct filed against University students or employees through the Discrimination Grievance Procedures. The University will conduct reliable and impartial investigation of sexual misconduct complaints to determine the relevant facts from which a well-informed decision can be made and an appropriate resolution reached.

Both women and men may be victims of sexual misconduct. Sexual misconduct may occur between persons of the same or opposite sex. In the case of sexual harassment, the injured party does not have to be the person harassed but could be anyone affected by the offensive conduct.

The Discrimination Grievance Procedures are designed to fit within the University's larger education system and do not function as a court of law. As such, the Title IX Coordinator's Office uses language that is designed to be both educationally-focused and procedurally neutral when describing its policies and procedures. Additionally, procedural issues, including the introduction and consideration of information, are handled consistent with the University's educational focus. The Discrimination Grievance Procedures are not a substitute for criminal or civil courts, but it is an option for Complainants to resolve his/her complaint when the Respondent is a University of Montana student or employee.

#### **UM Sexual Misconduct Policy Definitions**

UM's Sexual Misconduct Policy prohibits and defines sexual assault, dating violence, domestic violence, and stalking in addition to other acts of sexual misconduct and sexual harassment. Note that UM policy definitions may differ from Clery Act definitions and Montana State law. Under the policy, sexual misconduct includes sexual assault, inducing incapacitation for sexual purposes, sexual exploitation, dating and domestic violence termed "relationship violence," and stalking. Under the policy:

**Sexual Assault** means an actual or attempted sexual contact with another person without that person's consent.

**Consent** is informed, freely given, and mutual. If coercion, intimidation, threats, or physical force are used, there is no consent. If a person is mentally or physically incapacitated or impaired so

that such person cannot understand the fact, nature or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption, or being asleep or unconscious. There is no consent when there is force, expressed or implied, or use of duress or deception upon the victim. Silence does not necessarily constitute consent. Past consent to sexual activities does not imply ongoing future consent. Whether an individual has taken advantage of a position of influence over an alleged victim may be a factor in determining consent.

**Sexual assault** includes, but is not limited to:

1. Involvement in any sexual contact when the victim is unable to consent
2. Intentional and unwelcome touching of, or coercing, forcing, or attempting to coerce or force another to touch a person's intimate parts (defined as genital area, groin, inner thigh, buttocks, or breast)
3. Sexual intercourse without consent, including acts commonly referred to as "rape"

**Inducing Incapacitation for Sexual Purposes** includes using drugs, alcohol, or other means with the intent to affect or having an actual effect on the ability of an individual to consent or refuse to consent to sexual contact (as "consent" is defined in this policy).

**Sexual Exploitation** occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the preceding sexual misconduct offenses. Examples of behavior that could rise to the level of sexual exploitation include:

- Prostituting another person
- Non-consensual visual (e.g., video, photograph) or audio-recording of sexual activity
- Non-consensual distribution of photos, other images, or information of an individual's sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information
- Going beyond the bounds of consent (such as letting your friends hide in the closet to watch you having consensual sex)
- Engaging in non-consensual voyeurism
- Knowingly transmitting an STI such as HIV to another without disclosing your STI status
- Exposing one's genitals in non-consensual circumstances, or inducing another to expose his or her genitals
- Possessing, distributing, viewing, or forcing others to view illegal pornography

**Relationship Violence** is abuse or violence between partners or former partners involving one or more of the following elements:

- Battering that causes bodily injury
- Purposely or knowingly causing reasonable apprehension of bodily injury
- Emotional abuse creating apprehension of bodily injury or property damage
- Repeated telephonic, electronic, or other forms of communication – anonymously or directly – made with the intent to intimidate, terrify, harass, or threaten

**Stalking** includes repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device, or method that purposely or knowingly causes substantial emotional distress or reasonable fear of bodily injury or death.

**Retaliation** is action taken by an accused individual or an action taken by a third party against any person because that person has opposed any practices forbidden under this policy or because that person has filed a complaint, testified, assisted, or participated in any manner in an investigation or proceeding under this policy. This includes action taken against a bystander who intervened to stop or attempt to stop discrimination, harassment, or sexual misconduct. Retaliation includes intimidating, threatening, coercing, or in any way discriminating against an individual because of the individual's complaint or participation. Action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this policy.

### **UM Sexual Misconduct Policy**

The University of Montana is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based upon race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation. Such an environment is necessary to a healthy learning, working, and living atmosphere because discrimination and harassment undermine human dignity and the positive connection among all people at our University. The University will take appropriate action to eliminate, prevent and address the effects of discrimination, harassment, sexual misconduct, stalking and retaliation.

Consistent with state and federal law, reasonable accommodation will be provided to persons with disabilities.

It is important that members of the University community understand that the law does not just prohibit discrimination and harassment of employees by employers. The law also prohibits discrimination and harassment between members of the University community more generally: for example, between an instructor and a student, between two students, or between a student and an applicant or campus guest. The policy applies in all University programs and activities, including, but not limited to, discrimination in athletics, instruction, grading, university housing, and university employment. In addition, the law prohibits retaliation against an individual for opposing any practices forbidden under this policy, for bringing a complaint of discrimination or harassment, for assisting someone with such a complaint, for attempting to stop such discrimination or harassment, or for participating in any manner in an investigation or resolution of a complaint of discrimination or harassment. It is central to the values of this University that any individual who believes they may have been the target of unlawful discrimination or harassment feel free to report their concerns for appropriate investigation and response, without fear of retaliation or retribution.

This policy shall not be construed or applied to restrict academic freedom at the University of Montana, nor shall it be construed to restrict constitutionally protected expression, even though such expression may be offensive, unpleasant, or even hateful.

All complaints or any concerns about conduct that may violate this policy and retaliation should be filed with the Equal Opportunity & Affirmative Action Director/Title IX Coordinator ("EO"):

Equal Opportunity/Affirmative Action/Title IX Coordinator  
University of Montana  
University Hall 006  
Missoula, Montana 59812  
406-243-5710

Upon receiving a complaint, the EO will follow the procedures described in the Discrimination Grievance Procedures.

**Important Note!** Please do not wait to report conduct of concern until harassment becomes sufficiently serious (i.e., severe, pervasive, or persistent) to create a hostile environment. The Equal Opportunity and Affirmative Action/Title IX Coordinator, designees, and other University officials can take proactive steps to prevent harassment from continuing and perhaps escalating and to protect or otherwise assist the person harassed. For example, the University can talk with supervisors, arrange for trainings on discrimination, no-contact orders, counseling and changes in class schedules, living arrangements, class requirements, and testing schedules as needed. The EO office and designees can also provide expertise and advice to help identify conduct that might be a warning sign of or constitute sexual harassment or hostile environment harassment prohibited by this policy and address any concerns or complaints appropriately.

### **Discriminatory Conduct**

I. **Discrimination** is conduct that is based upon an individual's race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation that excludes an individual from participation, denies the individual the benefits of, treats the individual differently or otherwise adversely affects a term or condition of an individual's employment, education, living environment or participation in a University program or activity. This includes failing to provide reasonable accommodation, consistent with state and federal law, to persons with disabilities.

II. **Harassment** is covered under this policy if it is based upon an individual's race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation. Harassing conduct may take various forms, including, name-calling, graphic or written statements (including the use of cell phones or the Internet), or other conduct that may be physically threatening, harmful, or humiliating. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Sex-based harassment includes sexual harassment, which is further defined below, and non-sexual harassment based on stereotypical notions of what is female/feminine v. male/masculine or a failure to conform to those gender stereotypes. Harassment violates this policy when it creates a hostile environment, as defined in Section II.B, below.

#### **A. Sexual Harassment**

*Sexual Harassment* can include unwelcome: sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, including sexual assault. Sexual harassment, including sexual assault, can involve persons of the same or opposite sex. Consistent with the law, this policy prohibits two types of sexual harassment:

##### **1. Tangible Employment or Educational Action**

This type of sexual harassment occurs when the terms or conditions of employment, educational benefits, academic grades or opportunities, living environment or participation in a University activity is conditioned upon, either explicitly or implicitly,

submission to or rejection of unwelcome sexual advances or requests for sexual favors, or such submission or rejection is a factor in decisions affecting that individual's employment, education, living environment, or participation in a University program or activity. Generally, perpetrators will be agents or employees with some authority from the University.

## 2. Hostile Environment

Sexual harassment may create a hostile environment as defined in section II.B. below.

### B. Hostile Environment Harassment

A *Hostile Environment* based on race, color, religion, national origin, creed, service in the uniformed services, veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation exists when harassment:

- is sufficiently serious (i.e., severe, pervasive, or persistent) and objectively offensive so as to deny or limit a person's ability to participate in or benefit from the University's programs, services, opportunities, or activities; or
- when such conduct has the purpose or effect of unreasonably interfering with an individual's employment.

Harassment that creates a hostile environment ("hostile environment harassment") violates this policy.

A hostile environment can be created by anyone involved in a university program or activity (e.g., administrators, faculty members, students, and even campus guests). Mere offensiveness is not enough to create a hostile environment. Although repeated incidents increase the likelihood that harassment has created a hostile environment, a serious incident, such as a sexual assault, even if isolated, can be sufficient.

In determining whether harassment has created a hostile environment, consideration will be made not only as to whether the conduct was unwelcome to the person who feels harassed, but also whether a reasonable person in a similar situation would have perceived the conduct as objectively offensive. Also, the following factors will be considered:

- a. The degree to which the conduct affected one or more students' education or individual's employment;
- b. The nature, scope, frequency, duration, and location of incident or incidents;
- c. The identity, number, and relationships of persons involved;
- d. The nature of higher education.

### **Off-Campus Conduct**

Conduct that occurs off campus can be the subject of a complaint or report and will be evaluated to determine whether it violates this policy, e.g. if off-campus harassment has continuing effects that create a hostile environment on campus. Allegations of off-campus sexual misconduct are of particular concern and should be brought to the University's attention.

## **Mandatory Employee Reporting of Sex-based Discrimination, Sexual Harassment and Sexual Misconduct Involving Students**

In order to enable the University to respond effectively and to stop instances of sex-based discrimination, sexual harassment and sexual misconduct involving students at the University proactively, all University employees must, within 24 hours of receiving the information, report information they have about reported sex-based discrimination, sexual harassment, and sexual misconduct involving students to the EO. The information given to the EO must include all relevant details needed to determine what occurred and to resolve the situation. This includes the names of the respondent (if known), the complainant, other students involved in the incident, as well as relevant facts, including the date, time, and location.

Please note that this policy does not reach curriculum or in any way prohibit or abridge the use of particular textbooks or curricular materials.

Upon receiving a report of alleged or possible sex-based discrimination, sexual harassment, or sexual misconduct, the EO will evaluate the information received and determine what further actions should be taken. The EO will follow the procedures described in the Discrimination Grievance Procedures. The EO will take steps, either directly with the complainant or through a reporting employee, to provide information about the University's Discrimination Grievance Procedures, as well as available health and advocacy resources and options for criminal reporting.

### **Confidential Resources Exempt from Mandatory Reporting**

Employees who are statutorily prohibited from reporting sex-based discrimination, sexual harassment and sexual misconduct involving students are exempt from mandatory reporting to the EO. Such confidential resources include SARC Advocates, Curry Health Center employees, other licensed medical health-care professionals, and clergy. Such persons may assist a student in obtaining interim measures as discussed in the Discrimination Grievance Procedures.

### **Sanctions and Corrective Action**

Violations of this policy will be addressed through the Discrimination Grievance Procedures. Consequences for violating this policy will depend upon the facts and circumstances of each particular situation. Sanctions and Corrective Action could include: a requirement not to repeat or continue the discriminatory, harassing, or retaliatory conduct, a reprimand, a no-contact order, denial of a merit pay increase, reassignment, suspension or termination. The severity of sanctions or corrective action will depend on the frequency and severity of the offense and any history of past discriminatory, harassing or retaliatory conduct. A finding of discrimination, harassment that creates a hostile environment or results in a tangible employment or educational action, or sexual misconduct may be cause for disciplinary action, up to and including the discharge of employees and the expulsion of students, in accordance with applicable University procedures and collective bargaining agreements. The University may also take appropriate action if it does not find discrimination or harassment that creates a hostile environment or results in a tangible employment or educational action, but (a) the University found that the respondent engaged in disruptive behavior or (b) to prevent the creation of a hostile environment.

### **Amnesty for Drug or Alcohol Possession and Consumption Violations**

The University strongly encourages students to report instances of sex-based discrimination, sexual harassment, and sexual misconduct involving students. Therefore, students who report information about sex-based discrimination, sexual harassment, or sexual misconduct involving students will not be disciplined by the University for any violation of the University's drug or alcohol

possession or consumption policies in which they might have engaged in connection with the reported incident.

### **Free Speech and Academic Freedom**

The University of Montana has a long tradition of, and a deep commitment to, academic freedom. The welfare and strength of the University and of society at large depend upon the ability to engage in free expression in the search for meaning. To this end, the University of Montana recognizes and protects full freedom of inquiry, teaching, research, discussion, study, publication, and for artists, the creation and exhibition of works of art, without hindrance, restriction, equivocation, or reprisal. This right extends to other facets of campus life to include the right of a faculty member or student to speak on general educational questions or about the Administration and operation of his/her own institution and the Montana University System.

Constitutionally protected speech and traditional notions of academic freedom are valued in higher education. These ideals help to create the stimulating and challenging learning environment that should characterize higher education. In the spirit of a true university environment, individuals are encouraged to invite, rather than inhibit, discourse on ideas. In addressing all complaints and reports under this policy, the University will take all permissible actions to ensure the safety of students and employees while complying with free speech requirements for students and employees.<sup>[3]</sup> While the University will vigilantly protect students' and employees' rights against sex discrimination under this policy, this policy does not apply to curriculum or in any way prohibit or abridge the use of particular textbooks or curricular materials.

### **External Complaints**

If you filed a complaint with the EO and believe the University's response was inadequate, or you otherwise believe you have been discriminated against by the University on the basis of race, color, national origin, sex, including sexual harassment, disability, age, or retaliation, you may file a complaint with the Office for Civil Rights (OCR) of the U.S. Department of Education based in Seattle or the Educational Opportunities Section (EOS) of the Civil Rights Division of the U.S. Justice Department of Justice, and a complaint based on religion with EOS of the U.S. Justice Department.

As a student or employee, if you filed a complaint with the EO and believe the University's response was inadequate, or you otherwise believe you have been discriminated against by the University on the basis of race, color, national origin, sex, including sexual harassment, disability, age, religion, creed, pregnancy, marital status, familial status (housing only), or political beliefs, or retaliation, you may file a complaint with the [Montana Human Rights Bureau](http://erd.dli.mt.gov/human-rights) (<http://erd.dli.mt.gov/human-rights> or 406-444-4356).

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[1] Policy effective September 23, 2013. This policy supersedes policy nos. 406.5; 406.5.1; 407.1; 406.4.

[2] While sexual assault and other sexual misconduct is often considered a subset of "sexual harassment," for purposes of this policy and the consequences that may result from violating this policy, the terms are distinct.

[3] For more information about free speech requirements in the context of sexual harassment complaints, please see [U.S. Department of Education, Office for Civil Rights, 2001 Revised Sexual Harassment Guidance](http://www2.ed.gov/about/offices/list/ocr/docs/shguide.html) (<http://www2.ed.gov/about/offices/list/ocr/docs/shguide.html>) at section XI.



## **B. UM Discrimination Grievance Procedures**

### **Purpose**

The purpose of these procedures is to provide a prompt and equitable resolution for complaints or reports of discrimination based upon race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation. Any person believing that they have been subjected to discrimination or harassment on any of these bases may file a complaint or report with the University. These procedures address all complaints or reports of alleged discrimination or harassment, including conduct that violates the Discrimination, Harassment, Sexual Misconduct, Stalking and Retaliation Policy (hereinafter referred to as “Policy Violations”). The procedures also address complaints or reports of retaliation against those who have opposed practices forbidden under the policy, those who have filed complaints or reports under the policy, and those who have testified or otherwise participated in enforcement of the policy.

### **University Complaints and Reporting**

Complaints and third-party reports of discrimination, including Policy Violations, should be made to the Equal Opportunity & Affirmative Action Office/Title IX Coordinator (“EO”). The EO staff members are trained to help you find the resources you might need, to explain all reporting options, and to respond appropriately to conduct of concern. All instances of retaliation should be reported and will be addressed in the same manner. The contact information for the EO is listed below.

Equal Opportunity/Affirmative Action/Title IX Coordinator  
University of Montana  
University Hall 006  
Missoula, Montana 59812  
406-243-5710  
[eoaa@umontana.edu](mailto:eoaa@umontana.edu)  
[www.umt.edu/eo](http://www.umt.edu/eo)

Complaints and reports should be made as soon as possible after an incident. The EO coordinates and tracks all complaints and reports under this procedure.

There are several avenues available for submitting a complaint or report:

- Leave a private voice message for the EO;
- File a complaint or report on the form contained on the [EO website](#);
- Send a private [email](#) to one of the EO staff;
- Mail a letter to the EO office;
- Visit one of the EO staff (it is best to make an appointment first to ensure availability).
- Report to another trusted University official (e.g., Resident Assistant, Professor, Coach, Advisor) who will provide information as required under the policy to the EO.

If there is a complaint about the EO or any staff member that is part of the EO Office, or if the EO or EO staff has a complaint, that complaint should be filed with the President of the University. The President will appoint another trained individual to take the place of the EO for purposes of the complaint.

## **Criminal Reporting**

Please remember that if someone is in immediate danger or needs immediate medical attention, the first place to report is 911. You may also report to the University of Montana Police Department (406-243-4000), or to the Missoula City Police Department (406-552-6300). Some forms of discrimination and harassment may also be crimes. For example, sexual assault, stalking and rape are crimes. Criminal reports should be made to law enforcement, even if it is uncertain whether the particular conduct is a crime. The EO is available to assist in making a criminal report. Calling local law enforcement can help you: Obtain emergency and nonemergency medical care; get immediate law enforcement response for your protection; understand how to provide assistance in a situation that may escalate to more severe criminal behavior; arrange a meeting with victim advocate services; find counseling and support; initiate a criminal investigation; and answer questions about the criminal process.

## **Confidentiality of Complaints and Reports**

Parties in these processes, including the Complainant, the individual accused of a Policy Violation (“Respondent”), and witnesses, have privacy rights and reasonable expectations of privacy in the investigation of matters subject to this procedure. In addition, the integrity of the process depends on ensuring reasonable expectations of confidentiality. The EO will keep confidential the complaint, report, witness statements, and any other information provided by the Complainant, Respondent, or witnesses and will disclose this information only to the Complainant, Respondent, or witnesses, as necessary to give fair notice of the allegations and to conduct the investigation; to law enforcement consistent with state and federal law; to other University officials as necessary for coordinating interim measures or for health, welfare, and safety reasons, and to government agencies who review the University’s compliance with federal law. The final investigation report and any written decision from the Discrimination Grievance Committee will be disclosed only to the Complainant, Respondent, EO, and University officials as necessary to prepare for subsequent proceedings (e.g., appeals or sanctions). Members of the Discrimination Grievance Committee have the same strict obligations to keep all information they learn confidential, subject to the limited exception when necessary to protect health, welfare or safety. Information about complaints and reports, absent personally identifiable information, may be reported to University officials, including the University Council on Student Assault, and external entities for statistical and analysis purposes pursuant to federal and state law and University policy.

## **Anonymous and Third Party Reporting**

The EO accepts anonymous and third-party reports of conduct alleged to violate this Policy and will follow up on such reports. The individual making the report (Reporter) is encouraged to provide as much detailed information as possible to allow the EO to investigate and respond as appropriate. The EO may be limited in the ability to investigate an anonymous report unless sufficient information is furnished to enable the EO to conduct a meaningful and fair investigation.

## **Role of the EO**

The EO is charged with coordinating the University’s compliance with federal civil rights laws, listed at the end of these procedures. The EO is not an advocate for either the Complainant or the Respondent. The EO will explain to both parties the informal and formal processes outlined below and the confidentiality provisions as outlined above. Where appropriate, the EO will provide to both parties information about options for obtaining medical and counseling services; making a criminal report, receiving advocacy services, helpful campus and community resources. The EO will offer to coordinate with other campus officials, when appropriate, to implement interim remedial measures such as no-contact orders, changes to housing arrangements, or academic accommodations. The EO will describe the process of a fair and impartial investigation. The EO will explain the right of the Respondent to review and respond to allegations and evidence against

him or her. The EO will explain to both parties their rights to have a person of support, union representative, or attorney with them during their interviews. If an individual does not want to pursue a complaint, the EO will inform the individual that the University is limited in the actions it can take without the cooperation of the individual. The EO will also explain to parties and witnesses that retaliation for reporting alleged violations of the policy, or participating in an investigation of an alleged violation, is strictly prohibited and that any retaliation should be immediately reported and will be promptly addressed.

### **Interim Measures**

Interim measures are those services, accommodations, or other assistance that the University puts in place temporarily after receiving a report of sexual misconduct, harassment, stalking, or retaliation. These measures are put in place before any final outcomes of investigatory, disciplinary or remedial processes. Interim measures are intended to assist or protect the parties during the grievance process, as necessary. The University determines which measures are necessary on a case-by-case basis. Such measures may include: changes in class schedules, activities, or living arrangements, transportation accommodations, no-contact orders, temporary suspension, temporary restrictions from particular classes or activities, counseling, modifications to test schedules or other class requirements, alternative University employment arrangements and/or work schedules, assistance from an advocate in securing additional resources or assistance including off-campus and community advocacy, support and services, and disability services.

### **Resolution**

If a Complainant chooses to file a complaint, there are two avenues for resolution of an alleged Policy Violation: formal and informal resolution. The Complainant has the option to proceed informally, when permissible. In cases involving allegations of sexual assault, informal resolution is not appropriate, even if both the Complainant and Respondent indicate a preference for informal resolution.<sup>2</sup> The EO is available to explain the informal and formal resolution procedures.

### **Informal Process and Resolution**

If the Complainant, the Respondent, and the EO all agree that an informal resolution should be pursued, the EO (or her/his designee) shall attempt to facilitate a resolution of the conflict that is agreeable to all parties. Under the informal process the EO shall be required only to conduct such fact-finding as is useful to resolve the conflict and as is necessary to protect the interests of the parties, the University and the community. Typically, an informal investigation will be completed within twenty (20) days of receipt of the complaint. If it becomes necessary to extend the process, both parties will be notified of a revised expected resolution timeframe.

If at any point during the informal process, the Complainant, the Respondent, or the EO wishes to cease the informal process and to proceed through formal grievance procedures, the formal process outlined below will be invoked.

The informal resolution must adequately address the concerns of the Complainant, as well as the rights of the Respondent and the overall intent of the University to stop, remedy and prevent Policy Violations. (Informal actions might include, but are not limited to: providing training to a work unit; having an informal discussion with an individual whose conduct, if not stopped, could

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<sup>2</sup> The U.S. Department of Education, Office for Civil Rights, Dear Colleague Letter, dated April 4, 2011, p. 8, states: [I]n cases involving allegations of sexual assault, mediation is not appropriate even on a voluntary basis.

rise to the level of discrimination or hostile environment harassment; or having a confidential conversation with a supervisor or instructor).

### **Formal Process**

**(EO refers to the EO or trained designee.)**

**Step 1:** EO discusses concerns with Complainant, and the Respondent as appropriate, including providing information about the policy and procedures and other helpful resources. EO also considers whether immediate or interim actions or involvement of other University offices is appropriate. EO determines whether the office has jurisdiction to investigate the matter. The EO only has jurisdiction to investigate complaints alleging discrimination, harassment, sexual misconduct, stalking, and retaliation.

**Option 1:** If the EO determines that there is no jurisdiction, the EO will offer to assist the Complainant and, as appropriate, the Respondent, in finding appropriate campus and off-campus resources for addressing the issue of concern.

**Option 2:** If the EO determines that there is jurisdiction, the EO will proceed to Step 2.

**Step 2:** EO conducts or oversees the conducting of a fair, thorough, and impartial investigation of the alleged Policy Violation. Impartial means the EO does not have any conflicts of interest or biases that could affect the outcome of the investigation. The EO will make best efforts to conduct the investigation within sixty (60) days. If it becomes necessary to extend the process, both parties will be notified of a revised expected resolution timeframe.

Only a trained investigator will conduct an investigation. Respondents will have the opportunity to review and respond to evidence considered against them.

**Step 3:** EO determines whether there is a preponderance of the evidence showing that an individual engaged in a Policy Violation. This means that individuals are presumed not to have engaged in an alleged Policy Violation unless a “preponderance of the evidence” supports a finding that the violation has occurred. This “preponderance of the evidence” standard requires that the evidence supporting each finding be more convincing than the evidence in opposition to it.

In making the determination of whether harassment has created a hostile environment, the EO will consider not only whether the conduct was unwelcome to the Complainant, but also whether a reasonable person in the Complainant’s situation would have perceived the conduct as objectively offensive. The EO’s final investigation report will be in writing and will be provided to both the Complainant and to the Respondent(s).

**Option 1:** If EO finds by a preponderance of the evidence that a Policy Violation has not occurred, the matter is documented and closed in a final investigation report.

**Option 2:** If EO finds by a preponderance of the evidence that a policy violation has occurred, the EO’s final investigation report will include recommendations for steps to take to prevent recurrence of any such violation, and as appropriate, remedies for the Complainant.

Either party may appeal the final investigation report for the reasons discussed below in Section IX.

### **Reporter or Complainant Requests No Investigation**

If a reporter or Complainant requests that an investigation not be conducted, the EO will consider the reasons for the request, including concerns about continued safety of the person reportedly harmed and members of the campus community. The EO must also balance considerations about the continued health and safety of members of the community against a reporter’s or

Complainant's desire not to have the report investigated. In cases when a reporter or Complainant does not want a report investigated, but the EO has concerns that not taking formal or informal action might endanger the health or safety of members of the campus community, the EO may initiate confidential consultation with appropriate individuals to analyze the situation and assist in determining appropriate measures to take. Consultation may occur with the Dean of Students, chair(s) of the Behavioral Intervention Team (BIT), University police officer, Clery Compliance Officer, Director of Student Advocacy Resource Center, psychological health professional, Director of Residence Life, Director of Human Resources, and legal counsel. The EO will make the ultimate decision about whether to conduct a formal investigation or respond to the report in another manner, including taking informal actions, such as those described above. Whether or not an investigation is conducted, the University will provide, as necessary, interim measures.

## **Appeals to the Discrimination Grievance Committee**

### ***Composition of the Committee***

The committee shall have at least eight (8) regular members including the Chair. Of the eight regular members, two shall be students, two shall be members of the faculty, two shall be members of the non-academic staff, and two shall be representatives of the administration. The committee may include additional members from each group (faculty, student, staff, and administration). However, only 4 members, representative of each group, will consider any one appeal.

### ***Selection of Members***

Members shall be appointed by the president of the University. Each of the four groups listed below will nominate p candidates. The president will appoint at least two members from each of these groups:

1. The Executive Committee of the Faculty Senate
2. The Executive Committee of the Staff Senate
3. The President's Staff
4. The President of ASUM with the approval of Student Senate

### ***Appointment of Chair***

The president shall appoint the chair.

### ***Term of Appointment***

To assure cumulative experience and development of expertise as well as continuity and uniformity of decisions, the terms of regular members will be of extended duration. The student shall be appointed for two (2) years. Members of each of the other groups (faculty, non-academic staff, and administrators) shall be appointed for five (5) years.

Any member whose term has expired and who is willing to continue to serve on the committee may be reappointed by the president of the University.

The President may appoint one or more persons to serve temporarily as a member of the committee to fill a vacancy or ensure a quorum, or in response to a request from the Chair to avoid delay in proceedings. The term of temporary appointment continues for the duration of the proceedings or until the temporary appointee is replaced by a regular member.

### ***Removal of Members***

The Committee Chair may either permanently or temporarily remove or replace any regular member of the committee under the following circumstances:

- a. In response to a request from those responsible for the nomination of the member;

- b. In response to a request from a majority of the committee members;
- c. In response to a request from the Equal Opportunity Officer;
- d. In response to a request from a committee member that he/she be excused;
- e. In response to a request from a party who raises a legitimate concern regarding a conflict of interest, as defined under the University [Conflict of Interest Policy No. 703](#).

If any person or group other than the member requests removal, that member will have an opportunity to rebut any evidence presented in support of the request for removal. If a concern as enumerated above is raised about the Chair, the President of the University will make the determination about either permanently or temporarily removal from the committee.

### **Quorum**

There must be a member from each of the four constituent groups specified above to constitute a quorum.

### **Filing an Appeal**

Complainants and respondents both have rights to file an appeal of any aspect of the EO's final investigation report. This appeal will be heard by the Discrimination Grievance Committee (see Addendum).

#### ***a) Time Limit***

An appeal must be submitted to the EO within five (5) working days, of the receipt of the EO's final investigation report. A late appeal will only be considered upon a showing of extraordinary or extenuating circumstances.

#### ***b) Option for Student to Appeal after Imposition of Sanctions***

When the final investigation report finds that a student or former student has violated the policy, either party may wait to appeal the EO's final investigation report until the dean of students has issued a written notice of sanctions to be imposed against the respondent and both parties have received the written notice of such sanctions, described below in Section X.C. In such case, either party must submit an appeal to the EO within five (5) working days of receipt of the written notice of sanctions. In such case, the appealing party must indicate all grounds for the appeal as described below and make clear whether the student is appealing the EO's final investigation report, the written notice of sanctions by the dean of students, or both.

#### ***c) Grounds for Appeal***

An appeal must be in writing and must identify which of the following is the reason for the appeal:

1. The investigation was not conducted in a fair and impartial manner and therefore the EO's final investigation report is flawed.
2. There is information that was not adequately considered in the investigation which, if considered, would change the outcome of the EO's final investigation report.
3. A review of all available and relevant information indicates that the evidence clearly does not support the EO's final investigation report.

For each ground believed to be the reason for the appeal, the individual appealing should submit a written explanation, including identification of specific evidence that supports the appeal. If the evidence is not part of the EO file, it should be submitted with the appeal.

#### ***d) Rebuttal to Appeal***

Each party will be given the opportunity to review and respond in writing to the other party's appeal. Any response by the opposing party must be submitted to the EO within five (5) working days of the other party's appeal. All appeal documents from each party will be considered together in the review process.

### **Forwarding Appeal Documents**

Within five (5) working days of receiving all appeal submissions by the parties, the EO will forward to the committee such submissions, a copy of the final investigation report, and any other information the EO deems relevant to the appeal.

### **Review of Appeal**

The discrimination grievance committee will review the matter based on the issues identified in the appeal(s) materials. The committee has the authority to determine the appropriateness of evidence, including whether certain evidence should be considered, and the strength and value that the evidence will be given. The committee will consider the EO's final investigation report and any written submissions, evidence submitted by the EO, and evidence submitted by the parties.

### **Committee's Decision**

The committee will make a written decision which will contain the following:

- a. A summary of the allegations;
- b. A summary of the response to the allegations;
- c. A summary of the EO final investigation report;
- d. A summary of any sanctions imposed by the dean of students upon a student;
- e. Specific reference to the portion(s) of the policy alleged to have been violated;
- f. Analysis of the following:
  - i. Whether the investigation was not conducted in a fair and impartial manner and therefore the EO's final investigation report is flawed,
  - ii. Whether there is evidence that was not adequately considered in the investigation which, if considered, would change the outcome of the EO's final investigation report, and
  - iii. Whether a review of all available and relevant evidence indicates that the evidence clearly does not support the EO's final investigation report.
  - iv. If applicable, whether the sanction was clearly inappropriate and/or disproportionate to the conduct for which the person was found responsible.

If the party submitting the appeal did not raise one or more of the above grounds for appeal, the committee may nevertheless exercise its discretion to consider the additional ground(s). In such cases, the committee must provide the parties with notice of the additional ground(s) under consideration and an opportunity to submit any additional relevant information.

- g. Final decision, as applicable, for:
  - i. Affirming the EO's final investigation report,
  - ii. Reversing or modifying the EO's final investigation report, and

- iii. Referring the matter back to the EO and/or a new investigator with specific instructions for further action.
- iv. Affirming the sanction imposed by the dean of students;
- v. Reversing or modifying the sanction imposed by the dean of students;
- vi. Referring the sanctioning decision back to the dean of students and/or a new individual with the authority to impose sanctions on students with specific instructions for further action.

The committee will strive to complete the appeal review and issue its written decision within ten (10) working days of receipt of all documents. The committee chair will provide a copy of the written decision to the parties.

### **Appeal to Regents**

Within thirty (30) days of receipt of the committee's decision, either party may appeal the committee's decision to the Commissioner of Higher Education of the Montana University System. (See [Board policy on appeals No. 203.5.2](#)<sup>3</sup>.) If such an appeal causes a significant delay, the EO will consider interim measures, as described above, to continue to protect the parties during the process.

### **Sanctions**

Sanctions for a policy violation will be determined as outlined below.

#### ***Employee Sanctions***

If the respondent is an employee, the EO will provide the final investigation report to the University administrator with the authority to impose sanctions in accordance with applicable [employment policies and procedures](#)<sup>4</sup> and [collective bargaining agreements](#)<sup>5</sup>. Such administrator will consult with the EO as permitted by applicable employment policies and procedures and collective bargaining agreements. Any appeals of sanctions must be made under the applicable policy and procedures or collective bargaining agreement that governs appeals of sanctions for such employee.

#### ***Student- Employee Sanctions***

If a student-employee is found to have engaged in prohibited conduct, the student-employee may be subject to sanctions both in connection with their employment and in connection with their student status, as appropriate under applicable processes.

#### ***Student Sanctions***

If the respondent is a student, the EO will provide the dean of students with the final investigation report and will consult with the dean of students. The dean of students will decide appropriate sanctions to impose.

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<sup>3</sup> A party may appeal to the Board of Regents from the Commissioner's decision and the Board of Regents has the discretion to hear or decline to hear the appeal. That is the final level of appeal.

<sup>4</sup> <http://www.umt.edu/hrs/Personnel%20Resources/Personnel%20Policies/default.php>

<sup>5</sup> <http://mus.edu/hr/cba/collbarg.asp>



### **a) Possible Student Sanctions**

Sanctions may include one or more of the following:

- **Disciplinary probation:** A designated period of time during which the respondent is not in good standing with the University. The terms of disciplinary probation may involve restrictions of privileges and/or set specific behavioral expectations;
- **Restriction from employment at the University:** Prohibition of or limitation on University employment;
- **Class/Workshop/Training/Program attendance:** Enrollment in and completion of a class, workshop, training, or program that could help the respondent or the University community;
- **Educational project:** Completion of a project specifically designed to help the respondent understand why certain behavior was inappropriate and to prevent its recurrence;
- **University housing transfer or removal:** Permanent placement in another room or housing unit or removal from University housing. Housing transfers or removals may be for a specified time (e.g., a year) or permanent depending on the circumstances;
- **Removal from specific courses or activities:** Suspension or transfer from courses or activities at the University for a specified period of time or permanently
- **Banning from all or specific University activities and events:** The University may prohibit an individual from attending University sponsored activities either on or off campus;
- **Permanent No Contact:** Restriction from entering specific University areas and/or from all forms of contact with certain persons;
- **Suspension:** Separation from the University for a specified period of time or until certain conditions are met;
- **Expulsion or permanent separation:** Termination of student status for an indefinite period for students or termination from employment for employees;
- **Transcript hold:** The University may prevent a student from receiving a copy of their transcript; or
- The University may delay the conferral of the degree pending the outcome of an investigation or withhold the conferral of the degree due to a finding of prohibited conduct. In extraordinary circumstances, the University may revoke the conferral of a degree.

### **b) Impact and Mitigation Statements**

The complainant may submit to the EO an impact statement and the respondent may submit to the EO a mitigation statement. An impact statement is written information from the complainant describing the impact of the prohibited conduct on the complainant and expressing the complainant's preferences regarding appropriate sanctions. A mitigation statement is a written statement from the respondent explaining any factors that the respondent believes should mitigate or otherwise be considered in determining sanctions imposed. The EO will provide any such statements received to the dean of students. The dean of students may use information from these statements to help determine a respondent's sanction.

The impact or mitigation statements may not exceed five (5) pages, including attachments. The dean of students will review all information submitted in an impact statement or mitigation statement for relevance and appropriateness and may determine that some or all of the information submitted is not appropriate for consideration.

**c) Considerations for Sanctions for Students**

In determining the appropriate sanctions for students, the dean of students will be guided by a number of considerations, including:

- The nature of the conduct at issue;
- The impact of the conduct on the complainant;
- The impact of the conduct on the community or the University;
- Prior misconduct by the respondent, including respondent's relevant prior discipline history, both at the University or elsewhere, and any criminal convictions, if such information is available and known;
- Whether the respondent has accepted responsibility for the conduct, which may be considered as a factor that may lessen, not increase, the severity of the sanctions;
- Maintenance of a safe and respectful environment conducive to learning;
- Protection of the University community;
- The necessity of any specific action in order to eliminate the prohibited conduct, prevent its recurrence, and remedy its effects on the complainant or other University community members; and
- Any other mitigating, aggravating, or compelling circumstances, including those set forth in the impact or mitigation statements.

**d) Written Notice of Sanctions**

The dean of students will provide the respondent with a written notice of sanction(s) to be imposed. The written notice will include a summary of the rationale in support of the sanction(s). The dean of students will also provide a copy of the written notice of sanctions to the EO. The EO will provide the written notice of sanctions to the complainant, minus any information not directly related to the complainant, as permitted by applicable Title IX and privacy laws.

**e) Appeal of Sanctions**

Students must follow the appeal procedures set forth below for appealing any sanctions imposed upon them for violation of the Discrimination, Harassment, Sexual Misconduct, Stalking, and Retaliation Policy.

If the respondent is a student or former student, the complainant or respondent may appeal the sanction(s) on the following ground:

- The sanction was clearly inappropriate and/or disproportionate to the conduct for which the person was found responsible.

An appeal of a student sanction must be submitted to the EO within five (5) working days of receipt of the written notice of sanctions. The appeal should be in writing and state why the sanction was clearly inappropriate and/or disproportionate to the conduct for which the person was found responsible. If there is any relevant evidence which supports the appeal that is not contained in the final investigation report and the written notice of sanctions, such evidence should be submitted as well.

Each party will be given the opportunity to review and respond in writing to the other party's appeal. Any response by the opposing party must be submitted to the EO within five (5) working days of the other party's appeal. All appeal documents from each party will be considered together in the review process.

As soon as reasonably possible after receipt of the appeal, the EO will provide to the discrimination grievance committee a copy of the appeal, the final investigation report, the written notice of sanctions, any impact and mitigation statements, and any additional evidence provided by the appellant or appellee in rebuttal. The EO will also provide a copy of the appeal to the non-appealing party.

The committee will make a written decision in accordance with Section IX.D above, containing an analysis of whether the sanction(s) was clearly inappropriate and/or disproportionate to the conduct for which the person was found responsible.

### **Disciplinary Records**

Disciplinary records for policy violations for students are maintained in the same manner as other disciplinary records, as described in the Student Conduct Code. Disciplinary records for employees are maintained in accordance with [applicable employment policies](#)<sup>6</sup> and [collective bargaining agreements](#).<sup>7</sup>

### **Conflict of Interest**

The names of the investigator and the individuals who will serve on the Discrimination Grievance Committee for a particular matter will be readily accessible. These individuals must promptly disclose any potential conflict of interest they might have in a particular case. In the rare situation in which an actual or perceived conflict of interest arises between an Investigator, and member of the Discrimination Grievance Committee, that conflict must be disclosed to both parties.

### **Training**

All University officials who are involved in the discrimination grievance process, including the EO, designated investigators, Discrimination Grievance Committee, and Discipline Authorities, will have adequate training. Training will address, but is not limited to, recognizing and appropriately responding to allegations of discrimination, harassment, including hostile environment harassment, sexual misconduct, and retaliation, conducting investigations, protecting confidentiality, recognizing and disclosing when an actual or perceived conflict of interest arises with any University official (or outside investigator) involved in the discrimination grievance process, and recognizing the link between alcohol and drug use and sexual assault and sexual harassment.

### **External Complaints**

If you filed a complaint with the EO and believe the University's response was inadequate, or you otherwise believe you have been discriminated against by the University on the basis of race, color, national origin, sex, including sexual harassment, disability age, or retaliation, you may file a complaint with the [Office for Civil Rights](#) (OCR) of the U.S. Department of Education based in Seattle or the [Educational Opportunities Section](#) (EOS) of the Civil Rights Division of the U.S. Justice Department of Justice, and a complaint based on religion with EOS of the U.S. Justice Department.

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<sup>6</sup> <http://www.umt.edu/hrs/Personnel%20Resources/Personnel%20Policies/default.php>

<sup>7</sup> <http://mus.edu/hr/cba/collbarg.asp>

As a student or employee, if you filed a complaint with the EO and believe the University's response was inadequate, or you otherwise believe you have been discriminated against by the University on the basis of race, color, national origin, sex, including sexual harassment, disability, age, religion, creed, pregnancy, marital status, familial status (housing only), or political beliefs, or retaliation, you may file a complaint with the [Montana Human Rights Bureau](http://erd.dli.mt.gov/human-rights) (<http://erd.dli.mt.gov/human-rights> or 406-444-4356).

**References:** Titles [IV](#), [VI](#), and [VII](#) of the Civil Rights Act of 1964; [34 C.F.R. pt. 100](#); [Title IX of the Education Amendments of 1972](#); [28 C.F.R. pt. 54](#) and [34 C.F.R. pt. 106](#); [Section 504 of the Rehabilitation Act](#); [34 C.F.R. pt. 104](#); [Age Discrimination Act of 1975](#); [34 C.F.R. pt. 110](#); and [Titles I and II of the Americans with Disabilities Act](#); [28 C.F.R. pt. 35](#); [Montana Human Rights Act and Governmental Code of Fair Practices, Title 49, Montana Code Annotated](#); [Board of Regents Policy 507](#).

### C. Clery Act and Montana State Definitions of VAWA Crimes

Crime	Clery Act Definitions	State of Montana Definitions <sup>8</sup>
Dating Violence	<p>Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of the interaction between the persons involved in the relationship.</p> <p>For purposes of this definition:            Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. IT does not include acts covered under the definition of domestic violence.</p>	No definition in Montana law. See Partner of Family Member Assault below.
Domestic Violence	<p>A felony or misdemeanor crime of violence committed:</p> <ul style="list-style-type: none"> <li>(a) By a current or former spouse or intimate partner of the victim</li> <li>(b) By a person with whom the victim shares a child in common</li> <li>(c) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner</li> <li>(d) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;</li> </ul>	<p>Partner or Family Member Assault (M.C.A. 45-5-206)</p> <p>Partner or family member assault -- penalty. (1) A person commits the offense of partner or family member assault if the person:</p> <ul style="list-style-type: none"> <li>(a) purposely or knowingly causes bodily injury to a partner or family member;</li> <li>(b) negligently causes bodily injury to a partner or family member with a weapon; or</li> <li>(c) purposely or knowingly causes reasonable apprehension of bodily injury in a partner or family member.</li> </ul>

<sup>8</sup> State of Montana definitions are included for educational and awareness purposes only. The Clery Act requires crimes to be reported using Clery Act crime definitions.

Crime	Clery Act Definitions	State of Montana Definitions <sup>8</sup>
	(e) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.	
Stalking	Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. For the purpose of this definition Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.	45-5-220. Stalking -- exemption -- penalty. (1) A person commits the offense of stalking if the person purposely or knowingly causes another person substantial emotional distress or reasonable apprehension of bodily injury or death by repeatedly: (a) following the stalked person; or (b) harassing, threatening, or intimidating the stalked person, in person or by mail, electronic communication, as defined in 45-8-213, or any other action, device, or method. (2) This section does not apply to a constitutionally protected activity.
Sexual Assault	Any sexual act directed against another person, without consent of the victim, including instances where victim is incapable of giving consent. The Clery Act includes only four types of sexual assault: <b>Rape</b> is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. <b>Fondling</b> is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or temporary mental incapacity. <b>Incest</b> is sexual intercourse between persons who are related to each other with the degrees wherein marriage is prohibited by law.	<b>45-5-501. Definitions.</b> (1) (a) As used in 45-5-503, the term "without consent" means: (i) the victim is compelled to submit by force against the victim or another; or (ii) subject to subsections (1)(b) and (1)(c), the victim is incapable of consent ... <b>45-5-502. Sexual assault.</b> (1) A person who knowingly subjects another person to any sexual contact without consent commits the offense of sexual assault <b>45-5-503. Sexual intercourse without consent.</b> (1) A person who knowingly has sexual intercourse without consent with another person commits the offense of sexual intercourse without consent. A person may not be convicted under this section based on the age of the person's spouse, as provided in 45-5-501(1)(a)(ii)(D).

Crime	Clery Act Definitions	State of Montana Definitions <sup>8</sup>
	<b>Statutory Rape</b> is sexual intercourse with a person who is under the statutory age of consent.	

**D. UM Student Conduct Code – Disciplinary Sanctions**

University of Montana Student Conduct Code – Excerpt Regarding Sanctions (p. 14):

**VI. GENERAL CONDUCT**

**C. Disciplinary Sanctions**

1. Sanctions for violating the Standards of Student Conduct under the University of Montana Student Conduct Code may include one or more of the following:
  - a. **Disciplinary Warning:** The student is warned that further misconduct may result in more severe disciplinary sanctions.
  - b. **Disciplinary Probation:** The student may continue attending the University, but is subject to restrictions and/or conditions imposed by the University for a specified period of time. Further violation of the Code while under disciplinary probation will result in more severe sanctions including the possibility of expulsion.
  - c. **Suspension:** The student is separated from the University for a specified period of time and may also be excluded from participation in University-sponsored activities. *A sanction of suspension requires approval by the Vice President for Student Affairs.*
  - d. **Expulsion:** The student is permanently separated from the University and may also be banned from any University-owned or -controlled property or events. *A sanction of expulsion requires approval by the Vice President for Student Affairs.*
  - e. **Restitution:** The student is required to make payment to the University and/or another person or entity for actual financial loss resulting from a Student Conduct Code violation.
  - f. **Withholding or Revocation of a Degree:** A degree is withheld or a previously awarded degree is rescinded. This sanction may be imposed when a person who is no longer enrolled is found to have violated the Code during the time of enrollment (see Section I. A., “Definitions of Student”).
  - g. **Other Sanctions:** In addition to or in place of the above, other sanctions may be imposed such as eviction from University housing, restriction or banning from certain on-campus facilities, restriction or prohibition from attending campus events or participating in campus activities, and requirements to attend and complete classes, programs, workshops, and/or counseling sessions. Details of the terms of the sanction will be provided to the student in writing.
2. **Repeated or aggravated violations of this Code may result in more severe disciplinary sanctions than any individual violation might warrant.**

3. **Committing any act prohibited by this Code may result in suspension or expulsion from the University unless specific and mitigating factors are present.** Potential mitigating factors include the attitude of the student, disciplinary history, the nature of the offense, and the severity of any damage, injury, or harm resulting from it.
4. **Appropriate University officials will be notified of Student Conduct Code findings and/or sanctions imposed.**
5. **Readmission.** Readmission to the University after suspension for general misconduct is dependent upon the student's compliance with the conditions of the suspension and the student's fitness to return to the campus community. These decisions are made by the Dean of Students upon consultation with appropriate campus officials and/or community members. In some cases, appropriate documentation may be required for readmission. Upon readmission, the student may be placed on disciplinary probation for a designated period of time with required conditions and expectations of behavior.

The complete [University of Montana Student Conduct Code](http://www.umt.edu/studentconductcode) is available online at <http://www.umt.edu/studentconductcode>.

### **E. UM Educational Programming to Promote Awareness of and to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, sexual assault, sexual harassment, dating violence, domestic violence, and stalking occurring among our students, UM uses a range of campaigns, strategies, and initiatives to promote awareness, educational, risk reduction, and prevention programming. See Section A of this Appendix 1 for a definition of these terms.

UM offers programming every year to identify and prevent domestic violence, dating violence, sexual assault, and stalking. Educational programs are offered to raise awareness for all incoming students and employees, and are often conducted during new student and new employee orientation and throughout an incoming student's first semester. Programs and other campaigns offered throughout the year to all students and employees include strong messages regarding not just awareness, but also primary prevention (including bystander intervention), and discuss institutional policies on sexual misconduct as well as the Montana definitions of domestic violence, dating violence, sexual assault, stalking, and consent in reference to sexual activity. Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do-so without victim-blaming approaches.

Offices across campus have facilitated dozens of programs reaching thousands of students on topics ranging from violence prevention and response, bystander engagement, healthy relationships, and gender equity. Educational efforts and discussions relating to the topics of sexual assault and alcohol begin for all students when they first visit the campus as part of New Student Orientation. Programs are reinforced throughout the year by media campaigns, outreach events, and other presentations in the residence halls and fraternity and sorority houses. The EO/Title IX Coordinator, SARC, and other professionals from the campus community provide training to numerous campus groups, including student athletes. UM also provides anti-discrimination training to all new employees, which includes training about sexual misconduct involving students.

UM offices directly involved in these programs includes Office of Residence Life, UM Police Department, Office of the Dean of Students, SARC, EO/Title IX Coordinator, UM Advocates, Curry Health Center, Human Resources, Legal Counsel, Grievance Officer for the University Faculty Association and other trained faculty and staff.

UM's educational programming includes:

1. Bystander Intervention Programs for Students
2. Bystander Intervention Programs for Employees
3. Risk Reduction Programs for Students
4. Risk Reduction Programs for Employees

### **Bystander Intervention Programs**

Bystander intervention consists of safe and positive actions that may be carried out by an individual or individuals to prevent harm or intervene when there is risk of an occurrence of prohibited conduct. It also includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. The following is a list of specific bystander intervention programs offered for UM students and employees:

#### ***Bystander Intervention Programs for Students***

##### **Orientation “Slice of Life” Skits and Follow-Up Discussion (*Primary prevention*) 2015-2016; 2016-2017; 2017-2018**

The UM Advocates present skits at summer orientations to new students that address such topics as sexual assault, alcohol, bystander intervention, peer pressure, and campus resources. The skits are followed by separate panel presentations for parents (facilitated by UM staff and administrators) and students (facilitated by UM Advocates) to process the information presented, answer questions, and ensure that new students and parents have complete and current information about campus resources about dating violence, domestic violence, sexual assault, stalking, and many other issues.

##### **Training for Resident Assistants (RAs) (*Primary prevention*) 2015-2016; 2016-2017; 2017-2018**

SARC, EO/Title IX, and UMPD train all Resident Assistants. Presentations from SARC include information about SARC services and about interpersonal violence (including dating violence, domestic violence, sexual assault, and stalking), healthy relationships, how to support students in crisis, and other pertinent topics. SARC also works with RAs as they develop applied skills using the Behind Closed Doors curriculum. Training from the Title IX Coordinator also covers reporting options, UM policies and procedures for reporting, investigating, and adjudicating cases, and information about the local criminal justice system.

##### **Resident Assistant (RA) Training – Behind Closed Doors (*Primary prevention*) 2015-2016; 2016-2017; 2017-2018**

RA training each fall and spring before the new semester begins culminates in a role-play activity in which new RAs are required to respond to various scenarios that they will likely encounter with residence hall students. Scenarios include topics such as dating violence,



domestic violence, sexual assault, stalking, drug or alcohol use, partying, unhealthy choices, peer pressure, and risks associated with unhealthy choices related to alcohol or drug use.

The role-plays are facilitated by trained professional staff from Residence Life, SARC, and the Curry Health Center. Information about the campus discipline system in response to violations of UM policies or local laws, and information about campus resources and referrals for students facing any of the issues discussed is emphasized.

**Bystander Intervention Training for Students (*Primary prevention*)  
2015-2016 (for Juniors); 2016-2017 (students with credit 0-29); 2017-2018 (all new students (including freshman, new transfers, new graduate s or new law students)**

SARC trains students on bystander intervention. This training provides education regarding resources, consent, and bystander intervention. Over time, the objective of these intensive efforts is to inform every student of the importance of bystander intervention in overall campus safety and to promote empowerment to act, as necessary, to support safety for all, including potential victims of dating violence, domestic violence, sexual assault, and stalking.

**Step Up – Residence Life Program (*Primary prevention*)**

**2015-2016; 2016-2017; 2017-2018**

Step Up is a program presented by the Residence Life Office each fall to all incoming residence hall students. The program is grounded in bystander intervention philosophy and presents information about a wide array of situations where students are encouraged to stand up and say something when they see anything that is not right. Scenarios cover such topics as alcohol use, drug use, sexual assault, and mental health.

**Advocates for Nonviolence (*Awareness*)**

**2015-2016; 2016-2017; 2017-2018**

SARC oversees the student group called Advocates for Nonviolence. This group helps SARC conduct a number of awareness-raising events focused on sexual assault, relationship violence, and discrimination.

***Bystander Intervention Programs for Employees***

**Discrimination Prevention Tutorial (*Primary Prevention*)**

All UM employees are required to know about discrimination, sexual harassment, and sexual misconduct laws and policies. To help train employees on these laws and policies, UM has developed a mandatory 20-minute tutorial on discrimination and sexual harassment prevention. The Discrimination Prevention Tutorial explains what constitutes discrimination and harassment, how to report an incident, and UM procedures for responding to a report of an incident. The tutorial is available on UM's online course management system, Moodle.

Human Resource Services (HRS) notifies all new employees about the Discrimination Prevention Tutorial on a monthly basis, and any employee who has not completed it receives follow-up communication from UM Legal Counsel.

**Department Chair Essentials – Orientation for Department Chairs (*Awareness*)** UM's Faculty Development Office offers programming for department chairs upon request designed to inform about employment laws and provisions under the Collective Bargaining Agreement, address how to approach scenarios commonly faced by department chairs, and inform chairs of campus resources and support personnel. Presenters included UM Legal Counsel, EO/Title IX

Coordinator, Director of Labor Relations for Human Resource Services, and the Grievance Officer for the University Faculty Association.

**The Bottom Line on Title IX: Your Responsibility as a Mandatory Reporter (*Awareness*)**

This program was provided to UM employees in October 2015 and provided a focus on what employees need to know about Title IX, dating violence, domestic violence, sexual assault, stalking, and discrimination in the campus community, and employees' responsibility to report to the Title IX Coordinator. Presenters outlined UM's Discrimination Policy and procedures for a University investigation, how to respond if a student shares that they have been the victim of sexual misconduct, mandated reporting obligations for employees, support and interim measures available to students who report to the Title IX Coordinator, the meaning of confidentiality in the context of sexual misconduct cases, and UM's emphasis on changing our campus through bystander intervention training for students and employees. Employees are encouraged to request an individualized session for your team by email by emailing [jessica.weltman@umontana.edu](mailto:jessica.weltman@umontana.edu).

**Bystander Intervention Training for Employees (*Primary Prevention*)  
2015-2016; 2016-2017; 2017-2018**

Programs on bystander intervention training are offered to all UM employee groups and students upon request.

**Title IX and VAWA Training for Employees (*Awareness*)**

Programs on Title IX and VAWA requirements are offered to all UM employee groups, departments and students upon request.

**Title IX and VAWA Training for Coaches (*Awareness*)**

This program is provided to UM employees yearly and provided a focus on what employees need to know about Title IX , dating violence, domestic violence, sexual assault, stalking, and discrimination in the campus community, and employees' responsibility to report to the Title IX Coordinator. Presenters outlined UM's Discrimination Policy and procedures for a University investigation, how to respond if a student shares that they have been the victim of sexual misconduct, mandated reporting obligations for employees, support and interim measures available to students who report to the Title IX Coordinator, the meaning of confidentiality in the context of sexual misconduct cases, and UM's emphasis on changing our campus through bystander intervention training for students and employees.

**Title IX and VAWA Training for Curry Health Center Employees (*Awareness*)**

This program is provided to UM employees yearly and provides a focus on what employees need to know about Title IX , dating violence, domestic violence, sexual assault, stalking, and discrimination in the campus community, and employees' responsibility to report to the Title IX Coordinator. Presenters outlined UM's Discrimination Policy and procedures for a University investigation, how to respond if a student shares that they have been the victim of sexual misconduct, mandated reporting obligations for employees, support and interim measures available to students who report to the Title IX Coordinator, the meaning of confidentiality in the context of sexual misconduct cases, and UM's emphasis on changing our campus through bystander intervention training for students and employees.

**Title IX and VAWA Training for Advisors (*Awareness*)**

This program is provided to UM employees yearly and provided a focus on what employees

need to know about Title IX , dating violence, domestic violence, sexual assault, stalking, and discrimination in the campus community, and employees' responsibility to report to the Title IX Coordinator. Presenters outlined UM's Discrimination Policy and procedures for a University investigation, how to respond if a student shares that they have been the victim of sexual misconduct, mandated reporting obligations for employees, support and interim measures available to students who report to the Title IX Coordinator, the meaning of confidentiality in the context of sexual misconduct cases, and UM's emphasis on changing our campus through bystander intervention training for students and employees.

### **Risk Reduction Programs**

Risk reduction consists of options designed to decrease perpetration and bystander inaction and to increase empowerment in an effort to promote safety and to help individuals and communities address conditions that facilitate violence. The following is a list of specific risk reduction programs offered for UM students and employees:

#### ***Risk Reduction Programs for Students***

##### **Mandatory Online Tutorial for All New Students – PETA (Primary prevention) 2015-2016; 2016-2017; 2017-2018**

PETA (Personal Empowerment through Self-Awareness) is the cornerstone of UM's campaign to address issues of sexual violence. This is an online tutorial designed to educate the campus community about dating violence, domestic violence, sexual assault, stalking, sexual harassment, retaliation, and reporting options. PETA also covers UM policies and procedures for reporting, investigating, and adjudicating cases; local and state laws; and the local criminal justice system. The tutorial provides information about the risks posed by drugs and alcohol, information about bystander intervention, and detailed information about consent.

##### **Mandatory Online Tutorial for All New Students – AlcoholEdu (Primary prevention)**

AlcoholEdu is an online prevention education program provided by EverFi, a national company that provides prevention education programs in several areas, including drug and alcohol use and abuse, campus sexual assault, and financial literacy. AlcoholEdu provides information on the use and effects of alcohol as well as prevention and risk-reduction tips and connections with healthy sexuality and sexual violence. Part 1 takes approximately 1.5-2 hours to complete. Students may take Part 2 after an intersession period designed to provide the institution an opportunity to assess behavioral/attitudinal change over time.

##### **Mandatory On-line Training for Juniors Haven Plus (Primary Prevention) 2015-2016; 2016-2017; 2017-2018**

Haven Plus is an online program designed to educate students about sexual assault, healthy relationships, consent, and bystander intervention. At UM, this program is required of all new and continuing juniors.

##### **SARC Participation in New Student Orientations (Awareness) 2015-2016; 2016-2017; 2017-2018**

SARC participates in New Student Orientation at the beginning of each semester. The SARC Director serves on the parent panel and answers any questions parents have that fall within SARC's role. SARC also does tabling and outreach with new students and parents to connect personally with students and to offer information about SARC. SARC also participates in

American Indian Student Services Orientation, International Student Orientation, and Missoula College Orientation.

### **Peers Reaching Out (PRO) Programs on Alcohol, Drugs, Healthy Sexuality, & Sexual Violence (Awareness)**

Peer Reaching Out (PROs) through the Curry Health Center present numerous peer-led programs to student audiences throughout the year on such topics as alcohol use and abuse, drug use and abuse, healthy sexuality, sexual assault, and sexual violence. PROs present programs to numerous residence hall audiences and UM classes. Programs addressing these topic areas are also included as part of a Wellness Series offered to the campus community by student PROs.

Students may become PROs by taking a 3-credit class, "Introduction to Peer Health Education," that addresses health topics impacting college students such as drug and alcohol use and abuse, safer sex, healthy relationships, mental health, suicide prevention, stress management, and sexual violence.

As one example, PROs facilitated a program in April 2015 to residence hall students, Safe-Sex Bingo. The purpose of the program was to provide education to students about the use of alcohol and drugs, and intersections with healthy sexuality and sexual violence.

### **Don't Cancel that Class – Classroom Presentations (Awareness) 2015-2016; 2016-2017; 2017-2018**

Upon request, SARC staff teaches classes in an instructor's absence. The program, called Don't Cancel That Class, covers such topics as providing quality first response, participating fully in healthy relationships, using self-care to promote good mental health and resiliency, preventing suicide, recognizing and addressing relationship violence dynamics, supporting survivors of sexual assault, and addressing rape myths (using UM climate survey data).

### **Dating 101 for International Students (Awareness) 2015-2016**

SARC coordinates program for international students on topics related to dating and American culture. The training is focused through a general American cultural lens to emphasize the importance of understanding relevant local/national laws and U.S. societal rules. Presenters rely heavily on discussion to bring in other worldviews. Specific topics include dating norms in different cultural contexts, including those of the presenters and participants. The primary goal of this session is to create a comfortable environment in which participants can openly discuss norms associated with dating and romantic relationships in the U.S.

### **SARC Student Involvement – Advocacy, Outreach and Education (Awareness) 2015-2016; 2016-2017; 2017-2018**

Each year SARC trains advocates to provide advocacy services and education. They help staff SARC's 24-hour student support line and they participate in outreach events. These advocates receive 40 hours of specialized training focused on supporting those affected by sexual assault, relationship violence, and discrimination. Training includes information about healthy relationships, suicide prevention, Title IX/EOAA policy, and Montana laws. They triage calls to the support line and connect students with professional staff, as warranted.

### **Sexual Assault Awareness Month (Awareness)**

### ***2015-2016; 2016-2017; 2017-2018***

Sexual Assault Awareness Month was a partnership between UM and a local community effort called Make Your Move. The organization presented an interactive theater performance designed to educate and develop skills for preventing sexual violence. The presentation was open to all.

### **Media, and Poster Campaigns (*Awareness*)**

#### ***2015-2016; 2016-2017; 2017-2018***

Education is also achieved through various media campaigns. SARC produces print and electronic media poster campaigns to inform students about services, interpersonal violence, sexual assault, and discrimination. Public Service Announcements about SARC services are placed on KBGA, the University student radio station

### **Additional Awareness-Raising Activities (*Awareness*)**

#### ***2015-2016; 2016-2017; 2017-2018***

SARC hosted a number of events over the last three academic years to help raise awareness about sexual assault and promote primary prevention. These included Light up the Night, an event put on by SARC to raise awareness and support for those affected by relationship violence. SARC also held a number of events during April in honor of sexual assault awareness month.

### ***Risk Reduction Programs for Employees***

#### **Information at New Employee Welcome (*Primary Prevention*)**

All new employees are provided information at New Employee Welcome about the mandatory Discrimination Prevention Tutorial, which includes coverage of associated policies related to sexual harassment, sexual assault and sexual violence prevention.

#### **University Council on Sexual Assault (UCSA) (*Primary Prevention*)**

The University Council on Student Assault meets regularly throughout the year to examine issues relating to campus policies and procedures that address dating violence, domestic violence, sexual assault, stalking, retaliation, discrimination, and other sexual misconduct. A trained subset group of the UCSA also conducts regular confidential case reviews (personally identifiable information is eliminated) of reports of dating violence, domestic violence, sexual assault, stalking, and retaliation each semester to identify patterns or areas where UM can improve its response and prevention efforts. UCSA includes staff, faculty, student, and community members.

#### **Understanding Unconscious/Implicit Bias (*Awareness*)**

UM's Faculty Development Office offered a professional development workshop for faculty about unconscious bias and how it impacts the recruitment and retention of faculty and staff, as well as the educational environment for students.

#### **Online Tutorial– PETSA: Available for Employees (*Awareness*)**

##### ***2015-2016; 2016-2017***

PETSA (Personal Empowerment through Self-Awareness), described above, is the cornerstone of UM's campaign to address issues of sexual violence. It is a mandatory online tutorial designed to educate the campus community about dating violence, domestic violence, sexual assault, and stalking. PETSA also covers reporting options; UM policies and procedures for reporting, investigating, and adjudicating cases; local and state laws; and the local criminal

justice system. The tutorial also provides information about the risks posed by drugs and alcohol, information about bystander intervention, and detailed information about consent. While PETA is a mandatory online tutorial for students, all UM employees are also welcome to review the tutorial and accompanying resources. All UM employees, as well as returning students who have already taken the tutorial, are encouraged to view and revisit the [PETA videos and resources](http://www.umt.edu/petsa/) at <http://www.umt.edu/petsa/>.

**Just Response Multidisciplinary Team (*Primary prevention*)  
2015-2016; 2016-2017; 2017-2018**

UM representatives from UMPD including the Chief of Police and Captain, the Title IX Coordinator, the Director of SARC/Campus Assault Prevention Coordinator, the Dean of Students, and the Vice President for Student Affairs participate in a larger multidisciplinary team in the community of Missoula that works to provide a coordinated response to community violence, especially dating violence, domestic violence, sexual assault, and stalking. Community participants include local law enforcement, YWCA advocates, City and County prosecutors, First Step nurses, Crime Victim Advocates, representatives from child welfare and family services, and other local professionals.

**Workplace Safety (*Primary prevention*)**

UMPD's Community Liaison Officer presents tips and tools for dealing with difficult customers, deescalating conflicts, and preventing theft. Employees are encouraged to request an individualized presentation for their team. [Drug and Alcohol Resources for Faculty and Staff](http://www.umt.edu/hrs/Personnel%20Resources/Training%20and%20Development/Drug-Free%20Workplace%20Education.php) : <http://www.umt.edu/hrs/Personnel%20Resources/Training%20and%20Development/Drug-Free%20Workplace%20Education.php>