



2022 ANNUAL CAMPUS SAFETY & SECURITY REPORT

**REVIEWED & APPROVED
SEPTEMBER 2022 BY THE TITLE IX COMPLIANCE TEAM:**

Leroy West, President
Miriam Williams, Chief Academic Officer & Title IX Coordinator
Marc Carrier, Chief Financial Officer
Tony O'Brien, Director of Program Development & Deputy Title IX Coordinator
Michael Poster, Director of Student Services & Deputy Title IX Coordinator
Megan Normandin, Director of Monitoring and Evaluation & Deputy Title IX Coordinator
Ann Borders, Director of Human Resources

EFFECTIVE DATE: October 1, 2022
NEXT REVIEW: August 2023

TABLE OF CONTENTS

INTRODUCTION.....	4
The Jeanne Clery Disclosure of Campus Security Policy & Campus Crime Statistics Act.....	4
A MESSAGE FROM THE PRESIDENT	5
SECTION 1: SAFETY ON CAMPUS	6
MAIN CAMPUS GEOGRAPHY	6
EXTENSION CAMPUS GEOGRAPHY.....	7
POLICE AGENCY RELATIONSHIPS	8
CAMPUS SECURITY & ACCESS	8
SECURITY CONSIDERATIONS IN MAINTENANCE OF CAMPUS FACILITIES.....	9
CAMPUS SAFETY & SECURITY ADVISORY COMMITTEE.....	9
CAMPUS SAFETY & SECURITY TRAINING.....	10
Students	10
Staff.....	10
FIREARMS & OTHER WEAPONS POLICY.....	11
SECTION 2: REPORTING A CRIME	12
PROMPT REPORTING OF AN EMERGENCY OR CRIME.....	12
CRIMINAL ACTIVITY.....	13
SEXUAL VIOLENCE.....	14
CONFIDENTIAL CRIME REPORTING.....	14
PASTORAL & PROFESSIONAL COUNSELORS (A.K.A. CONFIDENTIAL RESOURCES)	15
VIOLENT CRIME.....	15
REGISTERED SEX OFFENDERS	15
SECTION 3: TITLE IX COMPLIANCE	18
SECTION 4: SEXUAL MISCONDUCT POLICY	19
Introduction	19
I. Scope of the Policy	19
II. Sanctions	20
III. Formal Adjudication by Summit Academy OIC.....	20
IV. Behavior that Constitutes Prohibited Sexual Misconduct	20
V. Reporting Policies and Protocols	23
A. How, When and Whom to Tell	24
B. Emergency Reporting	25
C. Talking to a Confidential Resource.....	26
D. Contacting a Trained Responder	26

E. Reporting to the Police	27
F. Making an Anonymous Report	27
G. Statistical Reporting by Summit Academy OIC	27
VII. SAOIC Response and Resolution Process	28
VIII. No Retaliation.....	28
IX. Amnesty	28
X. Resources & Contact Information.....	29
A. Emergency Contacts	29
B. On-Campus Places to Report Sexual Misconduct.....	29
C. Off-Campus Places to Report Sexual Misconduct	29
D. Off-Campus Confidential Resources	30
E. Victim Services and Legal Information	30
SECTION 5: SEXUAL MISCONDUCT RESPONSE & RESOLUTION PROCEDURES	33
Definitions	33
Scope & Application	33
General Provisions	33
A. TIMING	33
B. CONFIDENTIALITY	34
Initiation of Response & Resolution Process	34
A. NOTICE TO THE TITLE IX COORDINATOR OR A DEPUTY TITLE IX COORDINATOR.....	34
B. INTERIM ACTION TO PROTECT THE PARTIES & THE COMMUNITY	35
D. CLERY ACT REPORT	36
E. MEETING WITH THE COMPLAINANT.....	36
F. SAOIC DETERMINATION WHETHER TO FOLLOW FORMAL PROCESS	37
Informal Process.....	37
Formal Process	37
A. RIGHTS OF THE COMPLAINANT AND RESPONDENT	37
B. STEPS IN THE FORMAL PROCESS	38
C. APPEAL PROCESS	42
Record Keeping	43
SECTION 6: ALCOHOL & OTHER DRUGS POLICY	44
Introduction	44
Definitions	44
Summit Academy OIC Alcohol and Other Drugs Policy.....	44
Health Risks.....	45
Warning Signs.....	46

Counseling and Treatment Programs	47
Sanctions	48
SECTION 7: EMERGENCY RESPONSE & EVACUATION PROCEDURES	49
Introduction	49
Guiding Principles	49
Communication in an Emergency	49
Emergency Procedures.....	50
Active Shooter.....	50
Criminal Activity.....	52
Evacuation	52
Fire	52
Gas Leak.....	52
Lock Down	53
Medical Emergency	53
Severe Weather	54
Emergency Response & Evacuation Tests.....	54
Timely Warnings	55
Emergency Preparedness Map 935 Olson Memorial Hwy	56
Emergency Preparedness Map – 1017 Olson Memorial Hwy	57
Emergency Preparedness Map – 1256 Penn Ave. N., 4 th Floor	58
SECTION 8: CRIME STATISTICS.....	59
Introduction	59
Criminal Offenses within Clery Geography of Main Campus.....	59
Criminal Offenses within Clery Geography of Extension Campus.....	59
Hate Crimes at Summit Academy OIC Campuses	59
Violence Against Women Act (VAWA) Offenses at Summit Academy OIC Campuses	60
Arrests & Referrals for Disciplinary Action at Summit Academy OIC Campuses	60
Unfounded Crimes at Summit Academy OIC Campuses.....	60
Disciplinary Actions at Summit Academy OIC Campuses.....	60
APPENDIX A – TITLE IX FLOWCHART & SEXUAL MISCONDUCT COMPLAINANT BILL OF RIGHTS.....	61
SEXUAL MISCONDUCT COMPLAINANT BILL OF RIGHTS	62
APPENDIX B – CRIME DEFINITIONS	63

INTRODUCTION

This Annual Safety and Security Report is produced prior to October 1, 2022 by Summit Academy OIC (SAOIC) Campus Safety & Security Authorities in cooperation with the Minneapolis Police Department in order to comply with the *Clery Act* (described below). This report is intended for use by Summit Academy OIC students, staff, faculty, and guests. The report provides useful information and resources for issues related to campus safety including campus security, crime statistics, safety policies and procedures, crime prevention techniques, and school and community resources.

Hard copies of this report can be obtained at the front desk or in the Human Resources office. The report is available electronically on the employee intranet or on the Summit Academy OIC website at <https://saoic.org/reports-finances/>

THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY & CAMPUS CRIME STATISTICS ACT

In 1990, Congress enacted the *Crime Awareness and Campus Security Act of 1990*, which amended the *Higher Education Act of 1965 (HEA)*. This act requires all postsecondary institutions participating in Title IV student financial assistance programs to disclose campus crime statistics and security information. In 1998, the law was renamed to the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (the *Clery Act*) in memory of a student who was slain in her dorm room in 1986. In 2013, the *Clery Act* was amended by the *Violence Against Women Reauthorization Act of 2013 (VAWA)*, requiring institutions to disclose statistics, policies and programs related to dating violence, domestic violence, sexual assault and stalking, among other changes.

A MESSAGE FROM THE PRESIDENT



Leroy West, President

Dear Summit Community Members,

Summit Academy OIC is committed to a safe campus environment where the spirit of Summit can thrive among our students, faculty, staff, and guests.

Most of us can recall a recent act of violence on the news, including incidents on campuses, in schools, in houses of worship and in public venues. In many cases, experts point out that someone (sometimes many people) in hindsight had concerns about the perpetrator, may have known of the planned violence, and yet did not report those concerns to the appropriate authorities.

If you have seen or heard about concerning behaviors, please share that information with a staff member so that we can evaluate the situation and take appropriate steps to ensure our community members can stay focused on their educational and professional goals. In short,

**IF YOU SEE SOMETHING,
SAY SOMETHING.**

Campus safety at Summit Academy OIC is everyone's responsibility. As a member of our community, we encourage you to familiarize yourself with the policies, procedures and practices outlined in this report, and to take responsibility for your own safety and the safety of others on campus.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leroy West', written in a cursive style.

Leroy West
President

SECTION 1: SAFETY ON CAMPUS

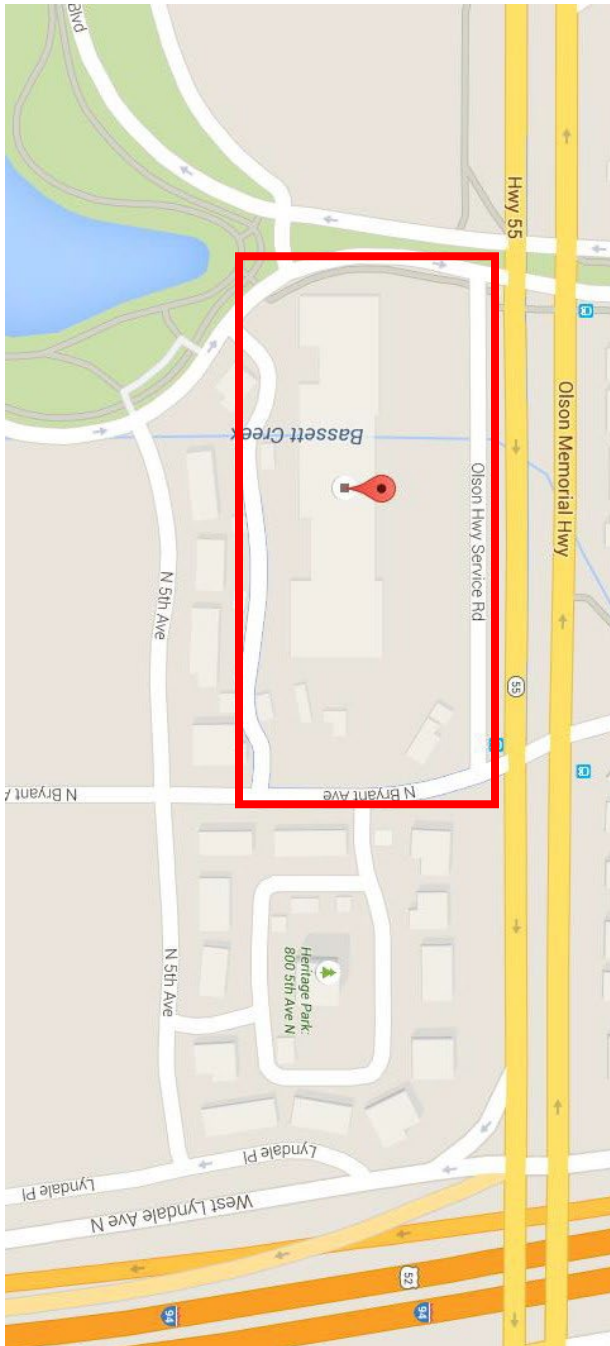
MAIN CAMPUS GEOGRAPHY

Summit Academy OIC's main campus is located in the Sumner – Glenwood (a.k.a. Heritage Park) neighborhood of Minneapolis.

The crime statistics included in this report include all main Summit Academy OIC campus locations:

- 901 Olson Memorial Highway
- 935 Olson Memorial Highway (Main Entrance)
- 1017 Olson Memorial Highway
- 1019 Olson Memorial Highway

These statistics also include unobstructed public areas immediately adjacent to or running through the main campus. The area selected in red on the map to the left approximates the boundaries utilized to determine relevant crime statistics.



EXTENSION CAMPUS GEOGRAPHY

Summit Academy OIC's Extension Campus-North Star Innovation Center is located in the Willard Hay-Near North neighborhoods of Minneapolis. The crime statistics included in this report include the Summit Academy OIC Extension Campus location:

- 1256 Penn Ave. N, 4th floor

These statistics also include unobstructed areas immediately adjacent to the Extension Campus building. The area selected in red on the map below approximates the boundaries utilized to determine relevant crime statistics.



Summit Academy OIC neither owns nor operates any residential student housing. The institution does not recognize non-campus buildings nor property.

Additional crime statistics are available by contacting:

**Minneapolis Police Department
Records Information Unit**

Mpls Public Service Building
505 Fourth Ave. S.
Minneapolis, MN 55415
Phone: (612) 673-2961

Hours:

8:00 a.m. – 4:00 p.m. – Monday - Thursday
9:00 a.m. – 4:00 p.m. – Friday

In addition, an interactive historical crime map is available for the city of Minneapolis at the following web address:

http://www.ci.minneapolis.mn.us/police/statistics/police_crime-statistics_index

POLICE AGENCY RELATIONSHIPS

Both of Summit Academy's campuses fall under the jurisdiction of the 4th Precinct of the Minneapolis Police Department. The 4th Precinct is headquarters for Patrol Officers, Precinct Investigations, the Community Response Team, and Community Crime Prevention/SAFE Teams. Inspector Charlie Adams commands the 4th Precinct location:

1925 Plymouth Avenue North
Minneapolis, MN 55411
Phone: (612) 673-5704
Fax: (612) 370-3878

In compliance with Minn. Stat. 135A.15, 2020 *Sexual Harassment and Violence Policy*, Summit Academy OIC enters into a memorandum of understanding (MOU) with the Minneapolis Police Department that delineates responsibilities and promotes cooperation, collaboration, and communication between campus authorities and police related to crime happening on or near campus, including but not limited to complaints of discrimination and sexual harassment, which includes sexual assault, domestic violence, dating violence and stalking. The MOU includes provisions for collection of crime statistics; emergency notification and crime alerts; training of Summit Academy OIC staff and 4th Precinct officers and staff; and periodic meetings. The Vice President and Chief Operations Officer serves as the lead executive on the MOU, and coordinates the relationship with the 4th Precinct and the organization's Campus Security Authorities and Title IX Compliance Team. The MOU is updated every 2 years.

CAMPUS SECURITY & ACCESS

Summit Academy OIC campuses are for the use of the students, faculty, staff, visitors, and those on official business with the institution.

Access to campus buildings is limited to business hours. Business hours are 8 a.m. – 4:30 p.m. Monday through Friday during COVID-restricted periods in 2021 as determined in coordination with city, state, and local agencies. When COVID restrictions are not required, business hours are 7:30a.m.-5p.m. Questions about business hours should be directed to 612-377-0150.

Surveillance cameras operate 24-hours a day in key internal and exterior areas throughout campuses. These camera systems are monitored and continuously record to digital media. The use of these cameras coupled with 24-hour monitoring ability and recording, enhances community safety and security while aiding in the investigation of criminal and suspicious incidents on campus.

Alarms are also installed throughout campuses and active during non-business hours. Police, security guards, and key staff are notified if the security alarm is triggered.

Classrooms, conference rooms, computer labs, or offices should be locked when not in use. These facilities will not be opened for unknown individuals without prior written approval from the department supervisor.

Keys and/or key cards are issued to authorized faculty and staff only. All faculty, staff, and students are required to carry a Summit Academy OIC I.D. badge and to present it when requested.

Individual classrooms, conference rooms and computer labs are available during normal business hours for scheduled classes and scheduled special events. Room reservations can be made by contacting department heads or the front desk at 612-377-0150.

No students are allowed in any building after business hours. Personnel, other than Facilities staff, must vacate the campus no later than the designated closing times as noted as a standard safety measure, except as previously authorized by their supervisor.

Faculty or staff members who believe they are the last person(s) in the building should ask unauthorized people to leave the premises. If an unauthorized person refuses to leave the premises, contact the Minneapolis Police Department immediately.

Employees must lock all areas of responsibility upon departure.

SECURITY CONSIDERATIONS IN MAINTENANCE OF CAMPUS FACILITIES

The Facilities Manager and Safety Officer perform daily surveys of the campus facilities to ensure the continued safety of the campus. Items that are routinely inspected include doors and locks, fire and intrusion alarms, safety equipment (i.e. fire extinguishers, AEDs, first aid equipment, etc.), communications equipment, lighting, and landscaping.

Students, faculty, staff, and visitors are encouraged to report needed building repairs or maintenance to the Facilities Department at 612-278-6585 or maint@saoic.org.

CAMPUS SAFETY & SECURITY ADVISORY COMMITTEE

The Campus Safety and Security Advisory Committee is composed of volunteer representatives from each department at Summit Academy OIC. The committee is charged with the following responsibility:

1. To serve as a contact point for the members of the Summit Academy community who wish to raise issues regarding safety, security, and violence prevention.
2. To advise the senior leadership team regarding issues relating to campus safety, security, and violence prevention. The committee makes recommendations and prepares reports as needed, and submits an annual report outlining the issues addressed the preceding year to the campus community.
3. To review safety policies and procedures, annual crime and campus incident data, and advise the senior leadership team regarding issues which are identified through such review.

A current list of Campus Safety and Security Advisory Committee members can be found below.

NAME	TITLE/LOCATION	PHONE #
Tony O'Brien	Director of Program Development & Deputy Title IX Coordinator/Main Campus	612-377-0150 x256
Michael Poster	Director of Student Services & Deputy Title IX Coordinator/Main Campus	612-377-0150 x346
Megan Normandin	Director of Monitoring and Evaluation & Deputy Title IX Coordinator/Extension Campus	612-377-0150 x721
Abbi Mayland	GED Program Manager/Main Campus	612-377-0150 x713
Chris Hinton	Construction Training Manager/Main Campus	612-377-0150 x355
Jeff Leon	IT Training Manager/Extension Campus	612-377-0150 x350
Chiquita Gary	MAA Training Manager/Main Campus	612-377-0150 x239
Ann Borders	Director of Human Resources/Main Campus	612-377-0150 x254
Leroy West	President/Main Campus	612-377-0150 x240
Marc Carrier	Chief Financial Officer/Main Campus	612-377-0150 x282
Lionel Drew	Facilities Manager/Main Campus	612-377-0150 x585
Miriam Williams	Chief Academic Officer & Title IX Coordinator/Main Campus	612-377-0150 x591

CAMPUS SAFETY & SECURITY TRAINING

All incoming new students and employees participate in regular safety and security programming aimed at informing them of campus safety and security procedures and practices; crime prevention tips; and ensuring personal safety and the safety of others.

In addition, all students and employees participate in prevention and awareness programming to prevent sexual misconduct or violence as defined in Summit Academy OIC's Sexual Misconduct Policy (see Section 4).

STUDENTS

The Director of Student Services/Deputy Title IX Coordinator and Director of Academic Programs/Deputy Title IX Coordinator are responsible for overseeing the development and delivery of safety and security programming for students in coordination with the Chief Academic Officer/Title IX Coordinator.

New Student Orientation

All incoming students participate in a comprehensive new student orientation. New student orientation includes a safety orientation to inform them of campus safety and security procedures and practices; encourage them to report crimes; offer crime prevention tips; and help ensure their personal safety and the safety of others. In addition, all new students receive a campus tour, during which they are made aware of emergency exits and the location of campus phones and emergency preparedness maps in all classrooms for use in case of emergency.

Sexual Assault/Violence Awareness Training

All students entering any of Summit Academy OIC's academic programs are provided with sexual violence awareness and prevention training no later than 10 business days after the start of classes. The training includes definitions of sexual violence; preventing and reducing the prevalence of sexual assault; procedures for reporting campus sexual assault; and on- and off-campus resources on sexual assault, including victim support organizations.

Emergency Response & Evacuation Tests

Following a planned or unplanned emergency response and evacuation test, the Director of Student Services/Deputy Title IX Coordinator in coordination with the Director of Academic Programs/Deputy Title IX Coordinator oversees the review of relevant safety procedures with all students via email, in classes or at student assemblies.

Safety & Security Awareness Campaigns

The Director of Student Services/Deputy Title IX Coordinator in coordination with the Director of Academic Programs/Deputy Title IX Coordinator oversees the development and delivery of student safety and security awareness campaigns. Safety and security awareness campaigns include an array of communications on relevant safety and security procedures based on recent campus activity, including: email; fliers; lobby, hallway and common area video monitors; brown bag lunches; bulletin boards and posters in restrooms and common areas.

STAFF

The Director of Human Resources is responsible for overseeing the development and delivery of safety and security programming for employees. Programming includes:

Annual Safety & Security Training

All staff members participate in an annual half-day of safety and security training. Content includes:

- Review of campus security policies and procedures, including the Sexual Misconduct Policy and complaint procedures;

- Review of staff responsibilities related to campus safety and security, including specialized trauma-informed training for Trained Responders and Campus Security Authorities;
- Participation in small-group activities, such as evaluating campus safety scenarios or safety scavenger hunts.

Employee Onboarding

During the new employee onboarding process on the first day of employment, the Director of Human Resources reviews emergency response and evacuation procedures. New staff members are provided with a one-page overview document outlining emergency procedures and an emergency preparedness map. In addition, on a tour of the facilities, the Director of Human Resources or the new employee's supervisor identifies the two closest emergency exits to the staff member's office or regular workspace. Finally, all new staff members receive a Staff Directory indicating the location and phone extension of staff members who are trained in CPR/AED and Mental Health First Aid (MHFA).

New Staff Orientation

Within three months of beginning employment at Summit Academy OIC, new staff members participate in a comprehensive new staff orientation, which includes an in-depth review of campus safety and security policies and procedures.

Emergency Response & Evacuation Tests

Following a planned or unplanned emergency response and evacuation test the Director of Human Resources reviews relevant safety procedures with all staff via email or at an all-staff meeting.

FIREARMS & OTHER WEAPONS POLICY

Firearms and weapons are prohibited on Summit Academy OIC's property; students, employees, visitors, vendors and members of the Board of Directors, including those who have permits, are not permitted to carry or possess firearms while on campus or participating in any Summit Academy OIC programs or events. "Weapon" is broadly defined to include, but is not limited to, all firearms (including BB guns), dangerous knives, explosives, explosive fuels, dangerous chemicals, billy clubs and fireworks.

Individuals who violate this policy are subject to disciplinary action up to and including separation from the institution.

Summit Academy OIC reserves the right to inspect property and persons on its premises or while engaged in Summit Academy OIC programming or events.

We encourage anyone who becomes aware of violations of this policy to report them to a faculty or staff member immediately.

SECTION 2: REPORTING A CRIME

PROMPT REPORTING OF AN EMERGENCY OR CRIME

Students, faculty, staff, and guests are expected to promptly and accurately report all crimes and public safety related incidents, including when the victim elects to, or is unable to, make such a report to a Summit Academy OIC staff member or the Minneapolis Police Department. Students at the Extension Campus may also notify a security guard at the front desk.

**IF YOU SEE
SOMETHING,
SAY SOMETHING**

CALL OR TEXT 911

**NOTIFY A CAMPUS
SECURITY AUTHORITY**

CRIMES AND EMERGENCIES CAN BE REPORTED BY CONTACTING ANY OF THE FOLLOWING AUTHORITIES:

**Dial 911 or 9-911 from a
campus landline**

Report emergencies or non-emergency criminal violations from either a public, campus, or cell phone.

Text 911

Call if you can, text if you can't. Text 911 if you cannot speak while a crime is in progress, or if you are deaf, deafblind, hard of hearing or have a speech impairment.

Dial 311

Non-emergency crimes or incidents that do not require a police response.

Anonymous Tip Line

Report information about a crime or illegal activities anonymously at 612-692-TIPS (8477).

Crimes should also be reported to a Summit Academy Campus Security Authority in order to make timely warning reports to the community and for inclusion in annual crime statistics.

CAMPUS SECURITY AUTHORITIES

NAME	TITLE/LOCATION	PHONE #
Sharon Shelton	Admissions Manager/Main Campus	612-377-0150 x280
Marc Carrier	Chief Financial Officer/Main Campus	612-377-0150 x282
Janice Underwood	Executive Assistant/Extension Campus	612-377-0150 x150
Ann Borders	Director of Human Resources/Main Campus	612-377-0150 x254
Lionel Drew	Facilities Manager/Main Campus	612-377-0150 x585
Chiquita Gary	MAA Training Manager/Main Campus	612-377-0150 x346
Chris Hinton	Construction Training Manager/Main Campus	612-377-0150 x355
Monica Davenport	Student Advisor/Extension Campus	612-377-0150 x358
Patrick Sullivan	Student Advisor/Main Campus	612-377-0150 x279
Megan Normandin	Director of Monitoring & Evaluation/Extension Campus	612-377-0150 x721
Tony O'Brien	Director of Program Development & Deputy Title IX Coordinator/Main Campus	612-377-0150 x256
Abbi Mayland	GED Program Manager/Main Campus	612-377-0150 x713
Jeff Leon	IT Training Manager/Extension Campus	612-377-0150 x350
DeAndre Scott	Student Advisor/Main Campus	612-377-0150 x252
Darlene Stuckey	Dining Services Manager/Main Campus	612-377-0150 x574
Miriam Williams	Chief Academic Officer & Title IX Coordinator/Extension Campus	612-377-0150 x591
Leroy West	President /Main Campus	612-377-0150 x240

CAMPUS SECURITY AUTHORITIES

NAME	TITLE/LOCATION	PHONE #
Michael Poster	Director of Student Services & Deputy Title IX Coordinator/Main Campus	612-377-0150 x346
Jennifer Haavisto	Financial Aid Manager/Main Campus	612-377-0150 x271

CRIMINAL ACTIVITY

If you are a victim of a crime or witness a crime:

Call **9-911** from any campus landline or 911 from your cell phone for any emergency, including medical assistance, fires, suspicious people or activities, crime reports, traffic accidents, or illegal activities.

Provide the operator with the information they ask for. This may include:

- The nature of the criminal activity or incident
- The location of the criminal activity or incident
- The number of persons involved
- A description of the offender(s), including:
 - Gender
 - Approximate Age
 - Race
 - Height/Weight
 - Hair (color, style, facial hair)
 - Attire (color, style, distinguishing logos)
 - Other distinguishing physical features, such as scars or tattoos
- Vehicle description
 - Year, Make and Model
 - License Plate Number and State

Note the direction of travel of offenders or vehicles.

Preserve the crime scene: do not touch any items involved in the incident. Close off the area of the incident and do not allow anyone in the area until emergency response authorities arrive.

Summit Academy OIC does not limit the time for reporting a crime. However, we strongly urge all students, faculty, and staff to report any crime immediately or as quickly as possible. This timeframe gives the best opportunity to collect evidence and investigate the allegation.

Crimes should be reported to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the SAOIC community, when appropriate.

Information on criminal activity may also be reported anonymously by calling the Minneapolis Police Department's tip line at 612-692-8477.

For a listing of incidents reported to the Minneapolis Police Department, visit

http://www.ci.minneapolis.mn.us/police/statistics/police_crime-statistics_index and click on "Interactive Crime Mapping."

SEXUAL VIOLENCE

Sections 4 and 5 of this report are dedicated to policies and procedures for sexual violence that occurs on campus, or off campus in connection with a Summit Academy OIC-recognized program or activity.

If you are a victim of sexual harassment, sexual assault, domestic violence, dating violence or stalking, we strongly encourage you to report the incident(s) as soon as possible.

EMERGENCY

Call local police at **9-911** from any campus landline, or 911 from a cell phone or off-campus phone.

They can help you get to the hospital & help you report the assault, should you decide to do so.

OFF CAMPUS

Sexual Violence Center
www.sexualviolencecenter.org
(612) 871-5111
24-hour hotline; free and confidential

Any Student Advisor

Monica Davenport–Extension Campus
Patrick Sullivan – Main Campus
DeAndre Scott – Main Campus

Miriam Williams-Main Campus

Chief Academic Officer/
Title IX Coordinator
(612) 278-6591
mwilliams@saoic.org

Megan Normandin-Extension Campus

Director of Monitoring & Evaluation
(612) 424-6721
mnormandin@saoic.org

Janice Underwood – Main Campus-

Executive Assistant
(612) 278-5265
junderwood@saoic.org

Tony O'Brien – Main Campus

Director of Program
Development & Deputy Title IX
Coordinator (612) 278-5256
tobrien@saoic.org

Michael Poster – Main Campus

Director of Student Services/
Deputy Title IX Coordinator
(612) 278-6591
mposter@saoic.org

Ann Borders – Main Campus

Director of Human Resources
(612) 278-5254
aborders@saoic.org

CONFIDENTIAL CRIME REPORTING

What if I want to make a report, but do not want Summit Academy OIC to take action, or file a police report?

If you are the victim of or witness to a crime and do not want to pursue action through the Summit Academy OIC disciplinary process or through the criminal justice system you may still file a report. You may file this report with any Campus Security Authority. The persons listed on page 12 of this report are designated Campus Security Authorities and will forward anonymous data for inclusion in campus crime statistics.

Reports made in this manner can be made anonymously and do not have to include the reporting party's personal information. While we cannot guarantee total confidentiality, we will make every effort possible to maintain it to the extent allowable by law. The purpose of reports made in this manner is to help Summit Academy OIC staff more accurately assess and track the nature of crime on or near campus.

If you choose, you may also make an anonymous report on SAOIC's website at <http://www.saoic.org/about/contact-us/anonymous-reporting-form/>.

In the form of "Timely Warnings" or crime alerts, Summit Academy OIC is required to inform the community of any offenses that constitute a serious or ongoing concern. Any crime alert made will not identify the reporting person or victim of the crime.

If a crime is determined to pose a serious or ongoing threat to the campus community, Summit Academy OIC reserves the right to investigate the report to the extent possible with the information available, and to engage law enforcement authorities as necessary.

PASTORAL & PROFESSIONAL COUNSELORS (A.K.A. CONFIDENTIAL RESOURCES)

According to the *Clery Act*, pastoral and professional counselors are exempt from crime reporting responsibilities. They do not have an obligation to report crimes they may learn about during counseling sessions.

Summit Academy OIC does not employ pastoral or professional counselors.

All advising staff members at Summit Academy OIC are considered Campus Security Authorities. In most cases, it is possible for a CSA to fulfill his/her responsibilities while maintaining confidentiality. CSA reports are used by Summit Academy OIC to compile statistics for *Clery Act* reporting and to help determine if there is a serious or continuing threat to the safety of the campus community that would require an alert (i.e., a timely warning or emergency notification discussed in Section 3). However, those responsibilities can usually be met without disclosing personally identifying information. No police or disciplinary investigation will be opened if a victim decides not to press charges after filing a CSA report.

If you wish to ensure total anonymity, you may speak with an off-campus confidential resource. It is not required of confidential resources to disclose any crimes shared with them. A list of off-campus confidential resources can be found in a later section of this report.

If you choose, you may also make an anonymous report on SAOIC's website at <http://www.saoic.org/about/contact-us/anonymous-reporting-form/>.

VIOLENT CRIME

Summit Academy OIC will disclose the results of any disciplinary proceedings to the alleged victim of a violent crime or a non-forcible sex offense committed by a SAOIC student upon written request. If the alleged victim is deceased due to the perpetrated crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

In the event of an allegation of dating violence, domestic violence, sexual assault or stalking, both the respondent and complainant will receive simultaneous written notification of any result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault or stalking. In these cases, it is not necessary for a victim to make a written request.

REGISTERED SEX OFFENDERS

The Federal Campus Sex Crimes Prevention Act is a law that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus. According to the law, colleges and universities must inform the campus community of the law enforcement agencies from which they can acquire information about registered sex offenders. The bill also requires sex offenders who are already obliged to register in a State to notify the appropriate state agency of each institution of higher education in that State where they are employed, engaged in a line of work, or enrolled as students, as required by State law.

The information is available at the following websites:

- **The Minnesota Bureau of Criminal Apprehension** administers a predatory offender registration and tracking program. Any questions regarding the program may be directed to the Predatory Offender Registration Unit at 651-793-7070, 888-234-1248 or mnregistry@state.mn.us. Information regarding this program can be found at the Minnesota Predatory Offender BCA website: <https://dps.mn.gov/divisions/bca/Pages/default.aspx>
- **The Minneapolis Police department** is the local agency of law enforcement for Summit Academy. The Minneapolis Police Department offers Sex Offender Community Notifications at <https://www.minneapolismn.gov/resident-services/public-safety/police-public-safety/police-reports-and-data-requests/sex-offender-community-notification/>

- To search for Level III sex offenders in the State of Minnesota, see the **Minnesota Department of Corrections Level 3 Predatory Offender Information** website: <https://coms.doc.state.mn.us/publicregistrantsearch>

In addition, information regarding registered sex offenders may be obtained through the Minnesota Department of Corrections at 651-361-7200. An offender locator, for offenders that have the highest risk for re-offense, can be accessed from the Minnesota Department of Corrections website: Department of Corrections Predatory Offender Information <https://mn.gov/doc/family-visitor/search-offenders-fugitives/>

SAFETY & RISK REDUCTION TECHNIQUES

BICYCLE SAFETY

- Ride with the traffic or use bike paths whenever possible.
- Follow the same driving laws as motor vehicles.
- Use reflectors on your bike or clothing.
- Lock it up: use a heavy-duty bike lock (a U-bar lock is recommended). Thread the lock through the front tire AND frame.
- Lock your bike to a bike rack. Do not lock your bike to fence poles, chain fences or anything else that can be easily removed or broken.
- Record the identifying characteristics & serial number of your bike. Keep the information in a safe place.
- Always lock your bike, even if you are leaving it just for a minute.

COMPUTER & IDENTITY INFORMATION SAFETY

- Record the identifying characteristics & serial numbers of any mobile devices.
- Use a password or PIN to lock portable devices.
- Never leave portable devices unattended.
- Use passwords wisely:
 - Use a different password for each online account.
 - Never share your password.
 - Never use another person's password.
- Never respond to an email request for personal information such as your social security number, password, or credit card number. No legitimate company will ever request information this way.
- Lock your screen or log out before you walk away from any publicly accessible computer or device.

DRIVING & VEHICLE SAFETY

- Have your keys in-hand before you leave the building.
- Check the exterior & interior of your vehicle before getting in.
- If you have a flat tire, drive on it until you reach a safe, well-lit area.
- When parking your vehicle at night, select a spot that is well lit.
- Always lock your car doors.
- Do not leave valuables in your car. Leave them at home, take them with you, or put them in your trunk.

FIRE SAFETY

Your worst enemy during a fire is smoke. If you are caught in smoke, get down on the floor and crawl to safety. If it is safe, close doors behind you as you escape through the nearest exit.

- Learn the location of fire exits and alarm boxes near you.
- Sound the fire alarm if you see smoke or detect a burning odor.
- Do not re-enter the building until it has been declared safe for re-entry.

OFFICE & CLASSROOM SAFETY

- Avoid working or studying alone. If you must work late, let someone know where you are and when you will be done.
- Avoid remote sections of campus.
- Always keep your purse or bag closed and in front of you where you can see it.
- Keep valuables in a locker, locked cabinet, or drawer. Never leave them in, on top of, or underneath a desk.

OUTDOOR SAFETY

- Walk confidently and assertively. Be alert and aware of your surroundings. Trust your instincts.
- Carry purses close to the body and secured under one arm. Backpacks should be carried over one shoulder and secured with one arm.
- Never hitchhike.
- Make eye contact with strangers approaching you. Send the message "I see you and I can identify you."
- If you are followed by someone in a car, turn around and walk in the opposite direction.

ROBBERY

The most important thing you can do during a robbery is try to prevent violence. Always assume that the robber is armed, and act accordingly:

- Get it over with quickly. If you stall, the robber may be more prone to violence.
- Do what the robber asks, but do not volunteer to do anything more.
- Do not fight or try any impulsive heroics; the risk is too great.
- Do not chase the robber.
- Call 911 immediately.

THEFT

Avoid thefts of opportunity! Opportunity theft is the direct result of property left unattended and unsecured, even for a minute.

- Avoid leaving personal items in offices, classrooms, labs, etc. This includes laptops, cell phones, purses, wallets, keys, jewelry, or any other valuable items.
- Staff should lock office doors, classrooms, labs and other facilities when they leave, even if it is only for a few minutes.
- Keep a list of serial numbers and descriptions of your valuables in a safe place. If possible, take a picture. Items without serial numbers can be marked in a distinctive fashion so that they can easily be identified as your property if recovered.

SUSPICIOUS ACTIVITY

Be aware of types of behavior and actions that may signal criminal activities. These may include:

- Person(s) who are wandering or lurking about campus at unusual hours or locations.
- Exhibition of unusual physical or mental symptoms.
- Vehicles moving slowly without lights or to no apparent destination.
- A stranger sitting in a vehicle for an extended period for no apparent reason.
- An unknown person peeking into car or building windows.
- Persons removing property from a building late at night.

When in doubt, contact the police. They will be able to assist you in determining whether or not there is cause for alarm and if it is necessary to respond.

When reporting suspicious activity:

- Remain calm. Keep away from the suspicious person(s) or activity. Call 9-911 from a campus landline or 911 from your cell phone.
- Tell the police whether the crime is in progress or has already been committed. If you see a crime in progress, call 911 IMMEDIATELY.
- Never assume someone else has made or will make the call.

SECTION 3: TITLE IX COMPLIANCE

Title IX of the Education Amendments of 1972 is a federal law that prohibits sex discrimination in education. It reads:

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance." --Legal Citation: Title IX of the Education Amendments of 1972, and its implementing regulation at 34 C.F.R. Part 106 (Title IX)

Sex discrimination includes sexual harassment, sexual violence (sexual assault, domestic violence, dating violence and stalking), differential treatment, or gender-based harassment.

While compliance with the law is everyone's responsibility at Summit Academy OIC, listed below are the staff members who have primary responsibility for Title IX compliance.

NAME	TITLE/LOCATION	PHONE #
Ann Borders	Director of Human Resources/Main Campus	612-377-0150 x254
Miriam Williams	Chief Academic Officer & Title IX Coordinator/Main Campus	612-377-0150 x591
Michael Poster	Director of Student Services & Deputy Title IX Coordinator/Main Campus	612-377-0150 x346
Tony O'Brien	Director of Program Development & Deputy Title IX Coordinator/Main Campus	612-377-0150 x256
Megan Normandin	Director of Monitoring & Evaluation/ Deputy Title IX Coordinator	612-377-0150, x721
Marc Carrier	Chief Financial Officer & Appeals Officer/Main Campus	612-377-0150 x282
Leroy West	President & Appeals Officer/Main Campus	612-377-0150 x240

The individuals above are responsible for ensuring the uniform and consistent application of the Sexual Misconduct Policy and the related procedures for ensuring incidents and allegations are addressed in a timely and appropriate manner. The Title IX Coordinator, Deputy Title IX Coordinators, and the executives named above have the authority, alone or together, to take reasonable steps to protect the Summit Academy OIC community or any individual member of the Summit Academy OIC community from sexual misconduct, regardless whether such steps are explicitly contemplated in this policy or the related procedures.

All SAOIC employees, members of the Board of Directors, and volunteers are expected to contact the Title IX Coordinator or a Deputy Title IX Coordinator promptly after becoming aware of an incident or allegation of sexual misconduct. As an institution, our goal and our obligation under law is to: stop the misconduct; prevent it from happening again, and address the effects it has had on our community.

SECTION 4: SEXUAL MISCONDUCT POLICY

INTRODUCTION

Summit Academy OIC prohibits sex discrimination in all forms, including but not limited to, sexual harassment, sexual violence (sexual assault, domestic violence, dating violence or stalking), differential treatment, or gender-based harassment, collectively referred to in this policy as sexual misconduct.

Sexual misconduct jeopardizes the mental, physical, and emotional welfare of our students, faculty, staff, and visitors; as well as the safety of our community. Sexual misconduct diminishes individual dignity and impedes access to educational, social and employment opportunities. It can permanently affect lives and may cause lasting physical and psychological harm. Sexual misconduct violates our institutional values and its presence in the community presents a barrier to fulfilling Summit Academy OIC's mission. Therefore, Summit Academy OIC will not tolerate sexual misconduct in any form.

Individuals who the institution determines more likely than not engaged in sexual misconduct are subject to penalties up to and including dismissal from Summit Academy OIC, regardless of whether they are also facing criminal or civil charges in a court of law.

Summit Academy OIC's Sexual Misconduct Policy provides information regarding the organizations prevention and education efforts related to sexual misconduct as well as how Summit Academy OIC leadership proceeds once it is made aware of sexual misconduct, in keeping with our institutional values and to meet our legal obligations under Title IX, the Jeanne Clery Act (*Clery Act*), the Campus Sexual Violence Elimination Act (Campus SaVE Act), the Violence Against Women Act (VAWA), and any other relevant local, state or federal law.

I. SCOPE OF THE POLICY

This policy applies to:

- All Summit Academy OIC employees, whether full-time or part-time staff, faculty, adjunct faculty or temporary staff;
- All persons taking courses or attending programs at Summit Academy OIC;
- All individuals volunteering at Summit Academy OIC; and
- All members of the Summit Academy OIC Board of Directors;
- All third parties on the Summit Academy OIC campus, including visitors, guests, persons licensing space, vendors, contractors, and all persons and entities that provide services to Summit Academy OIC.

This policy applies equally to all regardless of the sex, gender, sexual orientation, gender identity, or gender expression of any of the individuals involved.

For the purposes of this policy, sexual misconduct encompasses a range of behaviors that can create a hostile educational or working environment, including sexual assault, sexual harassment, dating and domestic violence, and stalking.

This policy applies to sexual misconduct that is committed by or against an individual as described above, whenever that sexual misconduct occurs:

1. On campus; or
2. Off campus, if:
 - a. In connection with a Summit Academy OIC-recognized program or activity; or
 - b. In a manner that may pose an obvious and serious threat of harm to or that may have the effect of creating a hostile educational or work environment for any member(s) of the Summit Academy OIC community.

In situations where the respondent is not a member of the Summit Academy OIC community (including when the respondent has graduated or left Summit Academy OIC), the organization typically will not conduct an investigation, but may address the situation and provide appropriate resources to impacted individuals and, where appropriate, the broader campus community.

This policy also prohibits retaliation in connection with any reports of possible sexual misconduct made under this policy. This policy and related processes may also, at Summit Academy OIC's discretion, apply to a Respondent's reported violations of other Summit Academy OIC policies if, in Summit Academy OIC's judgment, those other allegations are directly related to the reported sexual misconduct.

Sexual misconduct reportedly committed by faculty or staff, or otherwise not covered by this policy, will continue to be addressed by Summit Academy OIC's Sexual Harassment Policy (see the Summit Academy OIC Employee Handbook).

II. SANCTIONS

Individuals who are found to have engaged in sexual misconduct prohibited by this policy will be subject to disciplinary action. The specific disciplinary action will depend on the particular facts and circumstances and may include sanctions up to and including expulsion from Summit Academy OIC, termination of Summit Academy OIC employment and prohibition from campus. Third parties who are subject to this policy are also subject to sanctions for violations.

III. FORMAL ADJUDICATION BY SUMMIT ACADEMY OIC

Determinations of responsibility for violations of this policy and sanctions or other responsive action, if any, will be considered a formal adjudication of the matter by Summit Academy OIC and will be subject to the reporting, disclosure and re-disclosure requirements and prohibitions under the *Clergy Act* and the Family Educational Rights and Privacy Act (FERPA).

IV. BEHAVIOR THAT CONSTITUTES PROHIBITED SEXUAL MISCONDUCT

For purposes of this policy, sexual misconduct includes sexual harassment, actual or attempted sexual assault, sexual coercion, non-consensual sexual contact, non-consensual sexual intercourse, other forms of sexual assault, sexual exploitation, dating violence, domestic violence, and stalking. In determining whether conduct constitutes sexual misconduct, SAOIC will consider all the circumstances.

When used in this policy, the following terms have the following meanings:

1. Consent

Consent is defined as words that indicate a person freely and voluntarily agrees to engage in a sexual act at the time of the act, subject to the following:

- In order to give consent, one must be of legal age.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Silence or failing to resist a sexual act does not constitute consent.
- A current or previous relationship does not imply consent.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Past consent does not imply future consent.
- Consent can be withdrawn at any time.
- A person who is incapacitated cannot consent. Incapacitation includes an individual who is asleep, unconscious or substantially impaired by drugs, alcohol, disability or other means, or who lacks full knowledge or information of what is happening, cannot consent to a sexual act. This is true regardless whether the person voluntarily or involuntarily consumed drugs or alcohol. (See 2. Incapacitation.)
- Use of alcohol or other drugs does not excuse behavior that violates this policy.
- Corroboration of a victim's testimony is not required to show lack of consent.
- Coercion, force, or threat of either invalidates consent.

Summit Academy OIC maintains a separate policy relating to relationships applicable to students, faculty, and staff that, depending on the circumstances, prohibits or strongly discourages romantic, intimate, or sexual relationships involving persons of unequal power, even when consent is present. All members of the Summit Academy OIC community are expected to comply with all applicable policies.

BYSTANDER INTERVENTION

If you see sketchy behavior on or off campus, you can interrupt and could prevent sexual harassment or sexual violence.

DELEGATE



Don't go it alone.
Who is near that can help? A friend?
Security staff? Even if it's just to validate that the behavior you're seeing is not okay.

"I think that person needs our help, but I don't know what to do. Have any ideas?"
"Will you watch while I go chat with them?"

DIRECT



Approach either the person being targeted or doing the harassing and be direct.

"Are you okay?"
"Do you need help?"
"That's not okay."
"You need to stop."

DISTRACT



Think of a way to distract the folks involved: either the person being targeted or the person doing the harassing.

"Can you take a pic of my friends and me?"
"What time is it?"
"Do you know where the washrooms are?"

DOCUMENT



Make a record or keep your eye on the situation to see if it escalates.

DON'T STAND BY – STEP UP!

2. Incapacitation

Incapacitation means the inability to understand the fact, nature, or extent of the sexual situation. Incapacitation may result from mental or physical disability, sleep, unconsciousness, involuntary physical restraint, or from the influence of drugs or alcohol. With respect to incapacitation due to the influence of drugs or alcohol, incapacitation requires more than being under the influence of drugs or alcohol; a person is not incapacitated just because they have been drinking or using drugs. In incidents where drugs and/or alcohol are involved, incapacitation is determined based on the facts and circumstances of the particular situation; and whether the individual was able to understand the fact, nature, or extent of the sexual situation, whether the individual was able to communicate decisions regarding consent, non-consent, or the withdrawal of consent, and whether such condition was known or reasonably known to the respondent or a reasonable person in the respondent's position.

Use of drugs or alcohol by the respondent is not a defense against allegations of sexual misconduct and does not diminish personal responsibility. It is the responsibility of the person initiating the specific sexual activity to obtain consent for that activity.

3. Coercion

Coercion refers to intimidation that would compel an individual to do something against their will by the use of psychological pressure, physical force, or threats of severely damaging consequences. Coercion is more than an effort to persuade or attract another person to engage in sexual activity. Coercive behavior differs from seductive behavior based on the degree and type of pressure someone used to get consent from another.

4. Force

Force is the use of physical violence to gain sexual access. Force also includes threats, intimidation (implied threats), and imposing on someone physically.

5. Sexual Harassment

Sexual harassment is conduct that has all of the following elements:

- The conduct is unwelcome.
- The conduct is based on gender identity or expression, sex or sexual orientation.

- The conduct is so severe, pervasive, and objectively offensive that it denies or limits someone's ability to participate in or benefit from Summit Academy OIC employment, educational programs, and/or activities.

Sexual harassment includes both verbal and physical conduct. Sexual harassment can be between people of the same sex or between people of different sexes. Whether conduct constitutes sexual harassment under this policy will be determined based on the facts and circumstances. A finding of harassment will require a pattern of unwelcome conduct.

Examples of sexual harassment include, but are not limited to the following:

- Punishing a refusal to comply with a sexual-based request.
- Offering a benefit (such as a grade or promotion) in exchange for sexual favors or other verbal or physical conduct of a sexual nature.
- Repeatedly subjecting a person to unwelcome sexual attention or sexual advances.
- Pervasive displays of sexually explicit or sexually graphic content in a workplace or academic environment.
- A pattern of bullying based on gender, sex, or sexual orientation.
- Persistent and offensive sexually oriented jokes and comments.
- Other severe or pervasive conduct that creates a hostile work or educational environment.

Other types of sexual misconduct defined in this policy also may be considered sexual harassment under applicable laws.

If you have concerns about potentially harassing conduct, Summit Academy OIC wants to know about them, even if you are not sure the conduct rises to the level of harassment. Telling Summit Academy OIC allows it to monitor patterns of conduct that may need to be addressed and to try to stop inappropriate conduct before it rises to the level of harassment. Students who have concerns regarding a comment or discussion in class are encouraged to speak directly to the faculty member, the department manager, the Director of Student Services or the Director of Academic Programs about the concern. Staff or faculty members who have a concern are encouraged to speak to their manager, the head of the department, a chief executive, or the Director of Human Resources.

6. Sexual Assault

The following types of misconduct, which are often referred to generally as sexual assault, may constitute criminal sexual misconduct under Minnesota law and are prohibited by this policy.

a. Non-Consensual Sexual Contact

Non-consensual sexual contact is:

(1) Any intentional touching, however slight, by any person (2) upon the breasts, buttock, groin, genital area, or inner thigh of any other person, or of the other person's clothing covering these areas, (3) with or by any body part or any object, seminal fluid or sperm (4) with sexual or aggressive intent (5) without consent and/or by force.

b. Non-Consensual Sexual Intercourse

Non-consensual sexual intercourse is: (1) any sexual intercourse or penetration (anal, oral or vaginal), however slight (2) by a penis, tongue, finger or any object (3) by any person upon any other person (4) without consent and/or by force.

7. Sexual Exploitation

Sexual exploitation occurs when: (1) a person takes non-consensual or abusive sexual advantage of another (2) for the person's own advantage or benefit or to benefit or advantage anyone else (3) and that behavior does not otherwise constitute one of the other sexual misconduct offenses.

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

- Prostituting another person.
- Non-consensual video- or audio-taping of sexual activity.
- Going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having

consensual sex).

- Voyeurism.
- Exposing one's genitals or inducing another to expose the person's genitals in non-consensual circumstances.
- Knowingly transmitting a sexually transmitted disease or sexually transmitted infection to another person.
- Possession of child pornography.

8. Dating Violence

Dating violence is 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 will be determined based on consideration of the following factors:

- the length of the relationship;
- the type of relationship; and
- the frequency of interaction between the persons involved in the relationship.

Dating violence is prohibited by Minnesota law.

9. Domestic Violence

Domestic violence is a felony or misdemeanor crime of violence committed by someone with whom the victim has a relationship, such as:

- current or former spouse,
- current or former cohabitant,
- current or former intimate partner,
- person similarly situated under domestic or family violence law, or
- anyone else protected under domestic or family violence laws in the jurisdiction.

10. Stalking

Stalking is (1) a course or pattern of unwelcome and unwanted conduct (2) that a person knows or has reason to know (3) would cause the victim under the circumstances to feel frightened, threatened, oppressed or intimidated or to suffer substantial emotional distress.

Stalking is prohibited by Minnesota law. Stalking behavior includes, but is not limited to the following:

- Repeated, unwanted, and intrusive communications by phone, mail, text message, email and/or other electronic communications, including social media.
- Repeatedly leaving or sending the victim unwanted items, presents, or flowers.
- Following or lying in wait for the victim at places such as home, school, work, or recreational facilities.
- Making direct or indirect threats to harm the victim or the victim's children, relatives, friends or pets.
- Damaging or threatening to damage the victim's property.
- Posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth.
- Unreasonably obtaining personal information about the victim by accessing public records, using internet search services, hiring private investigators, going through the victim's garbage, following the victim, or contacting the victim's friends, family, work, or neighbors.

V. REPORTING POLICIES AND PROTOCOLS

Summit Academy OIC (SAOIC) is committed to investigating, resolving and preventing sexual misconduct, and the law generally requires it to do so. SAOIC strongly encourages victims to tell someone about sexual misconduct they experience. As described below, SAOIC expects certain individuals to notify SAOIC when they become aware of sexual misconduct. This ensures that victims will receive appropriate support. It also enables SAOIC to fulfill its commitment to prevent and address sexual misconduct and to comply with applicable law.

A. HOW, WHEN AND WHOM TO TELL

Individuals who experience or allege sexual misconduct prohibited by this policy are referred to as **Complainants**.

Individuals who are alleged to have engaged in sexual misconduct prohibited by this policy are referred to as **Respondents**.

1. Individuals Who Have Personally Experienced Sexual Misconduct

If you have personally experienced any form of sexual misconduct, SAOIC strongly urges you to tell someone about the incident as soon as possible. There are multiple options to do this, as further described below. In an emergency, call 911 if you are off campus and 9-911 from a campus landline. If you have concerns about confidentiality, contact a Confidential Resource (see *Talking to a Confidential Resource* on p. 23). To initiate SAOIC's response and resolution process, you or another person must notify a Trained Responder (see *Contacting a Trained Responder* on p. 24). If you want to make a report to police about criminal sexual misconduct, SAOIC can assist you in that process (see *Reporting to the Police* on p. 24). SAOIC also offers options for anonymous reporting (see p. 24).

SAOIC and outside organizations offer numerous resources to support victims of sexual misconduct, including but not limited to sexual assault advocacy services. In addition, victims of criminal sexual misconduct have rights under the Crime Victims Bill of Rights contained in Chapter 611A of the Minnesota Statutes, including but not limited to the right to assistance from the Crime Victims Reparations Board and the commissioner of public safety. Links to additional information about these rights, and contact information for these support resources, is contained under *Resources and Contact Information* beginning on p. 26.

2. Individuals Who Become Aware of Sexual Misconduct Incidents or Allegations

If you become aware of an incident or allegation of sexual misconduct that is prohibited by this policy, contact a Student Advisor, the Director of Student Services/Deputy Title IX Coordinator, the Director of Academic Programs/Deputy Title IX Coordinator, or the Director of Human Resources/Title IX Coordinator right away for advice and assistance. These resources are referred to as **TRAINED RESPONDERS**. Trained Responders regularly deal with incidents and allegations of sexual misconduct and have received training on how to handle situations involving sexual misconduct. Trained Responders will provide advice and assistance to Complainants and other individuals who contact them, including referrals to fair and respectful health care and counseling services, and help ensure that SAOIC responds appropriately and in accordance with applicable law.

All SAOIC employees, members of the Board of Directors, and volunteers are expected to contact the Title IX Coordinator or a Deputy Title IX Coordinator promptly after becoming aware of an incident or allegation of sexual misconduct.

SAOIC strongly encourages, but does not require, all other persons who become aware of an incident or allegation of sexual misconduct to contact a Trained Responder.

Individuals who become aware of incidents of sexual misconduct must remember that there is no context in which violations of this policy are acceptable. Under no circumstances may SAOIC employees suggest that a Complainant is at fault for the sexual misconduct they report or that the Complainant should have acted in a different manner to avoid being a victim of sexual misconduct. Moreover, all members of the SAOIC community are expected to treat Complainants, Respondents and other parties involved in a sexual misconduct matter with dignity, while also supporting the impartial pursuit of truth and upholding the community's expectation that individuals will be held accountable for personal conduct that is determined to violate this policy.

3. When to Make a Report

Notifying a Trained Responder, Confidential Resource, law enforcement or other support resources identified under *Resources and Contact Information* below promptly after sexual misconduct occurs helps assure the preservation of evidence. It is best for any physical evidence to be collected immediately, ideally within the first 24 hours after the incident

occurs. Prompt notice and the preservation of evidence makes it easier to investigate and respond appropriately to the situation.

In order to assure an inquiry and response by SAOIC, a Trained Responder must receive notice of sexual misconduct within 30 days of the incident. Complainants are urged to notify SAOIC of an incident regardless of whether the Complainant knows the identity of the Respondent(s). If the Complainant does not know the identity of one or more Respondent at the time of the incident or notice to SAOIC and later learns the Respondent's identity, the Complainant should notify SAOIC as soon as possible, but no later than 30 days following the date the Complainant learned the identity. The reason for this timing is that as time passes, evidence and witnesses may become unavailable and Respondents may leave SAOIC, making it impractical for SAOIC to conduct an effective and equitable response and resolution process.

Incidents reported after the 30-day time limitation may be investigated or otherwise addressed at the discretion of SAOIC based on the availability of witnesses and other evidence and SAOIC's interest in providing a safe, non-discriminatory learning and working environment.

4. Confidentiality

Complainants may discuss incidents of sexual misconduct in complete confidence with a Confidential Resource, as defined below. **Only** Confidential Resources can promise complete confidentiality. With the exception of student workers, all SAOIC employees who become aware of incidents or allegations of sexual misconduct have a responsibility to contact a Trained Responder, even if the Complainant requests confidentiality.

Trained Responders understand and seek to honor confidentiality requests to the extent they can. If a Complainant requests complete confidentiality or does not want SAOIC to investigate or respond to the incident or allegation, SAOIC will weigh the request against the seriousness of the alleged misconduct and SAOIC's commitment to address and prevent recurrence of sexual misconduct. This determination will be made by the Title IX Coordinator or Deputy Title IX Coordinator. The determination may not be made by other individuals.

If SAOIC determines it has an obligation to investigate and address the incident or allegations, SAOIC will maintain confidentiality to the extent reasonably possible consistent with a thorough, fair and effective investigation and response and as required by applicable laws and SAOIC policies. In addition, SAOIC will consider and take steps to address safety concerns. In all cases, the individuals investigating and responding to incidents or allegations of sexual misconduct will share information about the incident or allegation, investigation and response within and outside SAOIC only on a "need to know" basis. However, complete confidentiality generally will not be possible due to SAOIC's legal obligation to respond. Accordingly, if a Complainant is not certain s/he wishes SAOIC to initiate the response and resolution process, the Complainant should contact a Confidential Resource, as described below, before sharing the information with another Covered Person or a Trained Responder.

B. EMERGENCY REPORTING

On-Campus Emergencies

Dial 911 from your cell phone (or **9**-911 from any campus landline). The operator will direct emergency resources to your location.

Off-Campus Emergencies

Dial 911 from the nearest telephone.

C. TALKING TO A CONFIDENTIAL RESOURCE

Complainants who have personally experienced sexual misconduct and wish to keep details of the incident completely confidential, or are uncertain whether they wish to pursue the Summit Academy OIC response and resolution process described in Section 5 of this Annual Campus Safety and Security Report, are urged to contact a Confidential Resource as soon as possible following the incident.

Confidential Resources provide confidential assistance and support to individuals who have experienced or otherwise are involved in sexual misconduct. Confidential Resources are not required to notify a Trained Responder or law enforcement about sexual misconduct so long as the allegations do not involve the physical or sexual abuse of a child or vulnerable adult or an imminent threat to the life of any person.

In accordance with applicable law, limited categories of individuals may serve as Confidential Resources. They include:

- licensed counselors;
- health care providers; and
- clergy, or other ministers of any religion, in the following limited circumstances:
 - A member of the clergy or minister who learns of sexual misconduct through confession to such clergy member or minister, if disclosure is enjoined by the rules and practice of the religious body to which the member of the clergy or minister belongs.
 - A member of the clergy or minister who does not have significant responsibility for student or campus activities other than pastoral counseling and who learns of sexual misconduct in the course of providing confidential pastoral counseling of a professional character, including religious or spiritual advice, aid or comfort. Clergy and other ministers are not Confidential Resources if they are not acting in the professional capacity of a pastoral counselor.

Please note that there are no Confidential Resources on staff at Summit Academy OIC. All SAOIC employees who are not student workers, all volunteers, and all members of the SAOIC Board of Directors, are expected to contact a Trained Responder promptly after becoming aware of an incident or allegation of sexual misconduct. However, many Confidential Resources are available off-campus. On page 27, you will find contact information for off-campus Confidential Resources.

If you are unsure of someone's duties and ability to maintain confidentiality about a situation, ask the individual before revealing confidential information.

D. CONTACTING A TRAINED RESPONDER

The SAOIC response and resolution process described in Section 5 will be initiated promptly when a Trained Responder becomes aware of an incident or allegation of sexual misconduct. Complainants are strongly encouraged to contact a Trained Responder as soon as possible following the incident. Trained Responders (listed below) will ensure Complainants receive support, guidance and information about their options, including referrals to fair and respectful health care and counseling services, and that SAOIC timely and appropriately responds to the incident or allegation and takes appropriate action to try to prevent future incidents.

NAME	TITLE/LOCATION	PHONE #
Ann Borders	Director of Human Resources/Main Campus	612-377-0150 x254
Michael Poster	Director of Student Services & Deputy Title IX Coordinator/Main Campus	612-377-0150 x346
Tony O'Brien	Director of Academic Programs & Deputy Title IX Coordinator/Main Campus	612-377-0150 x256
Monica Davenport	Student Advisor/Extension Campus	612-377-0150 X358
Patrick Sullivan	Student Advisor/Main Campus	612-377-0150 X279
DeAndre Scott	Student Advisor/Main Campus	612-377-0150 x252
Megan Normandin	Director of Monitoring & Evaluation/Deputy Title IX Coordinator/Extension Campus	612-377-0150 X721

E. REPORTING TO THE POLICE

Complainants have the right to report to law enforcement all misconduct that may violate criminal laws, and SAOIC strongly urges Complainants to make such reports. If a Complainant of potentially criminal sexual misconduct, including sexual assault, dating violence, domestic violence or stalking, wishes to notify law enforcement authorities or file criminal charges, SAOIC will assist the Complainant to do so promptly upon the Complainant's request to a Trained Responder.

Upon request by the police or the Complainant, SAOIC will provide reasonable assistance to the Complainant and police in obtaining, securing and maintaining evidence in connection with sexual misconduct allegations. At the request of the Complainant and to the extent permitted by student data privacy laws, SAOIC will share data related to the reported incident with police conducting a criminal investigation.

F. MAKING AN ANONYMOUS REPORT

Any individual may make an anonymous report of sexual misconduct, and may do so without disclosing the reporter's name or the names of the parties to the incident, and without requesting any action. Individuals considering anonymous reporting should be aware that under Minnesota law, Summit Academy OIC is not obligated to investigate a report made anonymously, and that anonymous reporting often hinders SAOIC's ability to investigate and respond to the incident, depending on the extent of information provided to SAOIC. Anonymous reports often contain insufficient information to follow up with the parties involved, resulting in insufficient evidence to complete a thorough investigation. Accordingly, SAOIC strongly urges individuals to report directly to a Trained Responder.

Anonymous reports may be made by submitting the designated form on SAOIC's website at <https://saoic.org/anonymous-reporting-form/>

Anonymous reports are received by the Title IX Coordinator, who will determine appropriate next steps, including whether there is sufficient information to conduct an investigation, individual or community remedies as appropriate, and compliance with SAOIC's obligations under the *Clergy Act*.

G. STATISTICAL REPORTING BY SUMMIT ACADEMY OIC

Under the *Clergy Act*, SAOIC has a duty to track and publish information about certain types of sexual misconduct and to report certain information in SAOIC's annual Campus Safety & Security Report. Personally identifiable information is kept confidential and will not be published.

Under Minnesota law, SAOIC has a duty to track and publish certain information about sexual assault and to report certain related statistics on its website and to the Minnesota Office of Higher Education. Personally identifiable information and other data collected by SAOIC for purposes of complying with this reporting requirement is kept confidential, will not be published except in accordance with Minnesota law, and otherwise is available only to SAOIC employees whose work assignments reasonably require access.

SAOIC also is required to issue timely warnings for incidents it becomes aware of that pose a substantial threat of bodily harm or danger to members of the campus community. SAOIC does not disclose personally identifiable information of Complainants in such warnings, while making every effort to provide enough information for community members to make decisions to help ensure their safety.

VII. SAOIC RESPONSE AND RESOLUTION PROCESS

When a Trained Responder becomes aware of an incident or allegation of sexual misconduct, the Trained Responder will take steps promptly to initiate the response and resolution process described in Section 6 of this report.

The Title IX Coordinator is responsible for ensuring the uniform and consistent application of this policy and the related procedures and for ensuring incidents and allegations are addressed in a timely and appropriate manner. The Title IX Coordinator and the officials designated in these procedures to manage the response process have authority, alone or together, to take reasonable steps to protect the SAOIC community or any individual member of the SAOIC community from sexual misconduct, regardless whether such steps are explicitly contemplated in this policy or the related procedures.

In cases involving domestic violence, dating violence, sexual assault, and stalking and other cases involving safety concerns, the safety of the Complainant and the community is of primary importance. SAOIC will consult with the Complainant and with other resources to determine, under the particular circumstances, how to conduct the response and resolution procedures in a way that protects the safety of the Complainant and the community while promoting accountability for prohibited misconduct. Both during and after the process, if requested by the Complainant or at SAOIC's initiative, SAOIC will assist in shielding the Complainant from unwanted contact with the Respondent, in cooperation with appropriate law enforcement, consistent with Minnesota law.

VIII. NO RETALIATION

SAOIC, and federal and state law, prohibit retaliation against individuals for raising concerns about or making reports of sexual misconduct in good faith. No student, faculty or staff will be reprimanded or retaliated against for notifying SAOIC about incidents or allegations of sexual misconduct in good faith or for participating in an investigation related to allegations of sexual misconduct. SAOIC will take steps to prevent retaliation and will take strong responsive action if retaliation occurs. Any conduct by a participant in an investigation that constitutes retaliation or reprisal is subject to disciplinary action, up to and including dismissal, expulsion and prohibition from campus. Concerns regarding retaliation will be addressed in accordance with applicable SAOIC policies and procedures addressing retaliation.

SAOIC may impose sanctions if it determines that an individual knowingly initiated in bad faith a claim of sexual misconduct, knowingly provided false information, or intentionally misled a SAOIC representative during an investigation of sexual misconduct allegations or a related complaint.

IX. AMNESTY

SAOIC strongly urges reporting of sexual misconduct and seeks to remove any barriers to making a report or participating in an investigation. A student who reports sexual misconduct, either as a Complainant, a third party witness or a non-party to the incident, will not be subject to disciplinary action under the student code of conduct for their own violation of SAOIC policy in connection with the reported incident or any activity in connection with which the incident occurred.

X. RESOURCES & CONTACT INFORMATION

A. EMERGENCY CONTACTS

24-Hour Emergency On Campus

9-911 from any campus landline or 911 from your cell phone

24-Hour Emergency Off Campus

911 from any phone

B. ON-CAMPUS PLACES TO REPORT SEXUAL MISCONDUCT

Chief Academic Officer/ Title IX Coordinator

Miriam Williams

Main Campus Direct: (612) 278-6591

mwilliams@saoic.org

Director of Student Services/Deputy Title IX Coordinator

Michael Poster

Main Campus Direct: (612) 278-6346

mposter@saoic.org

Director of Program Development/Deputy Title IX Coordinator

Tony O'Brien

Main Campus Direct: (612) 278-5256

to'brien@saoic.org

Director of Human Resources

Ann Borders

Main Campus

Direct: (612) 278-5254

aborders@saoic.org

Director of Monitoring & Evaluation/Deputy Title IX Coordinator

Megan Normandin

Extension Campus Direct: (612) 424-6721

mnormandin@saoic.org

Student Advisors

<u>Name</u>	<u>/Location</u>	<u>Direct Phone</u>	<u>Email</u>
Monica Davenport	Extension Campus	612-278-5358	mdavenport@saoic.org
Patrick Sullivan	Main Campus	612-278-7279	psullivan@saoic.org
DeAndre Scott	Main Campus	612-278-5252	dscott@saoic.org

C. OFF-CAMPUS PLACES TO REPORT SEXUAL MISCONDUCT

Emergency

9-911 from any campus phone

911 from your cell phone or any off-campus phone

Area Hospitals: Note: **Going to a hospital** does not **obligate you to report the crime.**

Hennepin County Medical Center

701 Park Avenue

Minneapolis, Minnesota 55415

(612) 873-3132

North Memorial Medical Center

3300 Oakdale Avenue North
Robbinsdale, MN 55422
(763) 581-9700

Regions Hospital

640 Jackson Street
St. Paul, MN 55101
(651) 254-3584

D. OFF-CAMPUS CONFIDENTIAL RESOURCES**RAINN (Rape, Assault, and Incest National Network)**

<https://www.rainn.org/>

1 (800) 656-HOPE

24-hour hotline; free and confidential

Sexual Offense Services

St. Paul, Minnesota

<https://www.ramseycounty.us/residents/health-medical/clinics-services/sos-sexual-violence-services>

(651) 643-3006

24-hour hotline; free and confidential

Sexual Violence Center

Minneapolis, Minnesota

www.sexualviolencecenter.org; (612) 871-5111: 24-hour hotline, free and confidential

E. VICTIM SERVICES AND LEGAL INFORMATION**Resource list for victims**

<https://dps.mn.gov/divisions/ojp/help-for-crime-victims/Pages/resource-list-victims.aspx>

Ramsey County SOS Sexual Assault Services

<https://www.ramseycounty.us/residents/health-medical/clinics-services/sos-sexual-violence-services>

24-Hour Hotline: (651) 643-3006

Domestic Abuse Service Center (for victims of domestic violence and dating violence)

<http://www.mncourts.gov/district/4/?page=369>

[Hennepin County Government Center](#)

Rm. #A-0650 (lower level)

300 S. 6th Street

Minneapolis, MN 55487

(612)348-5073

Minnesota Office of Justice, Crime Victims Programs

<https://dps.mn.gov/divisions/ojp/help-for-crime-victims/Pages/default.aspx>

Monday - Friday, 8:00 AM – 4:30 PM

651-201-7300 or 888-622-8799, ext. 1 for financial help

800-247-0390, ext. 3 for information and referral

651-205-4827 TTY

Ramsey County Victim/Witness Services

Ramsey County Attorney's Office

<https://www.ramseycounty.us/your-government/leadership/county-attorneys-office/divisions-units/victim-witness-postconviction-justice-division>

(651) 266-3222

Hennepin County Victim Services

Hennepin County Attorney's Office

<https://www.hennepinattorney.org/get-help/crime/victim-services>

(612) 348-4003

Lawhelpmn.org (legal information on a variety of sexual assault issues)

<http://www.lawhelpmn.org/issues/abuse-violence-crime-victims-rights/sexual-assault-and-other-crime-victims>

U.S. Department of Education, Office for Civil Rights (OCR)

400 Maryland Avenue SW

Washington, DC 20202-1100

Customer Service Hotline #: (800) 421-3481 Facsimile: (202) 453-6012

TDD#: (877) 521-2172

Email: OCR@ed.gov

<http://www.ed.gov/ocr>

WHAT TO DO IF YOU HAVE BEEN SEXUALLY ASSAULTED

Remember that it is not your fault.
No one deserves sexual violence.
You are not alone.

Get to a safe place as soon as you can and consider reporting the assault.

Try to preserve all physical evidence

It is best for any physical evidence to be collected immediately, ideally within the first 24 hours. (The quality and quantity of evidence collected later than this may be substantially diminished). Avoid washing, douching, brushing your teeth, or changing your clothes. This could be difficult, but if you wash you may destroy evidence that will be needed should you decide to press criminal charges. If you do change your clothes, put all clothing you were wearing at the time of the assault in individual paper bags (not plastic).

Seek medical attention

It is important to seek immediate and follow-up medical attention for several reasons:

- To assess and treat any physical injuries you may have sustained.
- To determine the risk of sexually transmitted infections or pregnancy and take appropriate medical measures.
- If you choose, you may have evidence collected to aid criminal prosecution if you later decide to file criminal charges. By law, emergency room staff must contact the police when they treat sexual assault survivors. The police will not ask you to file a report if you do not want to.

NOTE: Going to the hospital does not obligate you to report the crime.

If the assault occurred some time ago...

Remember that you do not have to go through this alone. **Medical examination:** You can be examined for injury, sexually transmitted infections, and pregnancy. **Advising:** You can talk with an advisor and receive referrals to local resources.

At the hospital

The hospital can provide general medical treatment and if the victim chooses, conduct a special evidence collection exam at no cost. A medical exam could include treatment of any physical problems and various lab tests for sexually transmitted diseases and pregnancy. A specially trained nurse, an emergency department physician, or a gynecologist will perform the evidence collection exam. A sexual assault advocate or a support person of your choice may be present throughout the procedure.

The hospital emergency department follows national standards for victim care, rape exams, and evidence collection procedures. If the decision is made to conduct an evidence collection exam, the anonymous evidence may be held for 6 months or longer. This means you do not have to decide immediately whether you want to press criminal charges.

Non-emergency medical procedures

Even if you choose not to have a hospital exam, it is still important to get medical attention to treat any physical problems and to conduct various lab tests for sexually transmitted diseases and pregnancy.

SECTION 5: SEXUAL MISCONDUCT RESPONSE & RESOLUTION PROCEDURES

DEFINITIONS

The definitions used in the Summit Academy OIC Sexual Misconduct Policy (“policy”), described in Section 4, also apply to these procedures, along with the additional definitions set forth in these procedures.

SCOPE & APPLICATION

These procedures will be initiated when a Trained Responder becomes aware of allegations of sexual misconduct:

- where the Complainant and the Respondent are both members of the SAOIC community (as defined in Section 4-1); or
- where the Respondent but not the Complainant is a member of the SAOIC community and the alleged incident occurred on the SAOIC campus or in connection with an SAOIC activity.

In other situations where a member of the SAOIC community is a Complainant or Respondent, the Title IX Coordinator may determine in the Title IX Coordinator’s discretion, after consultation with one or more members of the Title IX Compliance team, whether these procedures or another process is the best way to address the alleged sexual misconduct.

If a Trained Responder becomes aware of allegations of sexual misconduct that, even if true, would not rise to the level of a policy violation, these procedures do not apply, and the Trained Responder will handle the matter at their discretion, consistent with any other applicable SAOIC policies, procedures and/or handbooks. Determinations that an allegation, even if true, would not rise to the level of a policy violation will be made jointly by the Trained Responder and the Title IX Coordinator.

GENERAL PROVISIONS

SAOIC is committed to the prompt, fair and equitable resolution of reports of sexual misconduct. The response and resolution process will be conducted in compliance with the following provisions. These provisions are intended to be flexible so as to allow SAOIC to meet its legal obligations while fulfilling its educational mission. The Title IX Coordinator may authorize departures from these provisions when warranted by the circumstances.

During the response and resolution process, SAOIC may take interim and other actions to protect the parties and the community. In addition to any actions initiated by SAOIC, if requested by the Complainant during or after the process, SAOIC will assist to shield the Complainant from unwanted contact with the Respondent, even in cases where there was insufficient evidence to find the Respondent responsible for violating the policy. Such measures may include a mutual no- contact order from SAOIC or assistance to the Complainant in transferring to alternative classes, when such classes are available and the transfer is feasible.

It is SAOIC’s policy that the alleged involvement of staff or faculty in quid pro quo harassment is considered severe, pervasive, and objectively offensive and, therefore denies a person equal education access. Quid pro quo harassment will result in a formal investigation.

A. TIMING

SAOIC will strive to conclude the investigation and make a determination of responsibility as soon as possible and within 60 calendar days of a Trained Responder becoming aware of sexual misconduct allegations. The time frame for particular matters may vary depending on the complexity of the investigation, and additional time may be necessary in complex investigations. In addition, temporary extensions to the timing requirements may be necessary due to factors like a witness being absent from campus, campus offices being closed, or for other good cause. If SAOIC’s investigation is delayed due to law enforcement gathering evidence, SAOIC will resume when law enforcement has finished collecting evidence or earlier, as permitted by law enforcement.

Appeals will be conducted within the timeframe set forth below. All timing extensions and postponements must be approved by the Title IX Coordinator and will be no longer than reasonably necessary. The Complainant and Respondent will be provided timely notice of any timing extension or postponement and the reason for such extension and postponement.

B. CONFIDENTIALITY

Complainants and Respondents have the right to speak or otherwise share information about sexual misconduct allegations and the response and resolution process. However, both parties, and Respondents in particular, must ensure that their communications are consistent with the anti-retaliation provision of the policy, applicable confidentiality obligations, and any agreements among the parties or with SAOIC.

Other individuals involved in the response and resolution process are expected to maintain the confidentiality of information related to the allegations and the response and resolution process to the greatest extent possible, and may communicate such information only to individuals who have a legitimate need to know the information.

INITIATION OF RESPONSE & RESOLUTION PROCESS

Trained Responders are responsible for initiating the response and resolution process promptly upon receipt of an Assertion or Complaint of sexual misconduct that, if true, would violate the policy.

- An **Assertion** is an informal oral or written statement by a Complainant or another person that alleges sexual misconduct. An assertion may be resolved informally or may be converted to a Complaint by the Complainant or the Title IX Coordinator.
- A **Complaint** is a formal written statement that clearly and thoroughly describes the incident(s) of sexual misconduct, including the name of the Respondent, if known, that is signed by the Complainant or by the Title IX Coordinator. A Complaint must be filed in order to initiate the formal resolution process described in Section VII below.

A. NOTICE TO THE TITLE IX COORDINATOR OR A DEPUTY TITLE IX COORDINATOR

The Trained Responder must promptly notify and share the Assertion or Complaint with the Title IX Coordinator or a Deputy Title IX Coordinator.

In many instances, the response to an assertion or complaint is managed by the Title IX Coordinator. In the event that the complaint implicates the Title IX Coordinator, the Director of Human Resources and/or Vice President will select a Response Manager who will be responsible for timely management the response and resolution process in accordance with the policy and these procedures for a particular situation is based on the identities of the Complainant and Respondent, as set forth below:

If the Complainant is a . . .	And the Respondent is a . . .	Then the Response Manager is the . . .
Student	Student	Director of Student Services/Deputy Title IX Coordinator OR Director of Program Development/Deputy Title IX Coordinator as mutually determined by them
Faculty or staff member	Faculty or staff member	Director of Human Resources
Student	Faculty or staff member	Director of Student Services/Deputy Title IX Coordinator OR Director of Program Development /Deputy Title IX Coordinator AND Director of Human Resources, working together as mutually determined by them
Faculty or Staff Member	Student	Director of Student Services/Deputy Title IX Coordinator OR Director of Program Development/Deputy Title IX

If the Complainant is a . . .	And the Respondent is a . . .	Then the Response Manager is the . . .
-------------------------------	-------------------------------	----------------------------------------

		Coordinator AND Director of Human Resources, working together as mutually determined by them
Student	Covered Person or third party who is not a student, faculty or staff member	Director of Student Services/Deputy Title IX Coordinator OR Director of Program Development/Deputy Title IX Coordinator in consultation with the Director of Human Resources
Covered Person or third party who is not a student, faculty or staff member	Student	Director of Student Services/Deputy Title IX Coordinator OR Director of Program Development/Deputy Title IX Coordinator in consultation with the Chief Academic Officer/Title IX Coordinator
Faculty or Staff Member	Covered Person or third party who is not a student, faculty or staff member	Director of Human Resources
Covered Person or third party who is not a student, faculty or staff member	Faculty or staff member	Director of Human Resources
If either the Complainant and/or Respondent holds dual status as a SAOIC employee and student		Director of Student Services/Deputy Title IX Coordinator OR Director of Program Development/Deputy Title IX Coordinator AND Director of Human Resources, working together as mutually determined by them

Before proceeding with the response and resolution process, the individual designated to manage the particular matter must consider whether he or she has availability to timely manage the response and whether he or she has an actual or potential conflict of interest or bias for or against the Complainant or Respondent that could be perceived to improperly influence the management of the response and resolution process. If so, the individual must discuss this with the Chief Academic Officer/Title IX Coordinator and/or Director of Human Resources for the particular matter. If the Chief Academic Officer/Title IX Coordinator has an actual or potential conflict of interest, she or he will disclose it to an executive member of the Title IX Compliance Team.

The Chief Academic Officer/Title IX Coordinator maintains a list of trained Response Managers who can manage the response and resolution process in the event a designated Response Manager is unable to serve due to a conflict or for other reasons.

B. INTERIM ACTION TO PROTECT THE PARTIES & THE COMMUNITY

The designated Response Manager(s) will consider whether interim action is reasonably necessary or appropriate to protect the parties and the broader SAOIC community, pending completion of the response and resolution process. If the Response Manager(s) determine that interim action is reasonably necessary and appropriate, the Response Manager(s) and their respective designees are authorized to take or direct such action. Response Managers may initiate new or different interim action at any point during the response and resolution process based on their determination of how best to protect the parties and the broader SAOIC community.

If the designated Response Manager(s) are not immediately available and the Chief Academic Officer/Title IX Coordinator or Deputy Title IX Coordinator determines that immediate action is reasonably necessary and appropriate, the Chief Academic Officer/Title IX Coordinator or Deputy Title IX Coordinator is authorized to take or direct such action.

Examples of interim actions include, without limitation:

- Establishing a “no contact” order prohibiting the Respondent and Complainant from communicating with each other during the response and resolution process.
- Prohibiting a Respondent from physically entering or being on SAOIC property.

- Prohibiting a Respondent from participating in SAOIC-sponsored events.
- Changing a Complainant's or Respondent's student or employee status, in consultation with appropriate administrator(s).
- Changing a Complainant's or Respondent's work or class schedule, in consultation with appropriate administrator(s).
- Issuing a timely warning of any substantial threat or danger to the community.
- Making information about orders for protection and harassment restraining orders available to a Complainant.
- Notifying and consulting with appropriate SAOIC administrators, faculty and staff members as warranted under the circumstances.

D. CLERY ACT REPORT

If the report or allegation of sexual misconduct involves behavior that, if found to have occurred, would violate the law, the Response Manager promptly will complete and submit a Campus Security Authority incident report to the Chief Academic Officer/Title IX Coordinator to ensure compliance with the *Clery Act*. The Chief Academic Officer/Title IX Coordinator does not disclose personally identifiable information about a Complainant in its *Clery Act* reporting.

E. MEETING WITH THE COMPLAINANT

Promptly following the Response Manager's appointment, the Response Manager will meet the Complainant. At the meeting, the Response Manager will: Review the allegations of sexual misconduct with the Complainant and obtain additional information about the allegations from the Complainant as necessary to appropriately advise or support the Complainant with respect to the response and resolution process. Complainant may review SAOIC's record of the Complainant's description of the incident.

1. Inform the Complainant about available resources to support the Complainant, including, in sexual assault cases, the availability of local programs providing sexual assault advocacy services, and about the Complainant's right to access these resources, and ensure the Complainant has an effective way to access the available support resources. This discussion will include, among other available resources, information about the opportunity to seek a harassment restraining order or order for protection from a Minnesota court in appropriate circumstances and contact information for campus and local advocacy, counseling, health, mental health and legal assistance services.
2. Review the policy and these procedures with the Complainant, specifically noting:
 - a. the Complainant's options to pursue the informal or formal resolution process;
 - b. the Complainant's right to contact law enforcement and pursue criminal and/or civil remedies outside SAOIC;
 - c. the options for interim action or other reasonable accommodations if the Complainant wishes to change academic, transportation, working or other situations within SAOIC control after an alleged incident;
 - d. the timing and deadlines for taking action under the policy;
 - e. the confidentiality provisions; and
 - f. the prohibition on retaliation for good faith reporting of sexual misconduct allegations and for participating in an investigation of sexual misconduct allegations.
3. Address the Complainant's questions about the policy and procedures and the response and resolution process.
4. Discuss whether the Complainant has concerns about any potential conflicts of interest or bias that could affect the process.
5. Ask the Complainant how the Complainant wishes to proceed. Notify Complainant that if the Complainant chooses not to pursue the informal or formal resolution process, SAOIC will consider whether to take action independently, and that if the Complainant chooses to pursue the informal process, SAOIC will consider whether to initiate the formal process independently.
6. Set a time for the Response Manager to follow up with the Complainant.

F. SAOIC DETERMINATION WHETHER TO FOLLOW FORMAL PROCESS

After meeting with the Complainant, the Response Manager will update the Title IX Coordinator regarding the meeting and provide any further information about the allegations gleaned from the meeting.

If the Complainant did not choose the formal resolution process, the Response Manager and the Title IX Coordinator will consider the Assertion and any additional information gleaned from the meeting. The Response Manager and Title IX Coordinator will consider whether the informal process or any particular components of an informal process are inappropriate, and whether formal action should be taken given the nature of the allegations or other circumstances. They also may gather additional information if needed in order to make this determination. Based on this review, SAOIC may, in its sole discretion, require the initiation of a formal process. For example, mediation between the Complainant and Respondent is not appropriate to address allegations of sexual assault such as non-consensual sexual intercourse. If SAOIC determines to pursue the formal resolution process, it will take the steps in the *Formal Process* section, below.

If SAOIC determines the informal process is appropriate and later becomes aware of information that it determines should be pursued through the formal process, the Title IX Coordinator can initiate the formal process at such later time.

INFORMAL PROCESS

If the Complainant chooses to pursue the informal process and SAOIC does not decide to initiate the formal process, the Response Manager will meet with the Complainant to review and consider available options to address the alleged misconduct using informal mechanisms. Such mechanisms may include (but are not limited to) mediation, discussion between the Complainant and Respondent with appropriate involvement by SAOIC, a message communicated to the Respondent, or a change in Complainant's work, academic or other situation within the control of SAOIC if reasonably available and requested by the Complainant.

The informal process will not result in a disciplinary sanction for the Respondent unless the Respondent is given an opportunity to review and respond to the allegations. The disciplinary sanction in such situations may not include expulsion or termination of employment. For employees, the maximum disciplinary sanction available through the informal process is a final written warning.

At any time, both the Complainant and the Respondent have the right to end the informal process and begin the formal process by notifying the Response Manager.

FORMAL PROCESS

A. RIGHTS OF THE COMPLAINANT AND RESPONDENT

In the formal process, the Complainant and Respondent are entitled to:

- Notification of the detailed complaint;
- Notification in advance of all meetings scheduled with either party;
- equitable procedures that provide both parties with a prompt, fair and impartial investigation and resolution conducted by officials who receive annual training on conduct prohibited by the policy;
- notice of the allegations and defenses and an opportunity to respond;
- an equal opportunity to identify relevant witnesses and other evidence and to suggest possible questions to be asked of witnesses during the formal process;
- present information on their own behalf, including written and oral statements and physical exhibits;
- similar and timely access to information considered relevant by the Investigator(s), including a written summary of all allegations and defenses, consistent with the Family Education Rights and Privacy Act (FERPA);
- timely notice of meetings; and
- have a support person of the individual's choice, who is not a fact witness, accompany the individual throughout the response and resolution process. The support person is allowed to consult with and advise the Complainant

or Respondent the support person is accompanying, but is not otherwise permitted to participate in any proceedings.

In addition, in cases involving sexual assault, the Complainant and Respondent are entitled to determine when and whether to provide or repeat a description of an incident of sexual assault, and to be informed of the consequences, if any, of not providing or repeating such a description. A decision not to provide or repeat a description of an incident involving a reported sexual assault may impact the outcome of the investigation because the determination of responsibility made by the Investigator(s) will be based on a preponderance of evidence available to them.

B. STEPS IN THE FORMAL PROCESS

If the Complainant, Respondent, or SAOIC determines to pursue the formal process, the following steps will be taken.

1. SUBMISSION OF SIGNED COMPLAINT

The Complainant must submit to the Response Manager a signed Complaint that clearly describes the incident(s) of sexual misconduct, including the name of the Respondent, if known. The complainant's signature may be physical or digital, or otherwise indicates that the complainant is the person filing the formal complaint. If the Complainant does not wish to pursue the formal process and SAOIC determines to initiate the formal process, then the Title IX Coordinator may sign the Complaint; in this instance, the Title IX Coordinator is not a complainant or a party during a grievance process and must comply with requirements for Title IX personnel to be free from conflicts and bias.

2. REVIEW OF COMPLAINT WITH RESPONSE MANAGER(S)

The recipient of the Complaint (if not the Response Manager) will review it with the Title IX Coordinator.

3. ASSIGNMENT OF INVESTIGATOR

The Title IX Coordinator will appoint an **Investigator** or **Investigators**.

- The **Investigator(s)** conduct an investigation into the facts of the incident alleged to have occurred, as further described in these procedures. The Title IX Coordinator may appoint two Investigators to work together.

Depending on the nature and severity of the allegations, an Investigator and Response Manager may be the same individual. When the allegations involve force or non-consensual sexual contact or intercourse, or otherwise are sufficiently serious that, if found to have been more likely than not to have occurred, they would warrant suspension or expulsion from SAOIC or termination of employment, different people generally will be assigned to serve as the Investigator and Response Manager.

The Title IX Coordinator maintains a list of the individuals who have received appropriate annual training to serve as Investigators. The Title IX Coordinator and Response Manager will consider potential conflicts of interest and bias to ensure the appointed Investigator(s) will not have a conflict of interest or bias for or against the Complainant or Respondent.

4. NOTICE TO COMPLAINANT

The Response Manager will contact the Complainant in writing, by letter or email, to inform the Complainant of the name of the Investigator(s), an estimate of the time required to complete the investigation, and any other information the Response Manager deems relevant given the particular situation.

5. NOTICE TO RESPONDENT

The Response Manager will contact the Respondent in writing, by letter or email, to inform the Respondent about the Complaint, the allegations made against the Respondent, the Respondent's rights, the initiation of a formal investigation and the name of the Investigator(s), an estimate of the time required to complete the investigation, any conditions that

may affect the Respondent's status as a student or employee, and any other information the Response Manager deems relevant given the particular situation.

6. MEETING WITH RESPONDENT

The Response Manager will offer to meet with the Respondent. If the Respondent agrees to meet, at the meeting, the Response Manager will:

- a. Review the allegations of sexual misconduct with the Respondent and obtain additional information from the Respondent as necessary to appropriately advise or support the Respondent with respect to the response and resolution process.
- b. Inform the Respondent about available resources to support the Respondent and the Respondent's right to access these resources. Ensure the Respondent has the means needed to access appropriate support resources.
- c. Review the policy and these procedures with the Respondent, specifically noting:
 - i. the Respondent's rights under the policy and procedures;
 - ii. the timing and deadlines for action under the policy;
 - iii. the confidentiality provisions; and
 - iv. the prohibition on retaliation.
- d. Address the Respondent's questions about the policy, procedures and the response and resolution process, and discuss whether the Respondent has concerns about any potential conflicts of interest or bias that could affect the process.
- e. Set a time for the Response Manager to follow up with the Respondent.

After meeting with the Respondent, the Response Manager will update the Title IX Coordinator regarding the meeting.

7. INVESTIGATION

A. INVESTIGATIVE PROCESS

SAOIC must investigate the allegations in any formal complaint and send written notice to both parties of the allegations upon receipt of a formal complaint. The gathering of evidence and burden of proof rests with SAOIC. Equal opportunity for both parties to present fact and expert witnesses must be provided by the institution. The restriction of parties to gather evidence is not permitted; for example, the institution cannot implement a "gag order."

The Investigator(s) will conduct a thorough and impartial inquiry into the facts and circumstances surrounding the Complaint. At a minimum, the Investigator(s) will seek to interview the Complainant, Respondent and other key persons who may have relevant information about or related to the incident and will seek to obtain all information, documentation and materials the Investigator(s) deem potentially relevant to the investigation. The Investigator(s) will ensure that, before the conclusion of the investigation, the parties have been provided an opportunity to review a written summary of all allegations and defenses and have had an opportunity to respond. The Investigator(s) will further ensure that the Complainant and Respondent have timely and equal access to other information considered by the Investigator(s) to be relevant to the investigation and an opportunity to respond to such information. The opportunity to respond includes: (1) an opportunity to identify relevant witnesses, documentation and other physical evidence; (2) to suggest questions to be asked of witnesses; and (3) to provide responsive written or oral statements.

The Investigator(s) have authority to request such information, documentation and materials from appropriate parties, on a need to know basis, as the Investigator(s) deem likely to be relevant to the investigation.

B. STATUS UPDATES

The Investigator(s) will provide status updates to the Complainant and Respondent during the investigation and as necessary to alert them of any delays or changes in time estimates for completing the investigation and to provide notice

of any new material allegations or defenses, and the parties will be provided an opportunity to respond to such new allegations and defenses.

8. DETERMINATION OF RESPONSIBILITY

Upon completion of the formal investigation, the Investigator(s) will weigh the evidence and determine whether it is more likely than not (using a “preponderance of the evidence” standard) that the Respondent is responsible for the misconduct alleged. If the Investigator(s) determine it is more likely than not that the Respondent engaged in sexual misconduct in violation of the policy, then the Investigator(s) will make a determination that the policy has been violated.

9. INVESTIGATIVE REPORT

The Investigator(s) will, in a timely manner, document the findings of fact and determination in an investigation report and submit it to the Response Manager(s) and Title IX Coordinator.

The Title IX Coordinator will review the investigative report to ensure that the report and determination are consistent with SAOIC policies, procedures and practices. If the Title IX Coordinator determines that the report and determination are not consistent with policies, procedures and practices, the Title IX Coordinator has discretion to direct or take appropriate action.

10. RESPONSIVE ACTION BY SAOIC

The Response Manager(s) will review the investigative report and will work with the appropriate SAOIC administrators, as set forth below, to determine what, if any, sanctions will be imposed or other action will be taken by SAOIC. Not all forms of sexual misconduct will be deemed equally serious offenses, and SAOIC may impose different sanctions depending on the facts and circumstances, including but not limited to the severity of the offense and taking into account any previous conduct violations or disciplinary action. The Response Manager(s) and administrators are authorized to apply any sanction or other response that they together determine to be fair and proportionate to the misconduct.

SAOIC reserves discretion to dismiss a formal complaint or allegations therein if the complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint.

If the Respondent is a(n)...	Sanctions will be determined by the...	Potential Sanctions...
Student	Director of Student Services/Deputy Title IX Coordinator OR Director of Program Development/Deputy Title IX Coordinator, in consultation with the manager of the applicable program as appropriate under the circumstances	Sanctions may range from a verbal warning to expulsion. The Director of Student Services will consider as part of the decision whether the Respondent poses a continuing risk to the Complainant and/or SAOIC community.
Faculty member	Manager of the applicable program, in consultation with the Director of Human Resources and the Vice President.	The application of sanctions will be consistent with the applicable disciplinary policies contained in the Employee Handbook. The manager will consider, as one factor in the decision, whether the faculty member poses a continuing risk to the Complainant and/or SAOIC community.
Staff member	Appropriate supervisor(s), in consultation with the Director of Human Resources, Vice President and/or Chief Financial Officer	The application of sanctions will be in accordance with the applicable disciplinary policies contained in the Employee Handbook. The supervisor will consider, as one factor in the decision, whether the staff member poses a continuing risk to the Complainant and/or SAOIC community.

Both a student and an employee	Director of Student Services/Deputy Title IX Coordinator OR Director of Program Development/Deputy Title IX Coordinator	Any of the above, depending on the primary status of the Respondent.
Not a student or employee	Director of Human Resources/Title IX Coordinator	May include restrictions on the Respondent's presence, enrollment or employment at SAOIC.

11. LIVE HEARINGS

SAOIC's live hearing process requires each party's advisor (who may or may not be an attorney) to ask the other party and witnesses all relevant questions and follow-up questions; the parties involved do not speak directly to each other during the live hearing. If either party does not have an advisor, SAOIC will provide one for the purpose of cross-examination. If a party or witness does not submit to cross-examination at a hearing, their statements cannot be considered by decision-maker(s) upon conclusion of the hearing.

Logistically, a live hearing will take place as a recorded videoconference; neither the complainant, respondent, nor their respective advisors are present in the same room at the same time. For lengthy proceedings, the complainant, respondent, and SAOIC reserve the right to request breaks with the understanding that the live hearing may need to resume the following business day or as agreed upon by the parties and panel. If neither party nor SAOIC agrees on whether to take a break, the Title IX Coordinator will decide as a matter of procedure.

12. DECISION-MAKING

SAOIC reserves the right to decide prior to a hearing whether it would be appropriate to have a single decision-maker or a panel of decision-makers. SAOIC also reserves the right to appoint the Title IX Coordinator or another individual who is not a decision-maker to enforce procedural rules at a hearing, though the decision-maker(s) retains the responsibility of determining relevancy during a hearing.

13. NOTICE OF OUTCOME

SAOIC's determination or other appropriate notice of the outcome will be explained in a written notification, by letter or email, to the Complainant and Respondent that also includes information about the appeal process and when the outcome will be final. The written notifications must be sent within ten (10) working days of the Title IX Coordinator's receipt of the findings from the Investigator and will be sent to the Complainant and the Respondent at the same time.

SAOIC may be limited in the information it may share in providing this notice of outcome. In some situations, the outcome letter sent to the Complainant will contain only the following information: whether the Respondent was found to have violated the policy, and any sanctions imposed that directly relate to the Complainant. In sexual misconduct incidents involving allegations of sexual assault, domestic violence, dating violence or stalking, the notice of outcome will contain a rationale for the determination and may contain additional information about sanctions against a Respondent who violated the policy.

The Title IX Coordinator will ensure that appropriate SAOIC administrators, faculty and/or staff members who have a need to know information about the outcome have been or are provided with such information. This may include the member(s) of the senior leadership responsible for a Respondent's program or department, and in the case of Respondents who are employees, the Respondent's supervisor.

If there is any change to the outcome following delivery of the original notice of outcome, including a change as a result of a typing error, the Complainant and Respondent will be provided notice of the change at the same time.

C. APPEAL PROCESS

1. GROUNDS FOR APPEAL

Either the Complainant or the Respondent may appeal the results of the formal process on one or more of the following bases:

- a. that a procedural error occurred that substantially affected the outcome of the process;
- b. that the decision was arbitrary and capricious;
- c. that there has been discovery of significant new factual material not available to the Investigator that could have affected the original outcome; however, intentional omission of factual information by the appealing party is not a ground for an appeal;
- d. that the sanction or other response by SAOIC under the formal process was excessively severe or grossly inadequate.

2. SUBMITTING AN APPEAL

A signed, written request for an appeal must be submitted to the appropriate Appeal Officer within ten (10) working days following the date that notification of the outcome of the investigation was sent to the Complainant and the Respondent.

- The **Appeal Officer** is determined based on the identity of the Respondent, as set forth in the table below, and has the duties described in the subsequent paragraphs.

If the Respondent is a...	The Appeal Officer is the...
Student (who is not also a regular faculty or staff member)	Vice President
Faculty or staff member (who is not a student worker)	President

In cases involving a potential conflict of interest or other issue preventing the designated individual from serving as an Appeal Officer, the Title IX Coordinator may appoint an alternate Appeal Officer who has received training on this policy and applicable law to fulfill the Appeal Officer's duties.

3. CONSIDERATION OF APPEAL

The Appeal Officer:

- Will **not** rehear the case, but will consider whether it is more likely than not that the above-listed grounds for appeal have been satisfied.
- Will review the appeal, the investigative report, and consider any previously undiscovered evidence (if discovery of new evidence is a ground for appeal).
- May choose to meet with the parties and consider other additional information, at the Appeal Officer's sole discretion.

The Appeal Officer will issue a written decision stating the Appeal Officer's findings and the final disposition of the appeal within ten (10) working days following receipt of the appeal.

The Appeal Officer also will notify appropriate SAOIC administrators, faculty and staff members of the outcome on a need-to-know basis.

4. NO FURTHER APPEAL

Appeals arising out of alleged violations of the policy must be made under this appeal process and are not eligible for consideration under faculty, staff or student grievance policies or processes. The President, however, has discretion to modify a decision in exceptional circumstances.

RECORD KEEPING

The Title IX Coordinator is responsible for maintaining the official SAOIC records of sexual misconduct Assertions and Complaints. When an Assertion or Complaint is pending, each official having a role in the response and resolution process is responsible for handling records appropriate to the official's role. When the process is complete, the official records relating to the Complaint or Assertion will be provided to the Title IX Coordinator, who will maintain such records in accordance with SAOIC record retention requirements and applicable law. The official records include:

- In cases where the informal process is requested by the Complainant, (a) a summary of the Assertion of sexual misconduct and request for resolution via an informal process, (b) a summary of the Title IX Coordinator's analysis of whether a formal or informal process should be followed; and (c) a summary of the process used and responsive action taken by SAOIC;
- In cases where the formal process is used, a copy of the Complaint;
- A description of any interim action taken and copies of correspondence from SAOIC to the Complainant and Respondent relating to the interim action.
- A copy of any *Clery Act* report submitted by the Title IX Coordinator to Public Safety (Public Safety shall maintain the original or a copy);
- Record indicating that the Process Advisor met with the Complainant and/or Respondent and the issues covered;
- Copies of any notices or summaries given to the Complainant and/or Respondent;
- The investigative report and accompanying documentation relied upon by the Investigator(s) in reaching conclusions;
- Copies of statements provided by the parties or witnesses;
- Documentation indicating the decision reached and sanctions imposed;
- Copies of the notice of outcome provided to the parties;
- Appeal statement, if any;
- Decision of Appeal Officer and copies of notices sent to parties regarding appeal, if applicable; and
- A timeline of communication with the parties.

Each official having a role in the response and resolution process may elect to send additional records to the Title IX Coordinator depending on the particular facts and circumstances. Personal notes of officials involved in the response and resolution process generally will be maintained in the sole possession of the official who took the notes according to the official's normal recordkeeping practices, any applicable SAOIC record retention requirements and applicable law.

Records related to sexual misconduct Assertions and Complaints will be treated as confidential and shared only on a need-to-know basis or as required by law.

SECTION 6: ALCOHOL & OTHER DRUGS POLICY

INTRODUCTION

Summit Academy OIC is committed to providing a safe, healthy learning community for all its students, faculty, staff and visitors. We recognize that the improper and excessive use of alcohol and other drugs may interfere with Summit Academy OIC's mission by negatively affecting the health and safety of students, faculty and staff. Due to the harm caused by excessive and illegal use of alcohol and other drugs, Summit Academy OIC has a vested interest in establishing policies to prohibit unlawful behavior and sanctions to address policy violations by members of the Summit Academy OIC community.

Under the Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act Amendments of 1989, Summit Academy OIC is required to have an alcohol and other drug policy and distribute this policy annually to all employees and students. This policy must outline Summit Academy OIC's prevention, education and intervention efforts, and consequences that may be applied by both Summit Academy OIC and external authorities for policy violations. The law also requires that individuals be notified of possible health risks associated with the use and abuse of alcohol and other drugs, and sources of assistance for problems that may arise as a result of use.

DEFINITIONS

For the purpose of this policy, the term "drug" includes:

- Controlled substances, as defined in 21 USC 802, which cannot be legally obtained
- Legally obtainable controlled substances which were not legally obtained, including:
 - Prescribed drugs when prescription is no longer valid (e.g. use of medication after a course of treatment is completed);
 - Prescribed drugs used contrary to the prescription;
 - Prescribed drugs issued to another person.

The term "alcohol" means any substance containing alcohol. This includes items advertised as alcohol-free containing a small amount of alcohol. It also includes items, whether liquid or solid, that contain alcohol even though not sold for human consumption or as a licensed alcoholic beverage or intoxicant.

SUMMIT ACADEMY OIC ALCOHOL AND OTHER DRUGS POLICY

Employees, students, faculty and campus visitors may not unlawfully manufacture, consume, possess, sell, distribute, transfer or be under the influence of alcohol, illicit drugs or controlled substances on Summit Academy OIC property, while driving a Summit Academy OIC vehicle or while otherwise engaged in Summit Academy OIC business. The only exception to this policy is that individuals of legal age may consume alcohol on Summit Academy OIC property when used in connection with a Summit Academy OIC sponsored event.

All members of the Summit Academy OIC campus community are also governed by laws, regulations and ordinances established by federal, state and local municipalities, and will be held accountable by law enforcement representatives of those entities for any illegal activity, including those related to underage drinking. It is the responsibility of all campus members to be aware of these laws.

Any person taking prescription or over-the-counter medication is personally responsible for ensuring that while taking such drugs or medications, he or she is not a safety risk to themselves and others while on Summit Academy OIC property, while driving a Summit Academy OIC vehicle, or while otherwise engaged in Summit Academy OIC business. It is illegal to misuse prescription medication, i.e. continue to use medication when the prescription is no longer valid, use prescribed drugs contrary to the prescription, and give or sell prescribed drugs to another person.

Summit Academy OIC is a smoke-free, tobacco-free facility. All smoking and tobacco use, including cigarettes, pipes, chewing tobacco and e-cigarettes, must take place outdoors in a designated smoking area. **There is no smoking or tobacco use anywhere in front of the building.**

HEALTH RISKS

The use or abuse of alcohol and other drugs increases the risk for a number of health-related and other medical, behavioral and social problems. Below is a general description of the health risks associated with drug use.

ALCOHOL can cause short term effects such as loss of concentration and judgment; slowed reflexes; disorientation leading to higher risk of accidents and problem behavior; long term effects include risk of liver and heart damage, malnutrition, cancer and other illnesses; can be highly addictive to some persons.

AMPHETAMINES can cause short term effects such as rushed, careless behavior and pushing beyond your physical capacity, leading to exhaustion; tolerance increases rapidly; long term effects include physical and psychological dependence and withdrawal can result in depression and suicide; continued high doses can cause heart problems, infections, malnutrition and death.

CANNABIS (marijuana) can cause short term effects such as slow reflexes; increase in forgetfulness; alters judgment of space and distance; aggravate pre-existing heart and/or mental health problems; long term health effects include permanent damage to lungs, reproductive organs and brain function; Can interfere with physical, psychological, social development of young users.

COCAINE (crack) can cause short terms effects such as impaired judgment; increased breathing, heart rate, heart palpitations; anxiety, restlessness, hostility, paranoia, confusion; long term effects may include damage to respiratory and immune systems; malnutrition, seizures and loss of brain function; highly addictive.

DESIGNER DRUGS/SYNTHETIC CANNABINOIDS (bath salts, K2, spice) can cause short term effects such as elevated heart rate, blood pressure and chest pain; hallucinations, seizures, violent behavior and paranoia; may lead to lack of appetite, vomiting and tremor; long-term use may result in kidney/liver failure, increased risk of suicide and death.

HALLUCINOGENS (PCP, LSD, ecstasy, dextromethorphan) can cause extreme distortions of what's seen and heard; induces sudden changes in behavior, loss of concentration and memory; increases risk of birth defects in user's children; overdose can cause psychosis, convulsions, coma and death. Frequent and long-term use can cause permanent loss of mental function.

INHALANTS (nitrous oxide, amyl nitrite, butyl nitrite, chlorohydrocarbons, hydrocarbons) can cause short term effects such as nausea, dizziness, fatigue, slurred speech, hallucinations or delusions; may lead to rapid and irregular heart rhythms, heart failure and death; long-term use may result in loss of feeling, hearing and vision; can result in permanent damage to the brain, heart, lungs, liver and kidneys.

OPIATES/NARCOTICS (heroin, morphine, opium, codeine, oxycodone, china white) can cause physical and psychological dependence; overdose can cause coma, convulsions, respiratory arrest and death; long term use leads to malnutrition, infection and hepatitis; sharing needles is a leading cause of the spread of HIV and hepatitis; highly addictive, tolerance increases rapidly.

SEDATIVES can cause reduced reaction time and confusion; overdose can cause coma, respiratory arrest, convulsions and death; withdrawal can be dangerous; in combination with other controlled substances can quickly cause coma and death; long term use can produce physical and psychological dependence; tolerance can increase rapidly.

TOBACCO (cigarettes, cigars, chewing tobacco) can cause diseases of the cardiovascular system, in particular smoking being a major risk factor for a myocardial infarction (heart attack), diseases of the respiratory tract such as Chronic Obstructive Pulmonary Disease (COPD) and emphysema, and cancer, particularly lung cancer and cancers of the larynx and mouth; nicotine is highly addictive.

For an extensive list of health-related risks please visit The National Institute on Drug Abuse: <http://www.drugabuse.gov/>

WARNING SIGNS

The following are warning signs that may indicate that an individual has a drug or alcohol abuse problem:

Physical and health warning signs of drug and alcohol abuse

- Eyes that are bloodshot or pupils that are smaller or larger than normal.
- Frequent nosebleeds.
- Changes in appetite or sleep patterns.
- Sudden weight loss or weight gain.
- Seizures without a history of epilepsy.
- Deterioration in personal grooming or physical appearance.
- Injuries/accidents and person won't or can't tell you how they got hurt.
- Unusual smells on breath, body, or clothing.
- Shakes, tremors, incoherent or slurred speech, impaired or unstable coordination.

Behavioral signs of drug and alcohol abuse

- Drop in attendance and performance at work or school; loss of interest in extracurricular activities, hobbies, sports or exercise; decreased motivation.
- Complaints from co-workers, supervisors, teachers or classmates.
- Unusual or unexplained need for money or financial problems; borrowing or stealing; missing money or valuables.
- Silent, withdrawn, engaging in secretive or suspicious behaviors.
- Sudden change in relationships, friends, favorite hangouts, and hobbies.
- Frequently getting into trouble (arguments, fights, accidents, illegal activities).

Psychological warning signs of drug and alcohol abuse

- Unexplained change in personality or attitude.
- Sudden mood changes, irritability, angry outbursts or laughing at nothing.
- Periods of unusual hyperactivity or agitation.
- Lack of motivation; inability to focus, appearing lethargic or "spaced out."
- Appearing fearful, withdrawn, anxious, or paranoid, with no apparent reason.

Signs and symptoms of drug or alcohol dependence

Drug and alcohol dependence involves all the symptoms of abuse, but also involves another element: physical dependence.

1. Tolerance: Tolerance means that, over time, you need more drugs to feel the same effects. Do they use more drugs now than they used before? Do they use more drugs than other people without showing obvious signs of intoxication?

2. Withdrawal: As the effect of the drugs wear off, the person may experience withdrawal symptoms: anxiety or jumpiness; shakiness or trembling; sweating, nausea and vomiting; insomnia; depression; irritability; fatigue or loss of appetite and headaches. Do they use drugs to steady the nerves, stop the shakes in the morning? Drug use to relieve or avoid withdrawal symptoms is a sign of addiction.

In severe cases, withdrawal from drugs can be life-threatening and involve hallucinations, confusion, seizures, fever, and agitation. These symptoms can be dangerous and should be managed by a physician specifically trained and experienced in dealing with addiction.

3. Loss of Control: Using more drugs than they wanted to, for longer than they intended, or despite telling themselves that they wouldn't do it this time.

4. Desire to Stop, But Can't: They have a persistent desire to cut down or stop their drug use, but all efforts to stop and stay stopped, have been unsuccessful.

5. Neglecting Other Activities: They are spending less time on activities that used to be important to them (hanging out with family and friends, exercising or going to the gym, pursuing hobbies or other interests) because of the use of drugs.

6. Drugs Take Up Greater Time, Energy and Focus: They spend a lot of time using drugs, thinking about it, or recovering from its effects. They have few, if any, interests, social or community involvements that don't revolve around the use of drugs.

7. Continued Use Despite Negative Consequences: They continue to use drugs even though they know it's causing problems. As an example, person may realize that their drug use is interfering with ability to do their job, is damaging their marriage, making problems worse, or causing health problems, but they continue to use.

Any person observing any of the above behaviors in students, staff, faculty or visitors at Summit Academy OIC should immediately notify a counselor or anyone else in authority at the school.

Any student or employee who suspects either they or someone else may be at risk is encouraged to seek services which can help.

COUNSELING AND TREATMENT PROGRAMS

Alcoholics Anonymous-Greater Minneapolis

24 hrs/day, 7 days/wk

(952) 922-0880

<http://aaminneapolis.org/>

Meridian Behavioral Health

(877) 367-1715

<http://www.meridianprograms.com/>

Minnesota Adult & Teen Challenge

(612) 373-3366

<http://www.mntc.org/>

Narcotics Anonymous-Minnesota Region

24 hrs/day, 7 days/wk

(877) 767-7676

<http://www.naminnnesota.org/>

North Point Health and Wellness Center – Behavioral Health

M & F: 8:30am-5pm; TWTh: 8:30am-7pm (612) 543-2500

<http://www.northpointhealth.org/>

Employees Only:

Employee Assistance Program

24 hrs/day, 7 days/wk (800) 386-7055

SANCTIONS

Summit Academy OIC employees and students who violate this policy are subject to Summit Academy OIC sanctions and may be subject to legal sanctions under local, state or federal law.

Disciplinary sanctions for employees and students include, but are not limited to: warning, confiscation, restitution, dismissal, suspension, expulsion, or referral to the appropriate law enforcement agency for prosecution.

Finally, conviction for possession or sale of illegal drugs can lead to a number of other consequences:

- Loss of the ability to receive federal student aid;
- Denial of other federal benefits such as veteran's benefits, disability, retirement, health, welfare and social security;
- A record of a felony or conviction in a drug-related crime may prevent a person from entering certain career fields.

If you or someone you know struggles with alcohol or drug addiction, we strongly encourage you to seek help as soon as possible.

SECTION 7: EMERGENCY RESPONSE & EVACUATION PROCEDURES

INTRODUCTION

Summit Academy OIC will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees or visitors occurring on the campus. Examples of significant emergencies or dangerous situations include, but are not limited to: fire; outbreak of serious illness; approaching tornado or other extreme weather conditions; earthquake; gas leak; terrorist incident; armed intruder or active shooter; bomb threat; civil unrest or rioting; explosion; or nearby chemical or hazardous waste spill.

GUIDING PRINCIPLES

The President, Vice President, Chief Academic Officer, and/or Chief Financial Officer are responsible for determining when an emergency exists, which segments of the campus community to notify, and through which means, as well as coordinating with the Director of Human Resources, Director of Academic Programs, Director of Student Services and Development Director on the content of any messages. **Only these individuals or their designees are authorized to disseminate official information about campus emergencies to the campus community.**

When a significant emergency or dangerous situation is confirmed to exist by a Campus Security Authority, the President, Vice President, Chief Academic Officer, and/or Chief Financial Officer will take into account the safety of the community; determine what information to release; and begin the notification process without delay unless such notification will compromise efforts to assist a victim, respond to the emergency, or contain or mitigate the emergency.

The entire campus community will be notified when the potential exists for the majority of the community to be affected by an emergency situation, or when a situation threatens the operation of the campus as a whole. If the threat is limited to a segment of the population, notification may be limited to that segment, but additional segments of the population will be notified as ongoing assessment of the situation reveals a need to do so. Once the campus community has been notified, a chief executive or his/her designee will notify the neighboring community as appropriate.

COMMUNICATION IN AN EMERGENCY

In the event of an emergency on campus, Summit Academy OIC relies on an array of communication tools to keep the campus community informed and relay safety instructions. **The modes of communication include the following and vary with the nature and severity of the situation:**

Phone intercom: The front desk staff will make an announcement over the phone intercom system, which will be audible on all campus phones in offices and classrooms.

Video monitors: Announcements will appear on the video monitors on campus.

Door-to-door notification: Campus Security Authorities and other Summit Academy OIC staff members will circulate throughout campus to provide safety instructions to all offices and classrooms.

Email notification: In the event of an emergency, staff and students would be emailed safety information and instructions, and will be notified when the emergency is over.

Social media: Emergency notifications may appear on the organization's Facebook (<https://www.facebook.com/SummitAcademyOIC>) and Twitter (<https://twitter.com/saoic/>) accounts.

Summit Academy OIC home page (www.saoic.org): In the event of an emergency, the home page would be one of the first places school officials would post official information for all audiences.

Text message emergency notifications: Emergency notifications are available via text message through SAOIC's CampusNexus database. Students and staff members have the option to opt-in to text message emergency notifications during their application and onboarding process. Current staff may submit an emergency text message authorization form at any time, available on the employee intranet, to the Director of Human Resources/Title IX Coordinator.

EMERGENCY PROCEDURES

ACTIVE SHOOTER

The prevention of an active shooter on our campus is the best possible scenario. Vigilance and sharing of relevant information is the basis for prevention.

If you see or hear rumors about guns or other weapons on campus, notify a Campus Security Authority (CSA) immediately; **if you are at the Extension Campus and can safely do so, notify the security guard in the lobby.**

HOW TO RESPOND WHEN AN ACTIVE SHOOTER IS IN YOUR VICINITY

Quickly determine the most reasonable way to protect your own life. Remember that students and visitors are likely to follow the lead of employees and managers during an active shooter situation. Call 911 only when you are safe.

1. EVACUATE

If there is an accessible escape path, attempt to evacuate the premises. Be sure to:

- Have an escape route and plan in mind
- Evacuate regardless of whether others agree to follow
- Leave your belongings behind
- Help others escape, if possible
- Prevent individuals from entering an area where the active shooter may be
- Keep your hands visible
- Follow the instructions of any police officers
- Do not attempt to move wounded people
- Call 911 when you are safe

2. HIDE OUT

If evacuation is not possible, find a place to hide where the active shooter is less likely to find you. Your hiding place should:

- Be out of the active shooter's view
- Provide protection if shots are fired in your direction (i.e., an office with a closed and locked door)
- Not trap you or restrict your options for movement

To prevent an active shooter from entering your hiding place:

- Lock the door
- Blockade the door with heavy furniture

If the active shooter is nearby:

- Lock the door
- Silence your cell phone and/or pager
- Turn off any source of noise (i.e., radios, televisions)
- Hide behind large items (i.e., cabinets, desks)
- Remain quiet

If evacuation and hiding out are not possible:

- Remain calm
- Dial 911, if possible, to alert police to the active shooter's location
- If you cannot speak, leave the line open and allow the dispatcher to listen

3. TAKE ACTION AGAINST THE ACTIVE SHOOTER

As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter by:

- Acting as aggressively as possible against him/her
- Throwing items and improvising weapons
- Yelling
- Committing to your actions

HOW TO RESPOND WHEN LAW ENFORCEMENT ARRIVES

Law enforcement's purpose is to stop the active shooter as soon as possible. Officers will proceed directly to the area in which the last shots were heard.

- Officers usually arrive in teams of four (4)
- Officers may wear regular patrol uniforms or external bulletproof vests, Kevlar helmets, and other tactical equipment
- Officers may be armed with rifles, shotguns, handguns
- Officers may use pepper spray or tear gas to control the situation
- Officers may shout commands, and may push individuals to the ground for their safety

How to react when law enforcement arrives:

- Remain calm, and follow officers' instructions
- Put down any items in your hands (i.e., bags, jackets)
- Immediately raise hands and spread fingers
- Keep hands visible at all times
- Avoid making quick movements toward officers such as holding on to them for safety
- Avoid pointing, screaming and/or yelling
- Do not stop to ask officers for help or direction when evacuating, just proceed in the direction from which officers are entering the premises

Information to provide to law enforcement or 911 operator:

- Location of the active shooter
- Number of shooters, if more than one
- Physical description of shooter(s)
- Number and type of weapons held by the shooter(s)
- Number of potential victims at the location

The first officers to arrive to the scene will not stop to help injured persons. Expect rescue teams comprised of additional officers and emergency medical personnel to follow the initial officers. These rescue teams will treat and remove any injured persons. They may also call upon able-bodied individuals to assist in removing the wounded from the premises.

**COPING WITH AN
ACTIVE SHOOTER SITUATION**

PREPARE

- Be aware of your environment and any possible dangers
- Take note of the two nearest exits in any facility you visit

EVACUATE

- If there is an accessible escape path, attempt to evacuate the premises

HIDE OUT

When evacuation is not possible:

- If you are in an office or classroom, stay there and secure the door
- If you are in a hallway, get into a room and secure the door

TAKE ACTION

When evacuation or hiding out are not possible:

- As a last resort, attempt to take the active shooter down. When the shooter is at close range and you cannot flee, your chance of survival is much greater if you try to incapacitate him/her.

**CALL 911 ONLY WHEN IT IS
SAFE TO DO SO!**

Once you have reached a safe location or an assembly point, you will likely be held in that area by law enforcement until the situation is under control, and all witnesses have been identified and questioned. Do not leave until law enforcement authorities have instructed you to do so.

CRIMINAL ACTIVITY

If you witness any of the following, call **9-911** from any campus phone or 911 from your cell phone:

- If you see someone being hurt.
- If you see a crime in progress such as someone stealing or causing damage.
- If you feel threatened or uncomfortable about something happening around you.
- If you see something suspicious.
- If someone talks about a crime that happened or is going to happen.

Do not assume someone else has made or will make the call. Provide the dispatcher(s) with accurate detailed information about the situation so that it can be relayed to appropriate emergency personnel.

EVACUATION

The sounding of the fire alarm means that the building must be evacuated immediately.

- Remain calm.
- Proceed to the nearest exit and leave the building, keeping at least 500 feet away.
- Do not return to the building until directed to do so by emergency personnel or a Campus Safety & Security Authority.

FIRE

If you see smoke or fire:

- Yell “Fire!” and activate the nearest fire alarm.
- Proceed calmly to the nearest exit and leave the building, keeping at least 500 feet away.
- Do not return until directed to do so by the fire department.

Remember that **EVERYONE** should evacuate except for responding emergency personnel.

FIRE SAFETY DOs

- DO treat every fire alarm as an emergency. If the alarm sounds, exit the building immediately.
- DO remain in your office or classroom if you are unable to exit the building safely because of smoke or fire. Keep the door closed and await assistance from the fire department. If possible, hang a HELP sign on the window to notify rescue personnel of your location.
- DO close the door behind you if it is safe to leave your office or classroom.
- DO be aware of your classmates and colleagues. If anyone has not evacuated, notify authorities that they are missing and may need assistance.

FIRE SAFETY DON'Ts

- DON'T assume that a fire alarm is a test. Any alarm could be the result of a dangerous fire or another event that requires evacuation of the building.
- DON'T waste time collecting personal items. Take your keys and yourself to safety as soon as possible.

GAS LEAK

If you smell gas:

- As long as you can smell gas, do not operate phones or other electronic equipment.
- Be prepared for possible explosions – stay away from windows, mirrors, overhead fixtures, filing cabinets, bookcases, and electrical equipment.

- Evacuate the building as quickly as possible to an outdoor area away from the source of the leak. (Note: The fire alarm will not sound in the event of a gas leak.)
- Dial 911 only when you are safe.

LOCK DOWN

In the event of a lockdown, the following announcement will be made over the loudspeaker, phone intercoms, and/or by other means: “This is a lockdown, repeat, this is a lockdown. Go to the nearest office or classroom and secure yourself inside.” Please take action to follow directions and assist those around you if you can safely do so.

- Remain calm.
- Close all doors and lock, if possible.
- Turn off all lights and unnecessary equipment.
- Remain as quiet as possible.
- Stay away from windows.

When the condition causing the lockdown has been eliminated, an “all clear – lockdown is over” announcement will be made by campus or emergency personnel.

MEDICAL EMERGENCY

In the event of an injury or illness that poses an immediate risk to a person’s life or health:

- Remain calm.
- Call **9-911** from any campus phone or 911 on your cell phone and provide the operator with the information they ask for.
- Try to make the person comfortable until emergency personnel arrive. **DO NOT MOVE THE INJURED OR ILL PERSON!**
- Notify the front desk that you have called 911 by dialing 0 from any campus phone or 612-377-0150 from your cell phone. Tell the front desk staff where to direct an SAOIC first responder and emergency personnel when they arrive.

The Director of Human Resources maintains a list of staff members who are currently CPR/AED certified. These staff members are indicated with a “+” on the staff directory, which is available to staff members on the company intranet.

<http://as01/SitePages/Home.aspx>

Emergency healthcare providers nearest to our campus include:

Hennepin County Medical Center

730 S. 8th St.
Minneapolis, MN 55415
(612) 873-3000
<http://www.hcmc.org>

North Memorial Medical Center

3300 Oakdale Ave. N.
Robbinsdale, MN 55422
(763) 520-5200
<https://www.northmemorial.com>

SEVERE WEATHER

Hennepin County outdoor warning sirens are used for severe weather warnings, as well as for other situations when people should take shelter. Weather-related sirens are triggered when the National Weather Service has issued a tornado warning, and/or if there are reports of sustained straight-line winds in excess of 70 mph. **All Hennepin County sirens are tested at 1:00 p.m. on the first Wednesday of each month.**

In the event of severe weather:

If you are inside:

- The front desk will make an announcement over the PA and phone intercom system that campus occupants are to take shelter immediately.
- Stay inside.
- Stay away from outside walls, windows, mirrors, glass, overhead fixtures, and unsecured objects such as filing cabinets or bookcases.
- If possible, move to an interior corridor, room or office without windows and crouch low with your hands covering the back of your head and neck.
- If requested, assist persons with disabilities to a safe area.
- Do not leave the shelter area until given the all clear from a Campus Safety & Security Authority. The campus is equipped with weather radios.

If you are outside:

- When sirens sound, seek shelter. No “all-clear” tone will sound. The threat of severe weather does not stop when the sirens stop. Continue to shelter until you are certain you are safe.
- If the siren sounds while you are in your vehicle, get out of it and seek shelter immediately. The safest place to be is in a sturdy building, on the lowest level away from windows. If there is not a building nearby, get as far away from the road and cars as possible and lie in a low area away from trees and cover your head with your arms.

To receive notifications about weather watches, warnings and advisories, you may want to explore free alert services such as those offered by www.weatherchannel.com and www.emergencyemail.org.

SEVERE WEATHER SAFETY – BEST SHELTER AREAS

- Basements
- Rooms constructed of reinforced concrete, brick or block with no windows
- Small interior rooms with no windows such as locker rooms and restrooms
- Hallways, away from doors and windows
- Any protected area away from doors and windows

SEVERE WEATHER SAFETY – WORST SHELTER AREAS

- Gymnasiums and auditoriums
- Rooms with large windows and doors

EMERGENCY RESPONSE & EVACUATION TESTS

Tests of the Summit Academy OIC Emergency Response and Evacuation Procedures are conducted, at a minimum, annually. They may be announced or unannounced. Following a test, the Campus Safety & Security Authorities will meet to review and make any necessary updates to emergency response and evacuation procedures.

All tests, announced or unannounced, will be accompanied by campus-wide public awareness campaigns, which will include:

- posting of current emergency response and evacuation procedure bulletins on all building entrances and exits, common areas and building restrooms;

- campus-wide emails and/or text messages;
- safety procedure reviews in classes or student assemblies;
- safety procedure review in department and all-staff meetings.

TIMELY WARNINGS

Timely warnings are provided to notify students, faculty, and staff of crimes that may represent a serious or ongoing threat to the campus community and to heighten safety awareness. A timely warning also seeks information that may lead to the arrest and conviction of the offender when violent crimes against persons or substantial crimes against property have been reported.

Timely warnings include information about the crime that triggered the warning, but do not include personally identifiable information about the victim of the crime. Timely warnings also include other available information that Summit Academy OIC determines will help members of the campus community to protect themselves, ranging from descriptive information about suspects to tips on deterring theft. The content and amount of information varies depending on the nature of the threat, the amount of information available to Summit Academy OIC, the risk of compromising law enforcement efforts, and other factors.

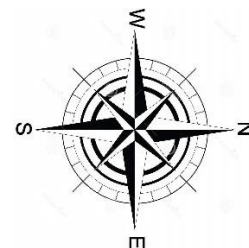
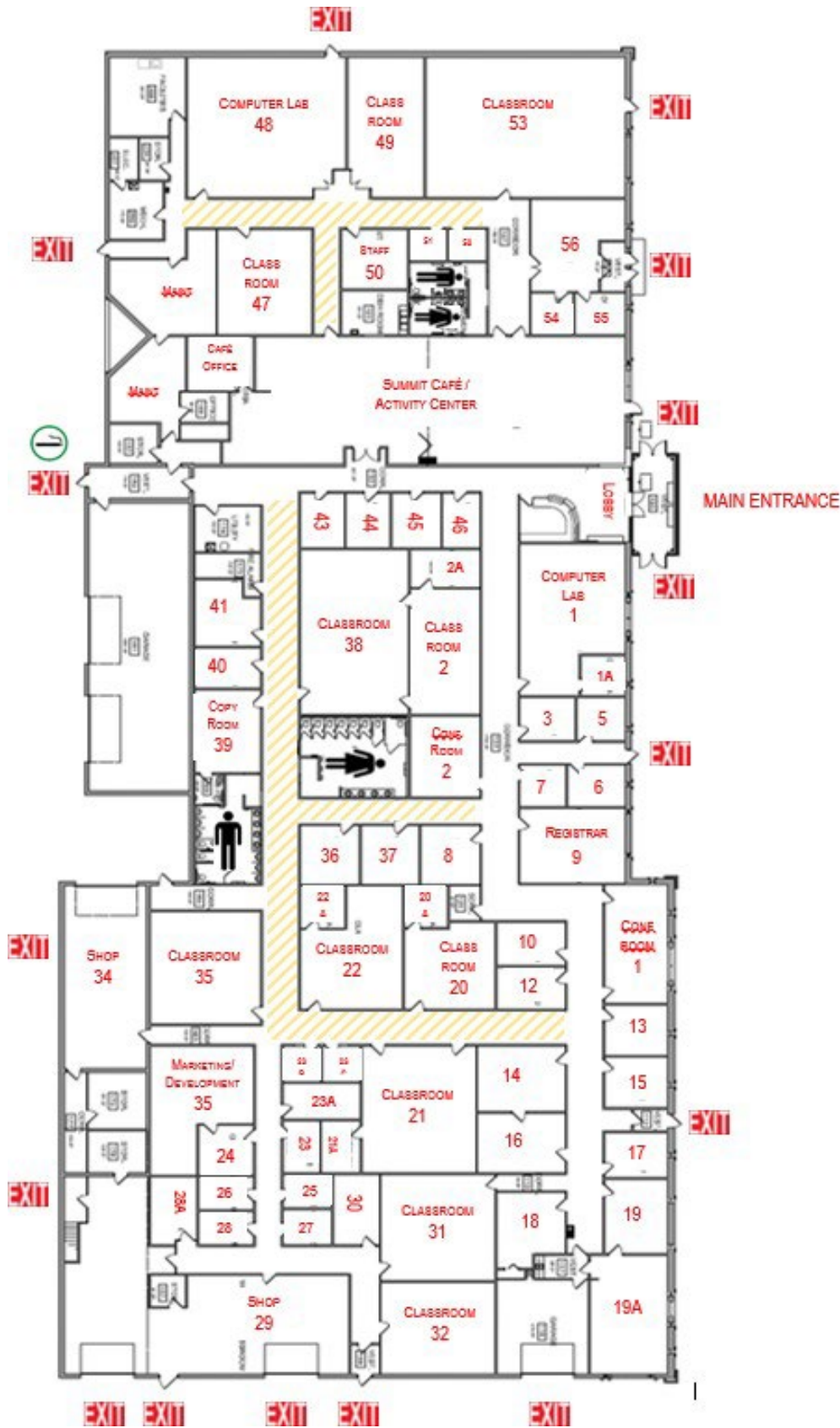
Timely warnings are made only in response to the occurrence of crimes specified in the *Clery Act* (see **Appendix A** for a list of crimes and their definitions). Summit Academy OIC Campus Security Authorities promptly report *Clery Act* crimes committed on campus to the Director of Human Resources/Title IX Coordinator. In addition, the Minneapolis Police Department notifies the Director of Human Resources/Title IX Coordinator of crimes reported to them that may warrant timely warnings.

Decisions to issue a warning are made on a case-by-case basis considering the nature and circumstances of the crime and the danger posed to the community. A warning is only required when the reported crime occurred on campus, or on public property bordering campus (see the campus map on p. 6).

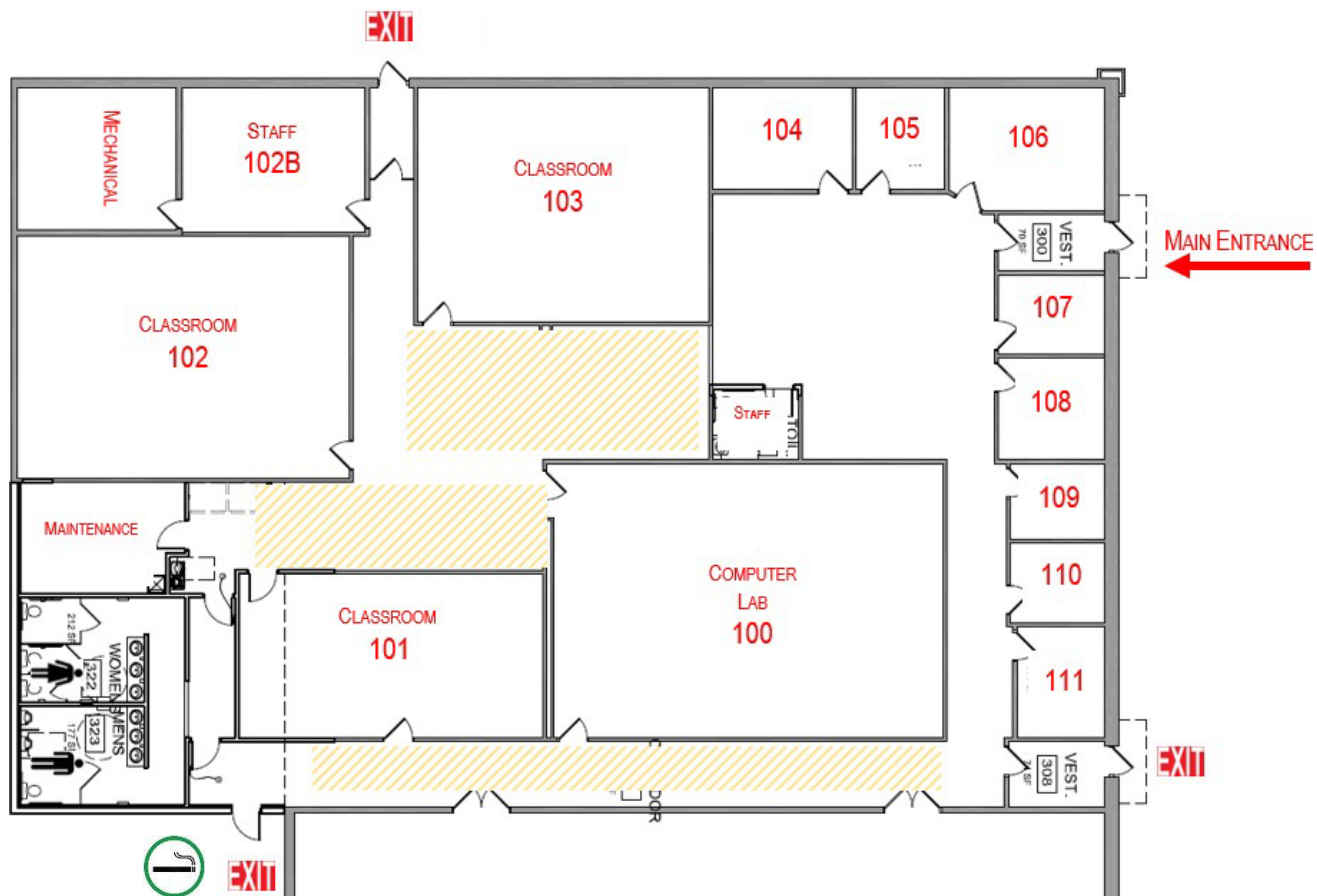
Timely warnings are made by the President, Vice President or Chief Financial Officer or their designee. The Vice President, Chief Financial Officer, or his or her designee consults with the Minneapolis Police Department with regard to crimes occurring on campus.

Timely warnings are made through campus-wide emails and/or text messages sent to students and employees. In addition, bulletins are posted on video monitors, at all building entrances and exits, in common areas and in campus restrooms.

EMERGENCY PREPAREDNESS MAP 935 OLSON MEMORIAL HWY



EMERGENCY PREPAREDNESS MAP – 1017 OLSON MEMORIAL HWY

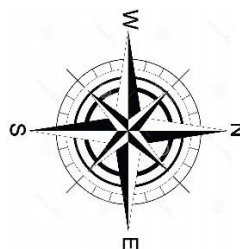


IN CASE OF FIRE OR EVACUATION, PROCEED TO THE NEAREST EXIT.

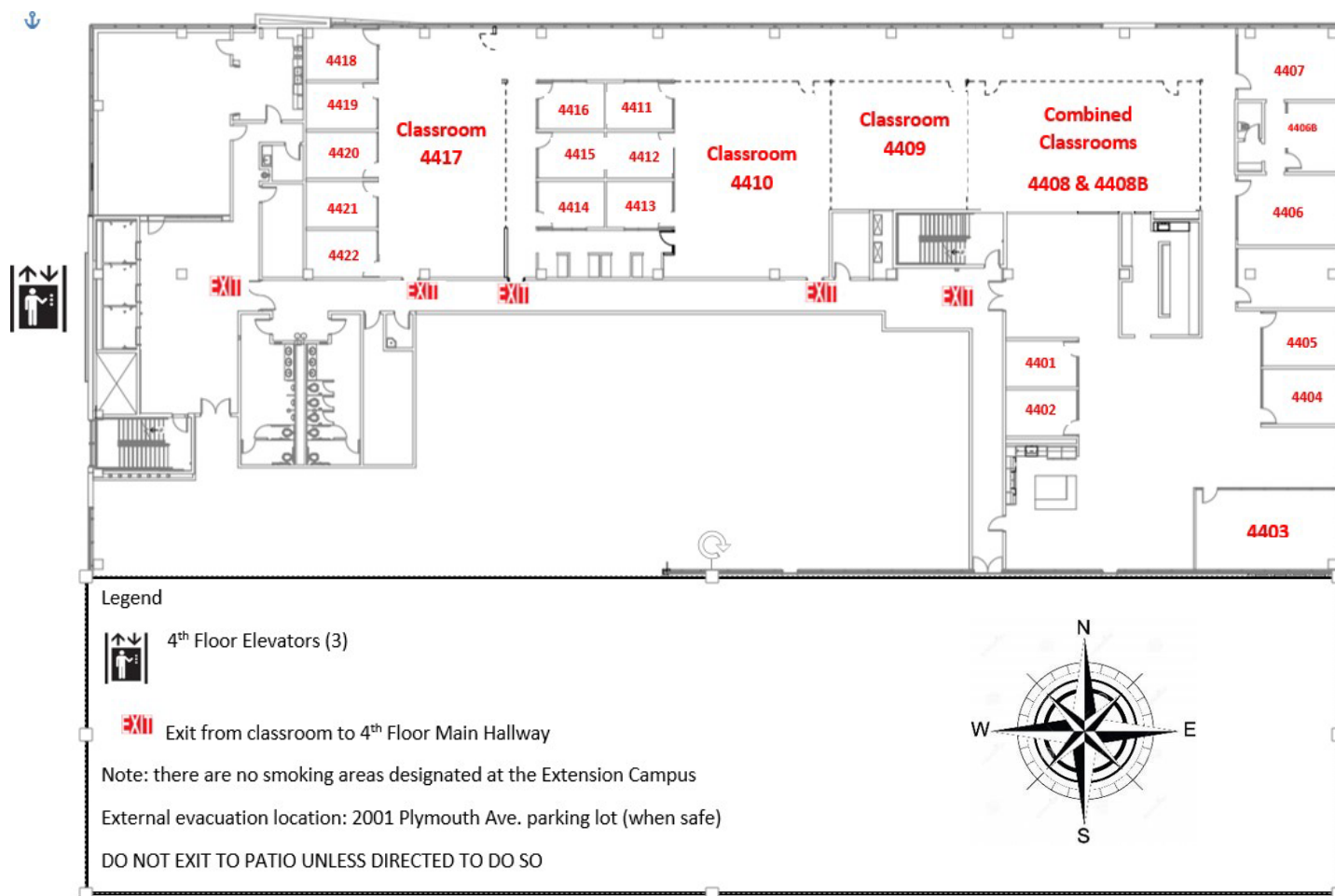
 INDICATES DESIGNATED SHELTER AREA

 DESIGNATED SMOKING AREA

 RESTROOMS



EMERGENCY PREPAREDNESS MAP – 1256 PENN AVE. N., 4TH FLOOR



SECTION 8: CRIME STATISTICS

INTRODUCTION

The crime statistics counted and disclosed below are based on crime definitions provided by the Federal Bureau of Investigation's Uniform Crime Reporting Program. These statistics are disclosed annually in compliance with the *Clery Act*. Crime definitions can be found in **Appendix A** of this report.

A campus geography map approximating the boundaries utilized to determine crime statistics is on p. 6.

CRIMINAL OFFENSES WITHIN CLERY GEOGRAPHY OF MAIN CAMPUS

Offense	2019		2020		2021	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Murder and Non-negligent Manslaughter						
Manslaughter by Negligence	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	2	0	0	0	1	0
Motor Vehicle Theft	0	0	1	0	0	0
Arson	0	0	0	2	0	0

CRIMINAL OFFENSES WITHIN CLERY GEOGRAPHY OF EXTENSION CAMPUS

Offense		2019		2020		2021	
		On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Murder and Non-negligent Manslaughter				0	0	0	0
Manslaughter by Negligence				0	0	0	0
Rape				0	0	0	0
Fondling				0	0	0	0
Incest				0	0	0	0
Statutory Rape				0	0	0	0
Robbery				0	0	0	0
Aggravated Assault				0	0	0	0
Burglary				1	0	0	0
Motor Vehicle Theft				0	2	0	0
Arson				0	0	0	0
Burglary				0	0	0	0
Motor Vehicle Theft				0	0	0	0
Arson				0	0	0	0

HATE CRIMES AT SUMMIT ACADEMY OIC CAMPUSES

A hate crime is defined as a criminal offense that manifests evidence that an individual was targeted due to the perpetrator's bias against the victim on the basis of: race; religion; sexual orientation; gender; gender identity; ethnicity; national origin or disability. There were 0 hate crimes of any characterization reported on the Summit Academy OIC campuses or on unobstructed public areas immediately adjacent to or running through the campuses in the reported calendar years required for this report.

There was 0 incident of destruction/damage/vandalism of property characterized by bias against gender reported on Summit Academy OIC campuses in calendar year 2020.

VIOLENCE AGAINST WOMEN ACT (VAWA) REPORTED OFFENSES AT SUMMIT ACADEMY OIC CAMPUSES

Offense	2019		2020		2021	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Dating Violence	2	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0
Stalking	0	0	0	0	0	0

ARRESTS & REFERRALS FOR DISCIPLINARY ACTION AT SUMMIT ACADEMY OIC CAMPUSES

Offense	2019		2020		2021	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Weapons Arrests	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0
Drug Abuse Arrests	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0

UNFOUNDED CRIMES AT SUMMIT ACADEMY OIC CAMPUSES

An “unfounded crime” is a crime that has been investigated by law enforcement authorities and found to be false or baseless. Only sworn or commissioned law enforcement personnel may unfound a crime.

There have been no unfounded crimes on campus or on unobstructed public areas immediately adjacent to or running through the campuses in the last three (3) years.

DISCIPLINARY ACTIONS AT SUMMIT ACADEMY OIC CAMPUSES

A disciplinary action is a reported crime that occurred on campus in one of the following categories: Weapons (carrying, possessing, etc.); drug abuse violations; or liquor law violations.

There have been no disciplinary actions on the campuses in the last three (3) years.

APPENDIX A – MISCONDUCT COMPLAINANT BILL OF RIGHTS

SEXUAL MISCONDUCT COMPLAINANT BILL OF RIGHTS

1

To be provided with access to support resources, both on- and off-campus, including but not limited to: victim advocacy, housing assistance, academic support, health and mental health services, legal assistance, etc.

2

To obtain interim measures to enable them to continue your education without undue stress or trauma. Interim measures may include changes to academic schedules, no-contact orders, etc.

3

To file a criminal complaint with the appropriate authorities. A Summit Academy staff member will be available to support you through the process, if you so choose.

4

To obtain an order of protection or harassment restraining order at no cost. A Summit Academy staff member will be available to accompany you, if you so choose.

5

To file a formal complaint with the Title IX Coordinator or a Deputy Title IX Coordinator as the first step in the campus disciplinary process.

6

To have your complaint handled respectfully, to be informed about how the campus will protect your privacy and confidentiality, and to have any allegations of retaliation addressed promptly.

7

To have your complaint investigated in a prompt, fair and impartial manner by individuals who have received appropriate training.

8

To receive notice of the allegations and defenses, and to be provided with an opportunity to opportunity to respond.

9

An equal opportunity to identify relevant witnesses and other evidence and to suggest possible questions to be asked of witnesses during the formal process.

10

To present information on their own behalf, including written and oral statements and physical exhibits.

11

To be provided similar and timely access to information considered relevant by the investigator(s), including a written summary of all allegations and defenses, consistent with the Family Education Rights and Privacy Act (FERPA).

12

To receive timely notice of all meetings related to the formal process.

13

To have a support person of the individual's choice, who is not a fact witness, accompany the individual throughout the response and resolution process. The support person is allowed to consult with and advise the individual, but is not otherwise permitted to participate in proceedings.

APPENDIX B – CRIME DEFINITIONS

APPENDIX B CRIME DEFINITIONS

In compliance with the *Clery Act*, the crime definitions that appear below were used to identify and disclose the crime statistics contained in this report. The definitions are provided by the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting (UCR) Program.

The definitions for Murder, Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Weapons Law Violations, Drug Abuse Violations, and Liquor Law Violations are from the *Summary Reporting System User Manual* from the FBI's UCR Program.

The definitions of Fondling, Incest and Statutory Rape are from the FBI's *National Incident-Based Reporting System Data Collection Guidelines*.

Hate Crimes are classified according to the FBI's *Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual*.

For the categories of Domestic Violence, Dating Violence and Stalking, the definitions provided are from the *Violence Against Women Act of 1994*.

Criminal Offense	Definition
Murder and Non-negligent Manslaughter	The willful (non-negligent) killing of one human being by another.
Manslaughter by Negligence	The killing of another person through gross negligence.
Sexual Assault (Sex Offenses)	<p>Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault includes the following sex offenses:</p> <ul style="list-style-type: none">• Rape. The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.• Fondling. The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.• Incest. Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.• Statutory Rape. Sexual intercourse with a person who is under the statutory age of consent. Under Minnesota state law, the statutory age of consent is 16 years of age. Regardless of the age of the perpetrator, it is always statutory rape if the victim is under the age of 13. If the person under the age of consent is between 13 and 16 years old, they can legally consent to sex with someone that is less than 48 months (4 years) older than them.

Robbery	The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
Aggravated Assault	An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
Burglary	The unlawful entry of a structure to commit a felony or a theft.
Motor Vehicle Theft	The theft or attempted theft of a motor vehicle.
Arson	Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
Hate Crimes	<p>A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim according to one of the following 8 categories:</p> <ul style="list-style-type: none"> • Race. A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc. genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites. • Religion. A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g. Catholics, Jews, Protestants, atheists. • Sexual Orientation. A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. • Gender. A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female. • Gender Identity. A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. • Ethnicity. A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. • National Origin. A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. • Disability. A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Hate Crimes

For *Clery Act* purposes, Hate Crimes include the following offenses (defined above): Murder and Non-negligent Manslaughter; Sexual Assault; Robbery; Aggravated Assault; Burglary, Motor Vehicle Theft; Arson. In addition, the crimes defined below are included in Summit Academy OIC Crime Statistics ONLY if they are Hate Crimes:

Crime	Definition
Larceny-Theft	The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.
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 person having custody or control of it.

Violence Against Women Act (VAWA) Offenses

Sexual assault as defined above, in addition to the crimes of dating violence, domestic violence, and stalking as defined below, are included in the crime statistics disclosed in this report in compliance with the *Clery Act* and the *Violence Against Women Act*.

Crime	Definition
Dating Violence	Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition: <ul style="list-style-type: none">Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.Dating violence does not include acts covered under the Definition of domestic violence.
Domestic Violence	A felony or misdemeanor crime of violence committed: <ul style="list-style-type: none">By a current or former spouse or intimate partner of the victim;By a person with whom the victim shares a child in common;By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;

Crime	Definition
	<ul style="list-style-type: none"> 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	<p>Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:</p> <ul style="list-style-type: none"> Fear for the person's safety or the safety of others; or Suffer substantial emotional distress. <p>For the purposes of this definition:</p> <ul style="list-style-type: none"> Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

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

Arrest for *Clery Act* purposes is defined as persons processed by arrest, citation or summons.

Referred for disciplinary action is defined as the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.

Crime	Definition
Weapons: 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. This classification Encompasses all weapons offenses that are regulatory in nature.
Drug Abuse Violations	The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs, including opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (e.g. Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
Liquor Law Violations	The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.