



2025

(Information for 2025-2026 Academic Year)

**Minnesota State College Southeast Annual
Jeanne Clery Campus Safety Act Report**

**Winona Campus
Red Wing Campus**

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Separate Campuses

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

Report Introduction

Minnesota State College Southeast (Southeast) Campus Safety prepares an Annual Report that complies with the Jeanne Clery Campus Safety Act. Southeast contracts with Winona State University (WSU) to provide campus safety services for the two Southeast campuses. WSU Campus Safety assists Southeast in preparing the Jeanne Clery Campus Safety Act. For the remainder of this report, WSU Campus Safety is referred to as Campus Safety. The Campus Safety Report includes criminal reports made to Campus Safety and local law enforcement agencies with jurisdiction over Southeast properties. The report includes crimes reported to have taken place on campus, facilities owned or rented by the institution, public property, and non-campus property as defined in the Jeanne Clery Campus Safety Act. The report is prepared in cooperation with local law enforcement and the Title IX Coordinator. Each entity provides updated information on its educational efforts and programs as required. Reported crimes will also be identified by the location of occurrence.

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

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

Southeast reports the number of arrests on campus to the extent that the institution can obtain such information from the Winona Police Department and the Red Wing Police Department.

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

Southeast publishes the Annual Security Report each year by October 1. The report is distributed to all potential students on the college application form and prospective employees on the job announcement via direct links to the report. All current students, faculty, and staff are sent an email that briefly describes the report and contains the exact internet address where it can be found. Printed copies of the report are available, at no cost, upon request from the Director of Campus Safety at 507-457-5158 or email ccichosz@winona.edu.

In 1990, Congress enacted the *Crime Awareness and Campus Security Act of 1990* (Title II of Public Law 101-542), which amended the *Higher Education Act of 1965 (HEA)*. This act required all postsecondary institutions participating in *HEA*'s Title IV student financial assistance programs to disclose campus crime statistics and security information. The law was amended in 1992, 1998, 2000, 2008, and 2024. The 2024 amendments renamed the law the *Jeanne Clery Campus Safety Act*. The law is named in memory of a student, Jeanne Clery, who was slain in her dorm room in 1986. The law is generally referred to as the *Clery Act*.

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

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

Pursuant to the Student Right to Know and Campus Security Act, Southeast monitors criminal activity, publishes this report, and maintains a three-year statistical history both on campus and at off-campus property or facilities owned or rented by Southeast or organizations recognized by the institution. Southeast will distribute a copy of and/or provide access to this report according to federal law.

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

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

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

Reporting a Crime

Winona Campus

Southeast Campus Safety is located at 265 West Mark St., Winona, MN 55987, 507-457-5555. Campus Safety is the official record for all criminal reports made on campus. Students, staff, and visitors are encouraged to immediately report all criminal activity to Campus Safety or the Winona Police Department, 201 W. 3rd Street, Winona, MN 55987, phone 507-457-6368, or in case of an emergency, call 911. In appropriate cases, reports will also be shared with the Dean of Students/Title IX Coordinator. Campus Safety will assist law enforcement with investigations by providing reports, video surveillance footage, and directory information when requested.

Campus Safety at Southeast is provided by Winona State University (WSU) and Southeast Facilities staff. WSU Campus Safety responds to calls for assistance, alarm calls, assists with investigations, and is the liaison with local law enforcement. WSU Campus Safety does not maintain a regular presence on the Southeast Winona campus. Southeast Facilities is on campus from 5:00 am until 9:30 pm Monday-Thursday, 5:00 am-6:30 pm Friday. Southeast Facilities staff maintain a presence in the summer Monday-Friday, 5:00 am- 4:30 pm.

Crimes should be accurately and promptly reported to Campus Safety or the appropriate police agency when the complainant of a crime elects to, or is unable to, make such a report.

Campus Safety works closely with the Winona Police Department, State, and Federal agencies to track and respond to criminal activity on campus. Criminal reports and any statement relating to these reports that are made to Campus Safety will be forwarded to the Winona Police Department when necessary and required by law.

Organization/Role	Phone Number	Address
WSU Campus Safety	507-457-5555	265 W. Mark St-Winona
Winona Police Department	507-457-6368	201 W. 3 rd Street, Winona
Winona Police Department (Emergency)	911	
Director of Campus Safety	507-457-5555	Room 102-A 265 W. Mark St-Winona

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

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

Red Wing Campus

Southeast Campus Safety is the official record for all criminal reports made on campus. Students, staff, and visitors are encouraged to immediately report all criminal activity to Campus Safety at 507-457-5555 or the Red Wing Police Department, 430 W 6th St, Red Wing, MN 55066, phone (651) 385-3155, or in case of an emergency, call 911. In appropriate cases, reports will also be

shared with the Dean of Students/Title IX Coordinator. Campus Safety will assist the Red Wing Police Department with investigations when requested. There is no Campus Safety staff member at the Red Wing campus. General security of the building and property within the building is the duty of the Facilities staff. Southeast Facilities is on campus from 5:00 am until 6:00 pm Monday-Thursday, 5:00 am-6:00 pm Friday, and occasionally 7:00 am until 4:30 pm on Saturday. Southeast Facilities staff maintain a presence in the summer Monday-Friday, 5:00 am-4:30 pm.

Crimes should be accurately and promptly reported to Campus Safety or the appropriate police agency when the complainant of a crime elects to, or is unable to, make such a report.

Campus Safety works closely with the Red Wing Police Department, State, and Federal agencies to track and respond to criminal activity on campus. Criminal reports and any statement relating to these reports that are made to Campus Safety will be forwarded to the Red Wing Police Department when necessary and required by law.

Organization/Role	Phone Number	Address
Campus Safety	507-457-5555	265 W. Mark St-Winona
Red Wing Police Department	651-385-3155	430 W 6th St, Red Wing
Red Wing Police Department (Emergency)	911	
Director of Campus Safety	507-457-5555	Room 102- 265 W. Mark St-Winona

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

Southeast Facilities staff are recognized as the primary department responsible for providing campus safety services for students, faculty, staff, and campus visitors at the properties that are either owned, leased, or controlled by Southeast within the City of Red Wing.

Campus Safety Officers and General Maintenance Workers are not licensed police officers and do not possess the power of arrest as defined by Minnesota State Statutes. Campus Safety officers, when present on campus, have been granted the authority by the institution's President to enforce institutional policy, which is not inconsistent with federal, state, or local law to make citizens arrests when appropriate under Minnesota State Statute 629.37.

Campus Safety or the Facilities staff do not have any additional patrol jurisdiction other than the Southeast location.

Response to Reports

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

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

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

Winona Campus

When alleged perpetrators are identified as students, the case may be forwarded to the Dean of Students/Title IX Coordinator for investigation and appropriate action. A criminal investigation, arrest, and prosecution can occur independently and at the same time as the campus judicial process. All allegations will be investigated, if feasible. In response to a call, Campus Safety will take the required action, either dispatch a Campus Safety officer or ask the complainant to report to Campus Safety to file an incident report. All reported crimes will be investigated by the institution and may become a matter of public record.

Members of the community are expected to immediately report crimes or emergencies to Campus Safety or the following list of primary campus security authorities (CSAs). The need for incidents to be reported enables Southeast to include them in the annual statistical disclosure and assess them for issuing Timely Warning Notices when deemed necessary.

Organization/Role	Phone Number	Address
Vice President of Student Success	507-453-1443	Room 124A 1250 Homer Road-Winona

Dean of Students/Title IX Coordinator	507-453-1422	Room 124-P 1250 Homer Road-Winona
Campus Safety	507-457-5555	265 W. Mark St-Winona
Director of Campus Safety	507-457-5158	Room 102-A 265 W. Mark St-Winona

Southeast monitors and records, through local police agencies, student criminal activity at non-campus locations of student organizations officially recognized by the institution. Southeast does not have student organizations with non-campus housing facilities.

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

Organization/Role	Phone Number	Address
Winona Police Department	507-457-6368	201 W. 3 rd Street-Winona
Dean of Students/Title IX Coordinator	507-453-1422	Room 124-P 1250 Homer Road-Winona
Campus Safety	507-457-5555	265 W. Mark St-Winona
Director of Campus Safety	507-457-5158	Room 102-A 265 W. Mark St-Winona

Red Wing Campus

When alleged perpetrators are identified as students, the case may be forwarded to the Dean of Students/Title IX Coordinator for investigation and appropriate action. A criminal investigation, arrest, and prosecution can occur independently and at the same time as the campus judicial process. All allegations will be investigated, if feasible. In response to a call, Campus Safety will take the required action, either responding to the location of the incident, contacting an institutional administrator on sight, or contacting the Red Wing Police Department or Facilities staff. All reported crimes will be investigated by the institution and may become a matter of public record.

Members of the community are expected to immediately report crimes or emergencies to Campus Safety or the following list of primary campus security authorities (CSAs). The need for incidents to be reported enables the institution to include them in the annual statistical disclosure and assess them for issuing Timely Warning Notices when deemed necessary.

Organization/Role	Phone Number	Address
Vice-President of Student Success	507-453-1443	Room 201-B 308 Pioneer Road – Red Wing
Dean of Students/Title IX Coordinator	507-453-1422	Room 210-G 308 Pioneer Road – Red Wing
Director of Campus Safety	507-457-5158	Room 102-A 265 W. Mark St-Winona
Campus Safety	507-457-5555	265 W. Mark St-Winona

Southeast monitors and records, through local police agencies, student criminal activity at non-campus locations of student organizations officially recognized by the institution. Southeast does not have any student organizations with non-campus housing facilities.

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

Organization/Role	Phone Number	Address
Red Wing Police Department	651-385-3155	430 W. 6 th St-Red Wing
Dean of Students/Title IX Coordinator	507-453-1422	Room 124-P 1250 Homer Road-Winona
Campus Safety	507-457-5555	265 W. Mark St-Winona
Director of Campus Safety	507-457-5158	Room 102-A 265 W. Mark St-Winona

Winona Campus- Responding Law Enforcement Agencies

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

Red Wing Campus- Responding Law Enforcement Agencies

The Red Wing Police Department, 651-385-3155, patrols the Southeast Red Wing campus and responds to calls on a 24-hour basis. Southeast falls under the jurisdiction of the Red Wing Police Department, which will respond to campus and conduct investigations related to criminal activity reported by members of the campus community. No written memoranda dealing with law enforcement officials or investigations of crimes exist between Southeast and the Red Wing Police Department. Members of the campus community may report criminal acts directly to the

Red Wing Police Department. Campus Safety will also conduct investigations and communicate those investigations and reports to law enforcement when appropriate and required by law.

Voluntary Confidential Reporting

Southeast accepts voluntary confidential reporting of sexual misconduct, dating/relationship violence, stalking or harassment. By utilizing the [Confidential Report Form for Sexual Misconduct, Dating/Relationship Violence, Stalking](#) form:

https://cm.maxient.com/reportingform.php?MSCSoutheast&layout_id=2. Southeast does not accept voluntary confidential reports for other types of crime. If you are the victim of a crime and do not want to pursue action within the institutional system or the criminal justice system, you may still want to consider making a confidential report. With your permission, a Campus Safety officer can file a report on the details of the incident without revealing your identity (except to the Title IX Coordinator in the event of a reported sex offense or sexual harassment). The purpose of a confidential report is to comply with your wish to keep the matter confidential while taking steps to enhance the future safety of yourself and others. With such information, Southeast can keep an accurate record of the number of incidents involving students, employees, and visitors; determine if there is a pattern of crime regarding a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution. Use the [Confidential Report Form for Sexual Misconduct, Dating/Relationship Violence, Stalking](#) form, or copy and paste the following address to access the report form:

https://cm.maxient.com/reportingform.php?MSCSoutheast&layout_id=2

Members of the campus community must be aware that reporting an incident anonymously or providing inadequate information may limit Southeast's investigation or resolving an issue.

In addition to reporting crimes, concerns regarding student welfare, hate incidents, college policy violations, and other concerns can be reported directly to the VP of Student Success, Dean of Students/Title IX Coordinator, or Campus Safety.

Anonymous Reporting at the Winona campus

Southeast does not currently have a mechanism for anonymous reporting, except for reports involving sexual violence. The [Confidential Report Form for Sexual Misconduct, Dating/Relationship Violence, Stalking](#) form is not designed to replace the need to contact Campus Safety directly with information about an emergency, crime in progress, or potentially harmful situation. During those situations, Contact Campus Safety immediately at 507-457-5555 or the Winona Police Department at 507-457-6492, or in case of an emergency, call 911.

Anonymous Reporting at the Red Wing campus:

Southeast does not currently have a mechanism for anonymous reporting except for reports involving sexual violence. The [Confidential Report Form for Sexual Misconduct, Dating/Relationship Violence, Stalking](#) form is not designed to replace the need to contact Campus Safety directly with information about an emergency, crime in progress, or potential harmful situation. During those situations, contact the Red Wing Police Department at 651-385-3155, or in case of an emergency call 911.

Campus Security Authorities (CSAs) and Reporting of Crimes

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

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

- Campus Safety
- Dean of Students/Title IX Coordinator, Faculty or Staff Advisors to Student Organizations on Campus
- Building Access Monitors
- Administrators at Branch/Satellite/Separate Campuses
- Faculty leaders of college college-sponsored off-campus study programs
- Title IX Coordinator and Deputy Coordinator
- Victim Advocates

Winona Campus

These individuals should not attempt to investigate but should instead report and allow Campus Safety or the Winona Police Department to investigate. All CSAs in the Southeast community are required to report alleged criminal activity by contacting Campus Safety at 507-457-5555 and/or the Winona Police Department at 507-457-6302, as well as helping in making the report.

It is Southeast’s position that all campus community members are responsible for reporting any criminal activity they become aware of to the Campus Safety located at 265 W. Mark St., Winona, or 507-457-5555, or the **Winona Police Department at 507-457-6302**. In case of an emergency, call 911.

The online [CSA Report Form](https://secure.southeastmn.edu/csa/) is the desired crime reporting option for Southeast CSAs.
<https://secure.southeastmn.edu/csa/>

Red Wing Campus:

These individuals should not attempt to investigate but should instead report and allow Campus Safety or the Red Wing Police Department to investigate. All CSAs in the Southeast community are required to report alleged criminal activity by contacting Campus Safety at 507-457-5555 and/or the Red Wing Police Department at 651-385-3155, as well as providing assistance in making the report.

It is Southeast's position that all campus community members are responsible for reporting any criminal activity to Campus Safety at 507-457-5555, or the ***Red Wing Police Department at 651-385-3155***, or in case of an emergency call 911.

The online [CSA Report Form](https://secure.southeastmn.edu/csa/) is the desired crime reporting option for Southeast CSAs.

Southeast urges all campus entities that are excluded from mandatory reporting, such as professional mental health counselors, to advise clients who are victims of crime to report those incidents to campus or local law enforcement authorities. They are also encouraged to advise people they are counseling who are victims of crimes that they can report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Southeast does not have pastoral counselors at the Winona or Red Wing campuses.

The function of a CSA is not to determine whether a crime took place. That is the function of the law enforcement professionals working within the criminal justice system. The CSA must report the alleged crime, which was received in good faith, to Campus Safety or the local police.

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

Additional opportunities to report crimes

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

Winona Campus

Organization/Role	Phone Number	Address
Campus Safety	507-457-5555	265 W. Mark St-Winona
Winona Police Department	507-457-6368	201 W. 3 rd Street, Winona
Winona Police Department (Emergency)	911	
Director of Campus Safety	507-457-5555	Room 102 265 W. Mark St-Winona
Vice President of Student Success	507-453-1443	Room 124A 1250 Homer Road-Winona
Dean of Students/Title IX Coordinator	507-453-1422	Room 124-P 1250 Homer Road-Winona

Red Wing Campus

Organization/Role	Phone Number	Address
Campus Safety	507-457-5555	265 W. Mark St-Winona
Red Wing Police Department	651-385-3155	430 W 6th St, Red Wing
Red Wing Police Department (Emergency)	911	
Director of Campus Safety	507-457-5555	Room 102- 265 W. Mark St-Winona
Vice President of Student Success	507-453-1443	Room 201-B 308 Pioneer Road – Red Wing
Dean of Students/Title IX Coordinator	507-453-1422	Room 210-G 308 Pioneer Road – Red Wing

In most cases, a CSA can fulfill their responsibilities while still maintaining complainant confidentiality.

Crime Log

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

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

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

Southeast does not maintain residential housing facilities for the Winona or Red Wing Campuses.

Winona Campus Crime Log

Campus Safety makes the crime log for the most recent 60-day period open to public inspection during normal business hours. When a request for any portion of the crime log older than 60 days is made, Campus Safety will make the requested portion of the crime log available within two business days. To request the crime log, contact the Director of Campus Safety at 507-457-5158 or email at ccichosz@winona.edu. The most recent 60-day crime log for the Southeast-Winona campus is held at the front desk near the receptionist.

Red Wing Campus Crime Log

Campus Safety makes the crime log for the most recent 60-day period open to public inspection during normal business hours. When a request for any portion of the crime log older than 60 days is made Campus Safety will make the requested portion of the crime log available within two business days. To request the crime log, contact the Director of Campus Safety at 507-457-5158 or email at ccichosz@winona.edu. The most recent 60-day crime log for the Southeast-Red Wing campus is held in room 210C.

Geography

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

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

Definitions:

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

Types of Crimes required to be recorded Under the Clery Act

(See Appendix 2 for definitions of the crimes)

Criminal Offenses:

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

Hate crimes(including):

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

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

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

VAWA Offenses:

- Dating violence
- Domestic violence
- Stalking

Arrests and Disciplinary Referrals(including):

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

Clery Crime Statistics for 2022-2024

Winona Campus

OFFENSE	YEAR	ON CAMPUS PROPERTY	NON CAMPUS PROPERTY	PUBLIC PROPERTY	TOTAL
MURDER/NON-NEGLIGENT MANSLAUGHTER	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
RAPE	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
FONDLING	2024	0	0	0	0
	2023	0	1	0	1
	2022	0	0	0	0
INCEST	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
STATUTORY RAPE	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
ROBBERY	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
AGGRAVATED ASSAULT	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
BURGLARY	2024	0	0	0	0
	2023	0	0	0	0
	2022	1	0	0	1
MOTOR VEHICLE THEFT	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
ARSON	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
WEAPONS LAW VIOLATIONS ARREST	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
WEAPONS LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
DRUG LAW ARRESTS	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
DRUG LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
LIQUOR LAW VIOLATIONS ARREST	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0

LIQUOR LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0

Red Wing Campus

OFFENSE	YEAR	ON CAMPUS PROPERTY	NON CAMPUS PROPERTY	PUBLIC PROPERTY	TOTAL
MURDER/NON- NEGLIGENT MANSLAUGHTER	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
RAPE	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
FONDLING	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
INCEST	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
STATUTORY RAPE	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
ROBBERY	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
AGGRAVATED ASSAULT	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
BURGLARY	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
MOTOR VEHICLE THEFT	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
ARSON	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
WEAPONS LAW VIOLATIONS ARREST	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
WEAPONS LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
DRUG LAW ARRESTS	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
DRUG LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0

LIQUOR LAW VIOLATIONS ARREST	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
LIQUOR LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0

Violence Against Women Reauthorization Act (VAWA) statistics 2022-2024

Winona Campus

OFFENSE (VAWA)	YEAR	ON CAMPUS PROPERTY	NON CAMPUS PROPERTY	PUBLIC PROPERTY	TOTAL
DOMESTIC VIOLENCE	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
DATING VIOLENCE	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
STALKING	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0

Red Wing Campus

OFFENSE (VAWA)	YEAR	ON CAMPUS PROPERTY	NON CAMPUS PROPERTY	PUBLIC PROPERTY	TOTAL
DOMESTIC VIOLENCE	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
DATING VIOLENCE	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
STALKING	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0

Hate Crimes

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

If a Hate Crime occurs where there is an incident involving larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

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

Winona Campus Hate Crimes

- 2022: 0 hate crimes to report
- 2023: 0 hate crimes to report
- 2024: 0 hate crimes to report

Red Wing Campus Hate Crimes

- 2022: 0 hate crimes to report
- 2023: 0 hate crimes to report
- 2024: 0 hate crimes to report

Unfounded Crimes

Winona Campus Unfounded Crimes

- 2022: 0 unfounded crimes
- 2023: 0 unfounded crimes
- 2024: 0 unfounded crimes

Red Wing Campus Unfounded Crimes

- 2022: 0 unfounded crimes
- 2023: 0 unfounded crimes
- 2024: 0 unfounded crimes

Hazing Policy and Reporting

Southeast is committed to fostering a safe and inclusive campus environment free from hazing. In compliance with the Stop Campus Hazing Act, the institution has implemented policies and procedures to prevent, address, and report hazing incidents. This federal legislation amends the Jeanne Clery Campus

Safety Act (Clery Act) to include hazing as a reportable offense, and mandates enhanced transparency and prevention efforts.

Federal Definition of Hazing

Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons, regardless of the willingness of such other person or persons to participate, that-

- a. Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- b. Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including-
 - i. Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
 - ii. Causing, coercing or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or similar activity;
 - iii. Causing, coercing or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - iv. Causing, coercing or otherwise inducing another person to perform sexual acts;
 - v. Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - vi. Any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
 - vii. Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

Minnesota State System Hazing Policy

Colleges and universities may hold students accountable for a violation of the behavioral proscriptions contained in their student codes of conduct committed on/off campus when:

- Hazing is involved; or
- The violation is committed while participating in a college- or university-sanctioned or sponsored activity; or
- The victim of the violation is a member of the college or university community; or
- The violation constitutes a felony under state or federal law; or
- The violation adversely affects the educational, research, or service functions of the college or university.

Southeast Hazing Policy

Southeast strictly prohibits hazing. We uphold Minnesota State's policy, helping to ensure our students have a learning environment that promotes their growth, wellness, and safety. Hazing is defined as:

Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:

- I. is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- II. causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including:
 - whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
 - causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
 - causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - causing, coercing, or otherwise inducing another person to perform sexual acts;
 - any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - any activity against another person that includes a criminal violation of local, State, Tribal or Federal law; and
 - any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

Utilize the link below to access Southeast's Student Code of Conduct

https://www.southeastmn.edu/about_us/PoliciesAndProcedures/index.aspx?id=13036&s=1

Reporting Hazing Incidents

Southeast collects statistics on hazing incidents reported to campus security authorities or local law enforcement, as required by the Stop Campus Hazing Act. These statistics are compiled for inclusion in the Annual Security Report. Reported incidents occurring on campus, in or on noncampus buildings or property, or on public property within or immediately adjacent to campus, as defined by the Clery Act, are included in these statistics. Hazing reports may be reported to the student organization advisor, the Student Life Coordinator, the Dean of Students, or the VP of Student Success.

Winona Campus

Organization/Role	Phone Number	Address
Campus Safety	507-457-5555	265 W. Mark St-Winona
Director of Campus Safety	507-457-5555	Room 102 265 W. Mark St-Winona
Vice President of Student Success	507-453-1443	Room 124A 1250 Homer Road-Winona
Dean of Students/Title IX Coordinator	507-453-1422	Room 124-P 1250 Homer Road-Winona

Red Wing Campus

Organization/Role	Phone Number	Address
Campus Safety	507-457-5555	265 W. Mark St-Winona
Director of Campus Safety	507-457-5555	Room 102- 265 W. Mark St-Winona
Vice President of Student Success	507-453-1443	Room 201-B 308 Pioneer Road – Red Wing
Dean of Students/Title IX Coordinator	507-453-1422	Room 210-G 308 Pioneer Road – Red Wing

Reports can also be submitted utilizing the online [Incident Reporting Form](https://cm.maxient.com/reportingform.php?MSCSoutheast&layout_id=0)https://cm.maxient.com/reportingform.php?MSCSoutheast&layout_id=0

Anti-Hazing Investigation

Hazing incidents will follow the current Southeast Student Code of Conduct investigation process outlined as follows.

Student Conduct Complaint Review Process

Any member of the college community may file a written complaint alleging that a student or organization has violated the Student Code of Conduct. The written complaint should be submitted as soon as possible after the incident using the following form: [Incident Reporting Form](https://cm.maxient.com/reportingform.php?MSCSoutheast&layout_id=0) [https://cm.maxient.com/reportingform.php?MSCSoutheast&layout_id=0]

The individual(s) filing the complaint shall be informed of their rights under the [Minnesota Statute 13.04, subdivision 2](#) [[Sec. 13.04 MN Statutes](#)]. The complaint is reviewed by the Dean of Students or designee to determine if there is sufficient evidence to support the complaint.

Based on the initial review, if it is determined that there was likely not a violation of the Student Code of Conduct, or if it is determined there is not enough information available to move forward, the student conduct process does not proceed. All reports and records will be maintained as appropriate.

If, based on the initial investigation, it is determined that there likely was a violation of the Student Code of Conduct, the conduct officer will schedule a meeting with the accused student(s)

No less than two (2) business days prior to the meeting, the student shall be given written notice via email with the date and time of the meeting, and the policies that will be discussed. In incidents where multiple individuals are involved, meetings will be held for each student, unless the conduct officer allows otherwise.

During the meeting, the conduct officer will discuss the policy(ies) as outlined in the email requesting the meeting and review the complaint with the student(s). The complaint may include student/staff report(s), police report(s), and/or other documents that contain additional information.

If a student chooses not to attend the meeting, a decision will be made without the student's perspective, based on the information available. The student will receive the conduct hearing officer's decision via their Southeast email.

The student may have an advisor present at the meeting, who may remain through the meeting and serve only in a consulting capacity to the student. The advisor may not address the conduct officer or speak for the student. The student may consult with the advisor at any time during the meeting.

The Southeast staff member will determine if the student is responsible or not responsible for violating the Student Code of Conduct.

A preponderance of evidence is reached when a Southeast staff member determines, based on all the information available, that it is more likely than not that the alleged violation occurred.

Appeal

Students have the option to appeal a decision within ten (10) business days upon receiving a notification of the outcome of the student conduct procedure

An appeal shall be limited to a review for one or more of the following purposes:

- To determine if the student conduct procedure was followed appropriately and implemented fairly, and whether the student had a reasonable opportunity to prepare a response.
- To determine whether the decision of responsible was based on a preponderance of evidence.
- To determine whether the sanctions are reasonable and consistent with similar outcomes and cases.
- To consider new information pertinent to the case that was not available at the time of the original meeting.

The president or designee will have ten (10) business days to respond to the appeal in writing to the student. Possible outcomes of the appeal include upholding the previous decision and/or sanctions, changing the violations and/or sanctions

To request an appeal, complete the [*Student Conduct Procedure Appeal form*](#).

Suspension and Expulsion Appeal [Formal Hearing]

A student who is subject to a sanction of expulsion or suspension, except summary suspension, may agree to accept the sanction, or may request, in writing within two (2) business days of delivery of the decision, a formal hearing prior to the implementation of the sanction.

In the event of a formal hearing, the college administration will select a Student Code of Conduct Hearing Board. The board will consist minimally of one faculty member, one staff member, and one student member. Training will be provided by an impartial trainer designated by the college. A college administrator, selected by the college president, will facilitate the proceedings. The administrator will not participate in the deliberations or decision making of the panel and shall not be the administrator who delivered the sanction being appealed.

A written notice of findings and conclusions will be provided to the student within ten (10) school days after the hearing. After which, students also have the right to a contested case hearing under Minn. St. Ch.14. Students may invoke a Ch.14 hearing by notifying the Dean of Students within ten (10) business days of the decision on their appeal.

Sanctions

A sanction is a consequence placed upon any student who is found in violation of the Student Code of Conduct. Sanctions help define the student's relationships with Southeast in the context of current and potential future behavior. The sanctions listed below are assigned based on the severity of violation and/or past conduct history. This list is not a progression that students go through.

- **Warning** - A warning is an oral or written notice to students that their conduct has been inappropriate. The warning will note that future violations may result in more serious sanctions. A verbal warning will always be followed up with a written summary of the warning to the student. The written warning or summary will be placed in the student's record.
- **Probation** – A probation period is a specified period of time during which students will have an opportunity to remediate their behavior. Restrictions limiting participation in college classes, activities, spaces, or with certain individuals may be placed on students while they are on probation. Additionally, students may be required to complete specific actions during the probationary period.
- **Suspension** - Denial of the privilege of enrollment for a specified period of time after which the student is eligible to return. Conditions for re-admission may be specified. Notations of suspensions must be posted on transcripts in accordance with System Procedure 3.29.1.

- **Expulsion** - Permanent denial of the privilege of enrollment. Notations of expulsion must be posted on transcripts in accordance with System Procedure 3.29.1.

Summary Suspension

In certain circumstances, a summary suspension may be imposed prior to informal or formal proceedings. A summary suspension may be imposed only when the accused student's presence at Southeast would constitute a threat to the safety and well-being of members of the campus community. To the greatest extent possible before implementing the summary suspension, the accused student must be given oral or written notice of the intent to impose summary suspension and must be given an opportunity to present oral or written arguments against the imposition of the suspension. However, the refusal of a student to accept or acknowledge this notice must not prevent the implementation of a summary suspension.

Notice of the summary suspension must be provided in writing to the student. After the student has been summarily suspended, the student must be provided an opportunity for an informal process or formal hearing within the shortest reasonable time period, not to exceed nine (9) school or business days. During the summary suspension, the student may not be present at Southeast or participate in any Southeast activities without obtaining prior permission from the administrator.

Hazing Statistics

Data collection for hazing incidents began on January 1, 2025, and will be reported in the 2026 Annual Security Report, covering incidents from the 2025 calendar year. No statistics are available for prior years, as this is a new reporting requirement under the Stop Campus Hazing Act.

Hazing Prevention and Awareness Programs

In accordance with the Stop Campus Hazing Act, Southeast has implemented a comprehensive, campus-wide hazing prevention program provided by the [Stop Hazing Organization](https://stophazing.org/) <https://stophazing.org/>. The hazing awareness and prevention education is available for all students and staff, utilizing the online training portals Southeast manages (ELM, D2L).

Campus Hazing Transparency Report

Beginning July 1, 2025, Southeast collects information on hazing incidents involving student organizations found in violation of our standards of conduct. If an incident occurs, the information summarized in the Campus Hazing Transparency Report (CHTR), which is publicly available on the website <https://www.southeastmn.edu/security/index.aspx> no later than December 23, 2025, and updated at least twice annually (January 15 and July 15). The CHTR includes the name of the organization, a general description of the violation, dates of the incident and investigation, findings, and any sanctions imposed, while protecting personally identifiable information in compliance with applicable privacy laws.

Other Applicable Laws:

Minnesota Statute 135A.155 HAZING POLICY.

The Board of Trustees of the Minnesota State Colleges and Universities shall, ..., adopt a clear, understandable written policy on student conduct, including hazing. The policy must include procedures for reporting incidents of inappropriate hazing and for disciplinary actions against individual violators and organizations. The policy shall be made available to students by appropriate means as determined by each institution, which may include publication in a student handbook or other institutional publication, or posting by electronic display on the Internet, and shall be posted at appropriate locations on campus.

Emergency Notification

In the interest of promoting the safety of our campus community, Southeast uses the Finalsite Connect Emergency Notification System (ENS). Emergency messages are sent to students and employees through an email and text message (if a cell phone number is provided) when it is determined that an incident may threaten life, safety, and/or severely impact standard campus operations. The ENS is used for emergency notifications as well as severe weather notifications or school closings.

Finalsite Connect has the capability of sending emails, text messages (if a cell number is provided), as well as automated phone calls announcing an emergency.

Southeast students, faculty, and staff are automatically signed up for Finalsite Connect.
<https://southeastmn.bbcportal.com/>

As a wireless notification system, Finalsite Connect can provide immediate emergency communication and critical information even when computers and landline telephones are compromised. Notifications are brief and identified as a Southeast Alert. They will include information on the situation at hand, what action to take, and where to find additional information.

Southeast will, without delay, attempt to notify the campus as soon as possible upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, staff, and visitors occurring on campus. Warnings may only be withheld if they would compromise efforts to contain the emergency.

Members of the campus community are also encouraged to monitor their college email accounts and the college's website (www.southeastmn.edu) in the event of an emergency or disaster for additional information and instructions. In addition, updates may be posted via college social media (Facebook and X) and by press release to regional media outlets (newspapers, radio, and TV).

The ENS is tested on an annual basis throughout the campus community. Representatives on campus who are responsible for disseminating this information to the campus community include

the following: the Chief Information Officer (CIO) and the Vice President of Finance & Administration (VP).

Call 911 in the event of an emergency.

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

Representatives on campus who are responsible for developing the message and disseminating the information to the campus community include the following: the VP of Finance & Administration, the CIO, and the Director of Campus Safety. Local first responders on the scene of a critical incident or dangerous situation may assist those preparing the emergency notification.

Southeast does have the capability to segment between Winona students, Winona faculty & staff, Red Wing students, and Red Wing faculty & staff. Institution officials will distribute the notification to the affected college community segment.

Determining the Contents of the Emergency Notification

The Director of Campus Safety, in concert with the VP of Finance & Administration, CIO, and Director of Communications, is responsible for determining the contents of the notification. The previously mentioned individuals and those authorized to activate the ENS can craft and disseminate a message without the assistance of others when time is critical, and a message needs to be sent immediately.

In those cases where there are no pre-determined template messages in the system, the individual authorizing the alert will develop the most succinct message to convey the appropriate information to the community.

Procedures Used to Notify the Campus Community

In the event of a situation that poses an immediate threat to members of the campus community, the institution has various methods in place for communicating information quickly. Some or all these methods of communication may be activated in the event of an emergency to all or a segment of the campus community. These methods of communication included in the ENS are:

- Text message
- Voice call
- Southeast email

Face-to-face communication may be used as well to communicate emergency information.

Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the ENS

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

If the Director of Campus Safety, VP of Finance and Administration, and CIO in conjunction with other institution administrators, local first responders, public health officials, and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Southeast community, the following steps will be followed.:

1. A Southeast official will verify that a legitimate emergency or dangerous situation exists, even if all the pertinent details are not known or are not available at the time.
2. Southeast authorized representatives will consider the safety of the community when issuing a notification unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.
3. Southeast officials will, without delay, distribute the notification to the appropriate segment(s) of the campus community. Southeast officials can send emergency messages to the following segments of the Southeast community: Winona students, Winona faculty & staff, Red Wing students, and Red Wing faculty and staff. As soon as the condition that may compromise efforts is no longer present, the institution will issue an emergency notification to the campus community.

Southeast's authorized representatives for disseminating emergency notifications include the following:

- CIO
- Director of Communications
- Director of IT Applications and Integration
- Director of Marketing and Design

Emergency Notification System	Primary Message Creator	Backup Message Creator	Authority for approving and sending messages	Primary Message Sender/Distributor or	Backup Message Sender/Distributor
Star Alert/Finalsite Connect	CIO	Director of Communications	President or designee	CIO	Director of Communications, Director of IT Applications, and Integration
SOUTHEAST Email	CIO	Director of Communications	President or designee	Director of Communications	Director of Communications, Director of IT Applications, and Integration
College Website	Director of Communications	Director of IT Applications and Integration	President or designee	Director of Communications	Director of Communications, Director of IT Applications, and Integration
Facebook/X	Director of Communications	Marketing Director, Director of IT Applications and Integration	President or designee	Director of Communications	Director of Communications, Director of IT Applications, and Integration

Finalsite Connect is an opt-out system, meaning students and staff are automatically enrolled in the ENS. Southeast students and staff are automatically signed up to receive ENS alerts directly via Southeast email and text message if a cellphone number has been provided.

Follow-up information will be distributed using the ENS, except in the case of a fire alarm.

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents/guardians, and other interested parties. If the decision is made to notify the news media, the institution will email the local and regional media entities.

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

Winona Campus

Southeast is required by policy and fire code to have evacuation and emergency operations plans in place. [Evacuation plans](http://southeastmn.edu/security/index.aspx?id=264) <http://southeastmn.edu/security/index.aspx?id=264> and [Emergency Procedures](http://www.southeastmn.edu/security/index.aspx?id=268) <http://www.southeastmn.edu/security/index.aspx?id=268> can be found posted in each classroom, and on the website.

Red Wing Campus

Southeast is required by policy and fire code to have evacuation and emergency operations plans in place. [Evacuation plans](http://southeastmn.edu/security/index.aspx?id=264) <http://southeastmn.edu/security/index.aspx?id=264> and [Emergency Procedures](http://www.southeastmn.edu/security/index.aspx?id=253) <http://www.southeastmn.edu/security/index.aspx?id=253> can be found posted in each classroom, and on the website.

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

Southeast has also posted the [Evacuation plans](http://southeastmn.edu/security/index.aspx?id=264) <http://southeastmn.edu/security/index.aspx?id=264> [Emergency Procedures](http://www.southeastmn.edu/security/index.aspx?id=268) <http://www.southeastmn.edu/security/index.aspx?id=268> Winona Campus, and [Emergency Procedures](http://www.southeastmn.edu/security/index.aspx?id=253) <http://www.southeastmn.edu/security/index.aspx?id=253> Red Wing Campus documents online.

Emergency Response and Evacuation Procedures

Emergency Evacuation Procedures

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

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

Shelter-in-Place Procedures

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

Basic “Shelter-in-Place” Guidance: If an incident occurs and the building you are in is not damaged, stay inside and in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, and proceed to the nearest exit). Once you have evacuated, seek shelter at another building quickly. If Campus Safety, police, or fire department personnel are on the scene, follow their directions.

How You Will Know to “Shelter-in-Place”: A shelter-in-place notification may come from several sources, Campus Safety, the local police department with jurisdiction of the locations (Winona Police Department or Red Wing Police Department), or other authorities utilizing the college’s ENS.

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

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

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

Lockdowns

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

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

Timely Warning

In the event a crime is reported, or a situation arises, within the Southeast Clery geography (On Campus, Public Property, and Non-campus property), that, in the judgment of the Director of Campus Safety and in consultation with responsible authorities (VP of Finance and Administration, CIO, Director of Human Resources) when time permits, constitutes a serious or continuing threat, a campus wide “timely warning” notice will be issued.

Incidents will be evaluated by the Director of Campus Safety or designee, on a case-by-case basis to determine if a serious or ongoing threat to the community exists. The alerts are generally written by the Director of Campus Safety or a designee and distributed to the Southeast community by the Chief Information Officer, Director of Communications, or the IT & Web Developer.

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

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

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

The intent of a Timely Warning is to enable the campus community to protect themselves, and it will include all information that would promote safety and aid in the prevention of similar crimes or protection from specific threats. A Timely Warning may be disseminated using the [*Blackboard Connect ENS*](#) text and email features, campus email system, or any other passive or individual method of notification to students, faculty, and staff.

A Timely Warning will be distributed as soon as pertinent information is available, in a manner that withholds the names of complainants as confidential, and to aid in the prevention of similar occurrences.

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

Southeast Crime Prevention and Educational Opportunities

Southeast produces emails and brochures that community members can use to increase their safety and security.

During the 2024 calendar year, Southeast Winona Campus offered 0 crime prevention and security awareness program.

During the 2024 calendar year, Southeast Red Wing Campus offered 0 crime prevention and security awareness program.

Southeast crime prevention and security educational materials encourage students and employees to be responsible for their security and the security of others by following the tips provided:

- Personal property (purses, backpacks, cell phones, etc.) should never be left unattended. Take such items with you if you are leaving the office, classroom, or your residence.
 - Take valuables home with you during vacations and school breaks.
 - Park your bike where you can keep an eye on it if possible. Always lock your bike.
- **Protect your automobile:**
 - Always lock your car doors and never leave your keys or valuable items such as cameras, wallets, etc. in plain sight or on the seats in the vehicle.
 - Try to park your car in a well-lit area.
- **Protect yourself at night:**
 - Avoid walking alone at night.
 - Refrain from taking shortcuts; walk where there is plenty of light and traffic.
- **Protect yourself walking and jogging:**
 - Avoid walking and jogging alone after dark.
 - Walk along well-lit routes.
 - Be alert to your surroundings. If you suspect you are being followed, run in a different direction, go to the other side of the street and yell for help, or head quickly for a lighted area or a group of people.
 - Have your keys ready when returning to your residence or apartment and keep your personal or valuable items concealed and close to your body.
- **Help us protect you:**
 - Watch for suspicious people in and around college buildings and in parking lots. Do not pursue them. Call Campus Safety or 911 immediately.

- Suspicious activity:
 - If you see any suspicious activity or people on or near campus, call law enforcement. Do not assume that what you observe is an innocent activity or that it has already been reported.
 - Do not assume the person is a visitor or college staff member that you have not seen before.
- Suspicious people may be:
 - Loitering about at unusual hours and locations; running, especially if something of value is being carried.
 - Exhibiting unusual mental or physical symptoms. The person (s) could be under the influence of drugs or otherwise needing medical or psychiatric assistance.
 - Carrying property that might be suspicious, depending on the circumstances, going from room to room, trying door handles.
- Report all thefts and property loss immediately to Campus Safety at 507-457-5555.
- Be security conscious at all times.

Security & Access to Campus Facilities (Infrastructure Security)

During business hours, the Southeast will be open to students, employees, contractors, guests, faculty, and staff. During non-business hours, access to all institution facilities is by key or Southeast ID card. During non-business hours and extended closings, the Southeast will admit only those with prior approval from facilities or administration. Emergencies may necessitate changes or alterations to any established schedule.

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

Students, staff, and visitors are encouraged to report needed repairs to the Southeast Facilities Department.

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

Southeast Winona campus buildings are open from 5:00 am to 9:00 pm, Monday through Thursday, and Friday from 5:00 am until 6:30 pm. Buildings are locked on Saturday and Sunday.

Southeast Red Wing campus buildings are open from 5:00 am to 6:00 pm Monday through Thursday and Friday from 5:00 am until 6:30 pm. Buildings are locked on Saturday and Sunday. The building is typically open Saturday, 7:00 am until 4:30 pm, and is closed Sunday.

Southeast Winona and Red Wing campus summer hours are open 5:00 am until 4:30 pm Monday through Thursday and Friday 5:00 am until 12:00 pm.

Problems related to people in buildings after hours should be reported to Campus Safety (507-457-5555) immediately.

Facilities staff conduct routine patrols of campus buildings during their daily duties to evaluate and monitor security-related matters.

Southeast continuously reviews the physical security infrastructure to ensure appropriate steps are taken to maintain and enhance the safety and security of the campus. The campus works closely and routinely with the Minnesota State Emergency Preparedness and Security Specialist and the Facilities Department to evaluate campus physical security and vulnerability, and programming resources to address any potential threats, vulnerabilities, or contingencies.

Winona campus

Campus Safety is not regularly on campus. General Security assistance is handled by Southeast Facilities Staff.

Red Wing campus

There is not a Campus Safety staff member at the Red Wing campus. General security of the building and property within the building is the duty of the Facilities staff. Basic security functions are handled by the Facilities staff. Facilities staff do not respond to calls for assistance. Red Wing Police Department is the primary entity that provides security functions to the Red Wing campus.

Sexual Assault and Related Offenses

Minnesota State College Southeast follows the Minnesota State Board [*Policy 1B.3 Sexual Misconduct, System Procedure 1B.3.1 Response to Sexual Misconduct and Title IX Sexual Harassment, and System Procedure 1B.1.1 Investigation and Resolution.*](#)

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

This policy applies to Southeast students and employees and others, as appropriate, where incidents of sexual misconduct on Southeast property have been reported.

Reports of sexual misconduct committed by a student at a location other than on Southeast property are also covered by this policy. Reports of sexual violence committed by a Southeast employee at a location other than Southeast property are covered by this policy.

Reports of sexual misconduct committed on Southeast property by individuals who are not students or employees are subject to appropriate actions by Southeast, including, but not limited to, informing the complainant that they may pursue criminal or civil action.

Allegations of discrimination or harassment are governed by Minnesota State Board [*Policy 1B.1 Equal Opportunity and Nondiscrimination in Employment and Education*](#).

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

For detailed information about Southeast's policy and procedure governing sexual violence, visit [*Sexual Misconduct Policy & Procedure*](#).
http://www.southeastmn.edu/about_us/PoliciesAndProcedures/index.aspx?id=13048&s=1

Southeast definitions

Southeast follows the definitions set forth in Minnesota State Policy [*1B.3*](#), Sexual Misconduct Policy, to investigate and address complaints of sexual misconduct (sexual assault, non-forcible sex acts, dating and relationship violence, stalking, and aiding and abetting acts of sexual violence) regarding its employees and students. These policy definitions are as follows:

- **Dating, intimate partner, and relationship violence:** Any physical or sexual harm or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a person, including verbal, psychological, economic, or technological abuse that may be classified as a sexual assault, dating violence, or domestic violence caused by:
 1. a current or former spouse of the individual; or
 2. a person in a sexual, romantic, or intimate relationship with the individual.
- **Non-forcible sex acts:** Non-forcible acts as defined by Minnesota law, including unlawful sexual acts where consent is not relevant, such as sexual contact with an individual under the statutory age of consent, or between persons who are related to each other within degrees wherein marriage is prohibited by law.
- **Sexual assault:** An actual, attempted, or threatened sexual act with another person without that person's affirmative consent.

1. Sexual act includes but is not limited to the following:
 - Intentional and unwelcome touching of a person's intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast) both over and under clothing; or coercing, forcing, or attempting to coerce or force another to touch a person's intimate parts.
 - Sexual intercourse or penetration, no matter how slight, of the vagina or anus of a person, with any body part or object, or oral penetration of a sex organ of another person.
- Affirmative consent is informed, freely given, and mutually understood willingness to participate in sexual activity that is expressed by clear, unambiguous, and affirmative words or actions. Affirmative consent is subject to the following:
 - The person who wants to engage in sexual activity is responsible for ensuring that the other person has consented to the sexual activity.
 - Consent must be present throughout the entire sexual activity and can be revoked at any time.
 - If coercion, intimidation, threats, and/or physical force are used, there is no consent.
 - If the person is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious.
 - A lack of protest, absence of resistance, or silence alone does not constitute consent, and past consent to sexual activities does not imply ongoing future consent.
 - The existence of a dating relationship between the people involved or the existence of a past sexual relationship does not prove the presence of, or otherwise provide the basis for, an assumption of consent.
 - Whether an individual has taken advantage of a position of influence over another person may be a factor in determining consent.
- **Sexual exploitation:** Abuse or attempting to abuse another person's vulnerability, power, or trust and that is for another person's benefit or the benefit of anyone other than the person being exploited. This includes, but is not limited to, sexual voyeurism, sexual extortion, nonconsensual distribution of sexual images, creating or disseminating deepfake or synthetic media depicting intimate parts or sexual acts, prostituting another person, and sex trafficking.
- **Stalking:** A course of conduct (or two or more acts) based on sex directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause reasonable people to fear for their safety or the safety of others or to suffer substantial emotional distress.
- **Title IX Sexual Harassment:** For the purpose of Title IX, sexual harassment is conduct on the basis of sex that occurs in the United States and: (1) on Minnesota State property;

(2) as part of the college's or university's programs or activities; (3) in locations, at events, or in circumstances over which the college or university has exercised substantial control over both the individual who engaged in the prohibited conduct and the context in which the prohibited conduct occurred; and/or (4) in buildings owned or controlled by a student organization that is officially recognized by a college or university. Title IX sexual harassment includes conduct that satisfies at least one of the following:

- An employee of the college or university conditioning the provision of an aid, benefit, or service of Minnesota State on an individual's participation in unwelcome sexual conduct; or
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the college's or university's education program or activity.

The State of Minnesota Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

- **Domestic Violence:** The State of Minnesota refers to its domestic violence statute as Domestic Assault. Domestic Assault is as follows: Whoever does any of the following against a family or household member commits an act with intent to cause fear in another of immediate bodily harm or death; or intentionally inflicts or attempts to inflict bodily harm upon another. See Minn. Stat. [609.2242](#).
- **Dating Violence:** The state of Minnesota does not have a definition of dating violence.
- **Domestic Assault:** The state of Minnesota defines domestic assault as an act committed against a family or household committed with
 - i. the intent to cause fear in another of immediate bodily harm or death; or intentionally inflicts or attempts to inflict bodily harm upon another.
- **Stalking:** The state of Minnesota defines stalking as engaging in conduct which the actor knows or has reason to know would cause the victim under the circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated, and causes this reaction on the part of the victim regardless of the relationship between the actor and victim. See Minn. Stat. [609.749](#).
- **Sexual Assault:** The state of Minnesota does not specifically label or define sexual assault, but rather defines sexual contact and sexual penetration as follows:
- **Sexual Contact:** includes any of the following acts committed without the complainant's consent, except in those cases where consent is not a defense, and committed with sexual or aggressive intent:
 - A. the intentional touching by the actor of the complainant's intimate parts, or
 - B. the touching by the complainant of the actor's, the complainant's, or another's intimate parts effected by a person in a position of authority, or by coercion, or by inducement if the complainant is under 13 years of age or mentally impaired, or

- C. the touching by another of the complainant's intimate parts effected by coercion or by a person in a position of authority, or
- D. in any of the cases above, the touching of the clothing covering the immediate area of the intimate parts, or
- E. the intentional touching with seminal fluid or sperm by the actor of the complainant's body or the clothing covering the complainant's body.
- F. "Sexual contact," for the purposes of sections [609.343, subdivision 1](#), clauses (g) and (h), and [609.345, subdivision 1](#), clauses (f) and (g), includes any of the following acts committed with sexual or aggressive intent:
 - the intentional touching by the actor of the complainant's intimate parts;
 - the touching by the complainant of the actor's, the complainant's, or another's intimate parts;
 - the touching by another of the complainant's intimate parts;
 - in any of the cases listed above, touching of the clothing covering the immediate area of the intimate parts; or
 - the intentional touching with seminal fluid or sperm by the actor of the complainant's body or the clothing covering the complainant's body.
- G. "Sexual contact with a person under 13" means the intentional touching of the complainant's bare genitals or anal opening by the actor's bare genitals or anal opening with sexual or aggressive intent or the touching by the complainant's bare genitals or anal opening of the actor's or another's bare genitals or anal opening with sexual or aggressive intent.
- **Sexual Penetration:** means any of the following acts committed without the complainant's consent, except in those cases where consent is not a defense, whether or not emission of semen occurs:
 - sexual intercourse, cunnilingus, fellatio, or anal intercourse; or
 - any intrusion however slight into the genital or anal openings:
 - of the complainant's body by any part of the actor's body or any object used by the actor for this purpose;
 - of the complainant's body by any part of the body of the complainant, by any part of the body of another person, or by any object used by the complainant or another person for this purpose, when effected by a person in a position of authority, or by coercion, or by inducement if the child is under 13 years of age or mentally impaired; or
 - of the body of the actor or another person by any part of the body of the complainant or by any object used by the complainant for this purpose, when effected by a person in a position of authority, or by coercion, or by inducement if the child is under 13 years of age or mentally impaired.

The State of Minnesota criminal code for criminal sexual conduct.

609.342 CRIMINAL SEXUAL CONDUCT IN THE FIRST DEGREE.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) the complainant suffered personal injury; or

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

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

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

609.343 CRIMINAL SEXUAL CONDUCT IN THE SECOND DEGREE.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) the actor or an accomplice is armed with a dangerous weapon, or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous

weapon and uses or threatens to use the weapon or article to cause the complainant to submit;

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

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

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

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

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

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

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

609.344 CRIMINAL SEXUAL CONDUCT IN THE THIRD DEGREE.

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

- (a) the actor uses coercion to accomplish the penetration;
- (b) the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless;
- (c) the actor uses force, as defined in section [609.341, subdivision 3](#), clause (2); or
- (d) at the time of the act, the actor is in a prohibited occupational relationship with the complainant.

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

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

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

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

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

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

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

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

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

(ii) the complainant suffered personal injury; or

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

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

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

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

609.345 CRIMINAL SEXUAL CONDUCT IN THE FOURTH DEGREE.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) the complainant suffered personal injury; or

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

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

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

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

609.3451 CRIMINAL SEXUAL CONDUCT IN THE FIFTH DEGREE.

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

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

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

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

609.749 HARASSMENT; STALKING

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

(b) The conduct described in subdivision 2, clauses (4) and (5), may be prosecuted at the place where any call is made or received or, in the case of wireless or electronic communication or any communication made through any available technologies, where the actor or victim resides or in the jurisdiction of the victim's designated address if the victim participates in the address confidentiality program established by chapter 5B. The conduct described in subdivision 2, clause (2), may be prosecuted where the actor or victim resides. The conduct described in subdivision 2, clause (6), may be prosecuted where any letter, telegram, message, package, or other object is sent or received or, in the case of wireless or electronic communication or communication made through other available technologies, where the actor or victim resides or in the jurisdiction of the victim's designated address if the victim participates in the address confidentiality program established by chapter 5B.

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

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

- (1) "family or household members" has the meaning given in section [518B.01, subdivision 2](#), paragraph (b);
- (2) "personal information" has the meaning given in section [617.261, subdivision 7](#), paragraph (f);
- (3) "sexual act" has the meaning given in section [617.261, subdivision 7](#), paragraph (g); and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Subdivision 5. Stalking. (a) A person who engages in stalking with respect to a single victim or one or more members of a single household which the actor knows or has reason to know would cause the victim under the circumstances to feel terrorized or to fear bodily harm and which does cause this reaction on the part of the victim, is guilty of a felony and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both.

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

- (1) this section;
- (2) sections [609.185](#) to [609.205](#) (first- to third-degree murder and first- and second-degree manslaughter);
- (3) section [609.713](#) (terroristic threats);
- (4) section [609.224](#) (fifth-degree assault);
- (5) section [609.2242](#) (domestic assault);
- (6) section [518B.01, subdivision 14](#) (violations of domestic abuse orders for protection);
- (7) section [609.748, subdivision 6](#) (violations of harassment restraining orders);

(8) section [609.605, subdivision 1](#), paragraph (b), clauses (3), (4), and (7) (certain trespass offenses);

(9) section [609.78, subdivision 2](#) (interference with an emergency call);

(10) section [609.79](#) (obscene or harassing telephone calls);

(11) section [609.795](#) (letter, telegram, or package; opening; harassment);

(12) section [609.582](#) (burglary);

(13) section [609.595](#) (damage to property);

(14) section [609.765](#) (criminal defamation);

(15) sections [609.342](#) to [609.3451](#) (first- to fifth-degree criminal sexual conduct);

(16) section [609.3458](#) (sexual extortion); or

(17) section [629.75, subdivision 2](#) (violations of domestic abuse no contact orders).

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

Southeast Ongoing Prevention and Awareness Campaign

Primary Prevention and Awareness Programs

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

Southeast makes a concerted effort to promote information in support of reducing and eliminating sexual violence to both students and employees. This includes electronic and printed information about Title IX resources as well as information across campus from our local community resource partners.

Specifically, the College offered the following **primary prevention and awareness programs** for all **incoming students** in calendar year 2024:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Sexual Violence Prevention Training for students	Continuous	Online	Sexual assault, dating and relationship violence, stalking

The College offered the following **primary prevention and awareness programs** for all **new employees** in calendar year 2024:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Employee required trainings	Continuous	Online	Sexual Harassment, Respectful Workplace

Ongoing Prevention and Awareness Campaigns

Winona and Red Wing Campuses

Southeast offered the following ongoing prevention or awareness campaigns in the 2024 calendar year for students and staff.

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
The Clothesline Project & Violence Awareness campaign	Oct 7-11	Winona campus	Domestic, dating and relationship violence
Domestic Violence Awareness Month posters	Month of October	Winona & Red Wing campus	Domestic Violence
Sexual Assault Awareness Month posters	Month of April	Winona & Red Wing campus	Sexual Assault, Stalking
What Were You Wearing Sexual Violence Awareness campaign	Apr 22-26	Red Wing campus	Domestic, dating and relationship violence

Southeast offered the following programs and seminars in sexual assault, dating violence, domestic violence, and stalking in 2024 for students or staff.

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
The Clothesline Project & Violence Awareness campaign	Oct 12-17	Winona campus	Domestic, dating and relationship violence

Domestic Violence Awareness Month posters	Month of October	Winona & Red Wing campus	Domestic Violence
Sexual Assault Awareness Month posters	Month of April	Winona & Red Wing campus	Sexual Assault, Stalking
What Were You Wearing Sexual Violence Awareness campaign	Apr 22-26	Red Wing campus	Domestic, dating and relationship violence
Employee required training	Continuous	Online	Sexual Harassment, Respectful Workplace

Health, Counseling & Wellness Services:

Southeast does not offer physical health services on the Winona or Red Wing campus. Students have access to mental health services from WSU in the form of telehealth. In Red Wing, students can receive in-person mental health services from Hiawatha Valley Mental Health. In Winona, students can receive in-person mental health services from a WSU mental health counselor.

Minnesota State College Southeast Affirmative Action Office

Megan Zeches Winona Campus room 128-L 507-453-2673

Dean of Students Office

Kenney White

Winona Campus- Student Affairs suite, room MA 124-P 507-453-1422

Red Wing Campus- Student Affairs suite, room 210-G 507-453-1422

Winona Campus Safety 507-457-5555

Advocacy Center of Winona 24-Hour Crisis Line 507-452-4453

Bystander Intervention

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

physically abusive towards another and it is not safe for you to interrupt. For more information, please contact the 24-Hour Crisis Line at 507-452-4453.

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

Refer people to on or off-campus resources listed in the Annual Security Report or other resources for support in health, counseling, or legal assistance.

Risk Reduction

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

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

her to a safe place immediately.

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

Reporting an incident of sexual assault, dating or relationship violence, or stalking

Southeast has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and a respondent, such as housing, academic, transportation and working accommodations, if reasonably available. Southeast will make such accommodations if the complainant requests them and if they are reasonably available, regardless of whether the complainant chooses to pursue a campus Title IX investigation or report to local law enforcement. Students and employees should contact the Title IX Coordinator, Kenneth White at 507-453-1422, Winona Campus 124-P. For information on referrals or resources, contact the 24-Hour Crisis line at 507-452-4453 to make a confidential report online use the following link. [Title IX Sexual Misconduct Reporting Form](https://cm.maxient.com/reportingform.php?MSCSoutheast&layout_id=2) or copy and paste the following address to access the report form. https://cm.maxient.com/reportingform.php?MSCSoutheast&layout_id=2

If a report of domestic violence, dating violence, sexual assault or stalking is reported to Southeast, below are the procedures that the institution will follow:

Incident Being Reported	Procedure Institution Will Follow
Sexual Assault	1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care 2. Institution will assess immediate safety needs of complainant 3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 4. Institution will provide complainant with referrals to on and off campus mental health providers 5. Institution will assess need to implement interim or long-term protective measures, if appropriate. 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" directive to accused party if deemed appropriate 8. Institution will provide written instructions on how to apply for Protective Order 9. Institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution 10. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is 11. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation
Stalking	1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" directive to accused party if deemed appropriate
Dating Violence	1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" directive to accused party if deemed appropriate
Domestic Violence	1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence

	5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" directive to accused party if deemed appropriate
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Complainants of sexual violence may report incidents at any time, but individuals are strongly encouraged to make reports promptly to best preserve evidence for a potential legal or disciplinary proceeding.

Complainants are encouraged to report incidents of sexual violence to law enforcement for the location where the incident occurred. Complainants are also encouraged to contact the local victim/survivor services office, counseling, and health care providers, and Southeast CSAs for appropriate action.

When informed of an alleged incident of sexual violence, all Southeast students and employees are urged to encourage and assist complainants, as needed, to report the incident to local law enforcement, local victim/survivor services, and campus security authorities.

If you are a Victim of a Sexual Assault, Dating Violence, Domestic Violence and/or Stalking

1. Go to a safe place.
2. Call the 24-Hour Crisis line 507-452-4453 for crisis intervention and support, assistance with personal safety planning, referrals to resources, what to expect if you report the crime to the college, information about gender-based violence, and information for family and friends of victims/survivors.

If you have been the victim of a sexual assault, you should seek medical attention immediately regardless of whether you report the matter to the campus or the police. Victims can seek medical attention. If in Winona, victims can seek medical attention at Winona Health 855 Mankato Ave, Winona MN 507-454-3650. If in Red Wing, victims can seek medical attention at Mayo Clinic Health System 701 Hewitt Blvd. Red Wing, MN 651-267-5500. By state law, the county in which the sexual assault occurred will pay for the cost of the sexual assault exam.

If you have been the victim of a sexual assault, you should consider having a medical forensic exam completed. This exam will collect evidence related to the assault but does not require you to make a report to law enforcement. Evidence collected during a medical forensic exam will only be tested if a report is made to law enforcement. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing, or clean the bed/linen/area where they were assaulted if the offense occurred within the past 120 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may help obtain a protection order. Forensic exams can be obtained on campus at the WSU Health Center or any local hospital. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, healthcare providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted diseases.

Under Minnesota law, the county in which the sexual assault or rape occurred is responsible for the cost of collecting evidence during your medical forensic examination. The county must pay regardless of whether you report to law enforcement. After your medical forensic examination has been performed, the county may be reimbursed from your insurance with your permission. Counties must obtain your approval before billing your insurance. Whether or not the county uses your insurance is your choice.

Evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining an Order for Protection related to the incident more difficult. If a complainant chooses not to make a report regarding an incident, they nevertheless should consider speaking with Campus Safety or the Winona Police Department or Red Wing Police Department to preserve evidence if they change their mind at a later date.

1. Timely and prompt reporting of a sexual assault within 120 hours is critical in preserving evidence important in proving a criminal case against the assailant. Do not bathe, douche, use the toilet, or change clothing.
2. You may, if you choose, file a police report with the appropriate law enforcement agency. For on-campus incidents contact Campus Safety at 507-457-5555 or Winona Police Department (911, non-emergency 507-457-6302). For Red Wing Southeast at 651-764-1511 or the Red Wing Police Department (911, non-emergency 651-385-3155).
3. If you would like assistance in filing a police report in Campus Safety, the Title IX Coordinator (507-453-1422), or the Advocacy Center of Winona (507-452-4453) can assist you. If you need assistance in Red Wing the Title IX Coordinator or Hope Coalition, 1926 Old W Main St Suite 104 Red Wing, MN 55066 651-388-9360 can help.
4. Southeast has counselors available for the Winona Campus in person or via telehealth. Appointments can be scheduled online at the [Health and Wellness](https://www.southeastmn.edu/current_student/page2.aspx?id=515) website page. https://www.southeastmn.edu/current_student/page2.aspx?id=515
 - a. For those wishing off-campus services in Winona the Advocacy Center of Winona may be contacted at 507-452-4453 (100 Latsch Square, Suite 201, Winona, MN 55987). For off-campus services in Red Wing Hope Coalition, 1926 Old W Main St Suite 104 Red Wing, MN 55066 651-388-9360.
5. In order to reduce contact between the complainant and the alleged assailant, Southeast will, at the request of the survivor, attempt to provide a change in classes, academic schedules, transportation or working arrangements as applicable and take other appropriate remedial measures. Southeast will provide written notice to complainants of these options. These options are available to complainants regardless of whether the complainant chooses to report the crime to law enforcement or campus authorities. Options for support and accommodations as well as options for reporting can be provided by the Title IX Coordinator (507-453-1422) or by 24-Hour Crisis Line (507-452-4453).
6. You have the right to petition for an Order for Protection (OFP) or a Harassment Restraining Order (HRO), the Winona Police Department or Red Wing Police

Department has information available on how to file for and request an OFP or HRO as well as the Advocacy Center of Winona in Winona, MN (507-452-4453) or the Hope Coalition in Red Wing (651-388-9360). Southeast may take actions it deems necessary or appropriate in response to all protection, restraining, or no contact orders.

7. You may contact the Minnesota Crime Victims Reparations Board (651-201-7300). The Crime Victims Reparations Board provides financial help to victims and their families for losses incurred as a result of a violent crime. You may also visit the [MN Department of Public Safety](https://dps.mn.gov/divisions/ojp/help-for-crime-victims/Pages/default.aspx). <https://dps.mn.gov/divisions/ojp/help-for-crime-victims/Pages/default.aspx>

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

After an incident of sexual assault or domestic violence, the complainant should consider seeking medical attention as soon as possible at, if in Winona, Winona Health 855 Mankato Ave, Winona MN (507-454-3650). If in Red Wing, at Mayo Clinic Health System 701 Hewitt Blvd. Red Wing, MN (651-267-5500).

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

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, and other communications, and keeping pictures, logs, or other copies of documents, if they have any, that would be useful to Southeast investigators or police. Although Southeast strongly encourages all members of its community to report violations of this policy to law enforcement, it is the complainant's choice whether to make such a report and complainants have the right to decline involvement with the police. Southeast will assist any complainant with notifying local police if they so desire. The Winona Police Department may also be reached directly by calling 507-457-6302 or in person at 201 West 3rd St. Winona, MN. The Red Wing Police can also be reached directly by calling 651-385-3155 or in person at 430 W 6th St, Red Wing, MN.

Evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining an Order for Protection related to the incident more difficult. If a complainant chooses not to make a report regarding an incident, they nevertheless should consider speaking with the Winona Police Department or Red Wing Police Department to preserve evidence if the complainant changes their mind at a later date.

Additional information about the Winona Police Department or Red Wing Police Department may be found online at their websites: [*Winona Police Department*](#) or [*Red Wing Police Department*](#).

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Kenneth White room 124-P, 1250 Homer Road-Winona by calling, writing, using the [Confidential Report Form for Sexual Misconduct, Dating/Relationship Violence, Stalking](#) form or copy and paste the following address. https://cm.maxient.com/reportingform.php?MSCSoutheast&layout_id=2 or coming into the office to report in person if you so desire. Southeast provides on and off-campus resources for persons who have been victims of sexual assault, domestic violence, dating violence, or stalking. By contacting the 24-Hour Crisis Line 507-452-4453, you can ask for all options and resources available to you.

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

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the institution, below are the procedures that the institution will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report.

When Southeast officials are informed of an alleged incident of sexual violence, shall promptly assist the complainant, as requested. Southeast will:

1. Provide complainant with written information to access medical care, depending on when reported (immediate vs. delayed report).
2. Assess and address immediate safety needs of complainant.
3. Assist complainant with contacting local police if complainant requests and provide contact information for local police department.
4. Provide complainant with referrals to on and off campus mental health providers.
5. Assess the need to implement interim or long-term protective measures, such as housing changes, change in class schedule, “No Contact” directive between both parties.
6. Provide a “No Trespass” directive to accused party if deemed appropriate.
7. Provide written instructions on how to apply for an Order of Protection.
8. Provide a copy of the Sexual Violence Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution.
9. Ensure that both complainant and respondent are informed concurrently of the outcome of the investigation and the right to appeal.
10. Enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.

If a campus investigation is initiated regarding an incident of sexual assault, dating or relationship violence, or stalking, the Title IX Coordinator shall use the investigative procedure outlined in Minnesota State Procedure [1B.1](#) to conduct the investigation. The Title IX Coordinator shall act as the designated officer for purposes of the campus investigation.

Confidentiality

In cases involving allegations of sexual assault, dating or relationship violence, and/or stalking, complainants may request that their names be kept confidential during an initial consultation or the college's investigation. The Title IX Coordinator will decide whether to accommodate such requests but will inform the complainant that doing so will not be possible if, in the judgment of the Title IX Coordinator and under the particular circumstances involved, it would prevent the college from providing a safe and nondiscriminatory environment for the complainant and other members of the campus community. In such cases, the Title IX Coordinator will notify the complainant before disclosing their name to the respondent or other persons. Complainants may renew requests for confidentiality during formal investigations regarding their complaints, but in such cases will be told that the college's ability to proceed with the investigation may be limited as a result. Complainants may request that directory information on file with Southeast be withheld by completing the following form can be found here: [*Southeast Student Forms*](#)

[*https://www.southeastmn.edu/current_student/forms/index.aspx*](https://www.southeastmn.edu/current_student/forms/index.aspx)

Personally identifiable information about the complainant will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the complainant, as defined in 42 USC 1395 (a) (20)). Further, Southeast will maintain as confidential, any accommodations or protective measures provided to the complainant to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Southeast does not publish the name of crime complainants or other identifiable information regarding complainants in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Campus Safety Act*. Furthermore, if a Timely Warning Notice is issued based on a report of dating or relationship violence, sexual assault, or stalking, the name of the complainant and other personally identifiable information about the complainant will be withheld.

In addition, if a student or employee wishes to report an incident of dating or relationship violence, sexual assault, or stalking to the campus, this may be done through the Southeast confidential reporting system by completing the [*Title IX Sexual Misconduct Reporting Form*](#).

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

Information on reports of incidents of sexual violence that are made to Campus Security Authorities shall be documented in accordance with the Jeanne Clery Campus Safety Act,

codified at 20 United States Code section 1092 (f). Such information will be used to report campus crime statistics on college and university campuses as required by that Act.

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

Relevant policies for Southeast can be viewed in their entirety at the following locations.

- [138 - Sexual Misconduct Policy and Procedure \(students\)](#)
- [Minnesota State Sexual Misconduct Policy](#)
- [Minnesota State Response to Sexual Misconduct](#)
- [Minnesota State Report/Complaint of Discrimination/Harassment Investigation and Resolution](#)

Assistance for Victims

Rights and Options: Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, Southeast will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

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

In Minnesota, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

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

6. Sexual assault victims may not be required to undergo a polygraph examination in order for an investigation or prosecution to proceed.

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

Southeast cannot apply for a legal order of protection, no contact order or restraining order for a complainant from the applicable jurisdiction(s). The complainant is required to apply directly for these services. Southeast can assist in completing the necessary paperwork for an Order of Protection, No Contact Order, or Harassment Restraining Order. The protection orders may be available through the Winona County Court Administration or the Goodhue County Court Administration (Red Wing) at no cost. Southeast may issue an institutional no-contact directive if deemed appropriate or at the request of the complainant or accused.

Type of Order	Who Can File for One	Where to go for assistance	Criteria for Order
- Order for Protection (OFP) - Domestic Abuse	- Spouses - Former Spouses - Parents and Children - Persons related by blood - Persons who live together or who have lived together in the past - Persons who have a child in common, even if they have not been married or lived together - Persons who have an unborn child in common - Persons involved in a significant romantic or sexual relationship	- Visit the Winona County Courthouse 171 West 3rd St. Winona, MN or the Goodhue County (Red Wing) Courthouse 454 West Sixth Street Red Wing, MN - District Court staff will help you complete the paperwork (Affidavit and Petition) needed to ask for a temporary "ex parte" Order for Protection. You are called the "Petitioner" and	- physical harm, bodily injury, or assault; or - the infliction of fear of imminent physical harm, bodily injury, or assault; or - terroristic threats, within the meaning of section 609.713, subdivision 1; criminal sexual conduct, within the meaning of section 609.342,

		the person you are filing against is called the "Respondent." • Kenney White, Title IX Coordinator, room 124-P, 1250 Homer Road-Winona can assist students in completing and filing OFP's and harassment orders. • Winona Advocacy Center 507-452-4453 • Red Wing: Hope Coalition 651-388-9360 • 24-Hour Crisis Line 507-452-4453	609.343, 609.344, 609.345, or 609.3451; or interference with an emergency call within the meaning of section 609.78, subdivision 2.
• Harassment Restraining Order (HRO)	• Anybody who does not fall under the criteria for the Order for Protection.	• To file a Harassment Restraining Order, you must first fill out a Court Administration form titled "Petitioner's Affidavit and Petition for Harassment Restraining Order." You may pick up a copy of this form from the <i>Winona County Court Administration</i>, or download it from the Minnesota Court	• A single incident of physical or sexual assault or repeated incidents of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless of

		<u>System's</u> web site. Provide as many details as possible on the form, and return it to Court Administration. • Winona: Advocacy Center of Winona 507-452-4453 • Red Wing: Hope Coalition 651-388-9360 • 24-Hour Crisis Line 507-452-4453	the relationship between the actor and the intended target.
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Accommodations and Protective Measures Available for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault, or stalking, Southeast provides written notification to students and employees about accommodations available to them, including academic, living, transportation, protective orders, and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

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

At the complainant's request, and to the extent of the complainant's cooperation and consent, college offices will work cooperatively to assist the complainant in obtaining accommodations. If reasonably available, a complainant may be offered changes to academic, living, working,

protective measures, or transportation situations regardless of whether the complainant chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, or for assistance in requesting such accommodations, a complainant should speak with the Dean of Students/Title IX Coordinator (for students) or the Director of Human Resources (for employees).

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

Resources for victims

On-Campus: Winona and Red Wing

Topic	Organization/Person	Phone Number
Counseling & Mental Health	Southeast Counseling • Winona • Red Wing	507-453-2700
	Mantra Health	https://hub.mantrahealth.com/login
Reporting Resources	Title IX Coordinator	507-453-1422
Campus Safety	Campus Safety	507-457-5555
Financial Aid	Southeast Financial Aid	507-453-2710 [Winona] 651-385-6323 [Red Wing]

Off-Campus Resources- Winona Campus

Topic	Organization/Person	Phone Number
Counseling & Mental Health	Counseling Associates LLC	507-452-5033
	Hiawatha Valley Mental Health	507-454-4341
Health	Winona Health	507-454-3650
Victim Services and Advocacy	Women's Resource Center	507-452-4453
Visa and Immigration Assistance	International Services	507-457-5303
Law Enforcement	Winona Police Department	911, non-emergency 507-457-6302

Off-Campus Resources-Red Wing Campus

Topic	Organization/Person	Phone Number
Counseling & Mental Health	Hiawatha Valley Mental Health	651-327-2270
Health	Mayo Health System	651-385-3260
Victim Services and Advocacy	Hope Coalition	1-800-519-6690
Law Enforcement	Red Wing Police Department	911, non-emergency (651) 385-3155
Legal Assistance	Southeast does not endorse or recommend a particular	Refer to Red Wing phonebook

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

- [*Minnesota Coalition Against Sexual Assault*](#)
- [*Rape, Abuse and Incest National Network*](#)
- [*Department of Justice*](#)

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

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

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

Relevant policies for Southeast can be viewed in their entirety at the following locations.

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- [Minnesota State Sexual Misconduct Policy](#)
- [Minnesota State Response to Sexual Misconduct](#)
- [Minnesota State Report/Complaint of Discrimination/Harassment Investigation and Resolution](#)

The institution does not publish the name of crime victims nor house identifiable information regarding victims in the Daily Crime Log or online. Victims may request that directory

information on file be removed from public sources by request at the Registrar's Office at 651-385-6328.

Procedures for Campus Disciplinary Action for VAWA Offenses

Response to Sexual Misconduct

Purpose

To provide a process through which individuals alleging sexual misconduct or retaliation may pursue a complaint, pursuant to Board Policy 1B.3 Sexual Misconduct Policy prohibiting sexual misconduct and retaliation. This procedure provides guidelines for implementing the Title IX regulations for discrimination based on sex, which includes sexual misconduct as described in Board Policy 1B.3. For conduct that does not meet these definitions of sexual misconduct or is outside the scope of the jurisdiction as described within this procedure, another process may be used, including System Procedure 1B.1.1 Investigation and Resolution or other disciplinary procedures for students and employees.

Reporting Incidents of Sexual Misconduct

Subpart A. Prompt reporting encouraged

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

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

Subpart B. Required reports

Any campus security authority, or college or university employee with supervisory or student-advising responsibility who has been informed of an alleged incident of sexual misconduct shall follow college or university procedures for making a report for the annual crime statistics report. In addition, the campus security authority or any college or university employee with supervisory or student-advising responsibility who has been informed of an alleged incident of sexual misconduct shall report to the Title IX Coordinator in order to initiate any applicable supportive measures, investigation, or other resolution procedures.

Campus security authorities may be obligated to report to law enforcement the allegation that an incident of sexual misconduct has occurred. The complainant's name or other personally identifiable information will be provided only with the consent of the complainant, except as may be required or permitted by law. When the college or university receives a report of sexual misconduct, it has an obligation to respond in a timely and appropriate manner. Making a report to the Title IX Coordinator does not require an individual to begin or participate in the process outlined in this procedure or to report to local law enforcement. However, based on the information gathered, the Title IX Coordinator may determine that there is a responsibility to move forward with the process (even without the participation of the complainant). If a complainant requests that their name or other identifiable information not be shared or that no action be taken against the respondent, the Title IX coordinator will evaluate the request.

Subpart C. Anonymous reports

Each college and university has an online option to allow for anonymous reporting of sexual misconduct.

When made, there are limits to the Title IX Coordinator's ability to investigate, respond, and provide remedies, depending on the information provided; only formal complaints are guaranteed the process outlined in this procedure. Measures intended to protect the community or redress or mitigate harm may be enacted. It also may not be possible to provide supportive measures to complainants who are the subject of anonymous reports. However, contact information for any on-campus departments and off-campus organizations serving victims of sexual misconduct will be provided, as feasible.

Part 4. Confidentiality of reporting

Confidential reports and resources

Because of laws concerning government data contained in Minn. Stat. Ch. 13 Government Data Practices, colleges and universities cannot guarantee confidentiality to those who report incidents of sexual misconduct or retaliation except where those reports are privileged communications with licensed healthcare professionals. Some off-campus reports also may be legally privileged by law, such as reports to clergy, private legal counsel, or healthcare professionals.

Students may seek confidential resources at colleges or universities that offer student health or counseling services on campus. A staff member(s) is designated to serve as confidential resources for victims of sexual misconduct; communication with a designated confidential resource is considered private. Alternatively, complainants may speak with individuals not affiliated with the college or university without concern that these individuals will be required to disclose information to the institution without permission. These individuals may include licensed professional counselors and other medical providers, local rape crisis counselors, domestic violence resources, and other local or state assistance agencies. Students may request information about confidential resources from the Title IX Coordinator.

Part 5. Procedure Principles

Subpart A. Notice of report or complaint

A report provides the college or university notice of an allegation or concern about sexual misconduct or retaliation and provides an opportunity for the Title IX Coordinator to provide information, resources, and supportive measures. A formal complaint informs the college or university that the complainant would like to initiate an investigation or other appropriate resolution procedures. A complainant or individual may initially make a report and may decide at a later time to make a Formal Complaint.

Subpart B. Notice of complainant's rights

Complainants must be notified of the following:

- a. Their right to make a report to local law enforcement officials in sexual misconduct cases that may constitute criminal behavior.
- b. Rights under the crime victims bill of rights, Minn. Stat. §§ 611A.01 – 611A.06, including the right to assistance from the Crime Victims Reparations Board and the commissioner of public safety.
- c. Availability of prompt assistance from campus officials, upon request, in notifying the appropriate campus investigating authorities and law enforcement officials, and, at the direction of law enforcement authorities, assistance in obtaining, securing, and maintaining evidence in connection with a sexual misconduct incident.
- d. Assistance available from campus authorities in preserving for a sexual misconduct complainant materials relating to a campus disciplinary proceeding.
- e. Their right to decide whether to report a case to law enforcement or not report altogether; participate in a campus investigation, disciplinary proceeding, or informal resolution; or not participate altogether.
- f. Their right to decide when to repeat a description of the incident of sexual misconduct.

- g. The prohibition of any campus authority to suggest the complainant was at fault for the sexual misconduct or should have behaved differently to prevent the misconduct;
- h. The availability of a campus or local program providing victim advocacy services and information on free legal resources and services.
- i. Complaints of incidents of sexual misconduct made to campus security authorities must be promptly and appropriately resolved.
- j. Upon a complainant's request, the college, university, or system office may take action and other supportive measures to prevent unwanted contact with the respondent, including, but not limited to, transfer of the complainant and/or the respondent to alternative classes, or to a work site or to alternative college-owned housing, if such alternatives are available and feasible.
- k. Upon request and consistent with laws governing access to student records, provide a complainant who reported an incident of sexual misconduct with access to their description of the incident as it was reported to the institution, including if that student transfers to another postsecondary institution.
- l. Upon request, students who report sexual misconduct to the college or university and subsequently choose to transfer to another college or university will be provided with information about resources for victims of sexual misconduct at the college or university to which the complainant is transferring.

Subpart C. Equitable procedural rights

College and university investigation and disciplinary procedures concerning allegations of sexual misconduct against employees or students must:

- 1. Be respectful of the needs and rights of individuals involved and treat them with dignity;
- 2. Proceed as promptly as possible;
- 3. Provide copies of the applicable policy and procedure, including available supportive measures;
- 4. Ensure impartiality during the process and for the procedure to be conducted by an individual who does not have a conflict of interest or bias and who will have not less than annual training on the applicable policy and procedure;
- 5. Permit a student complainant and a student respondent to have the same opportunity to have an advisor of their choice present at any interview or hearing, in a manner consistent with these procedures and applicable data privacy law;
- 6. Afford employees the right to representation consistent with the appropriate collective bargaining agreement or personnel plan;
- 7. Be conducted in accordance with applicable due process standards and privacy laws;
- 8. Provide the process for submission and consideration of evidence that may be used during a hearing or disciplinary meeting;
- 9. Provide equal opportunities to the complainant and the respondent to inspect and review evidence obtained in an investigation that is directly related to the allegations;
- 10. Provide equal opportunities to the complainant and the respondent to present evidence and witnesses on their behalf during a hearing or proceeding;
- 11. Provide each party with timely and equal access to relevant evidence that will be used during the formal hearing process, conducted in a manner consistent with this procedure;
- 12. Prohibit and restrict the complainant and the respondent from personally and directly questioning each other during the investigation, hearing, or disciplinary meeting conducted under this procedure;
- 13. Simultaneously inform both the complainant and respondent of the outcome in a timely manner in writing, as permitted by applicable privacy law, and include the right to appeal the decision as provided in this procedure;
- 14. Be based on a preponderance of evidence standard, meaning that it is more likely than not that the policy, procedure, or code has been violated;

15. Prohibit retaliation and follow the established process in this procedure to investigate complaints of retaliation.

The past sexual history of the complainant and respondent must be deemed irrelevant except as that history may directly relate to the incident being considered.

A respondent's use of any drug, including alcohol, judged to be related to an offense, may be considered an exacerbating, rather than mitigating circumstance.

Subpart D. False statements prohibited

Colleges, universities, and the system office take allegations of sexual misconduct very seriously and recognize the consequences such allegations may have on a respondent as well as the complainant. Any individual who knowingly provides false information regarding the filing of a complaint or report of sexual misconduct, or who provides false information during the investigation of such a complaint or report, may be subject to discipline or, under certain circumstances, legal action. Complaints of conduct that are found not to violate policy are not assumed to be false.

Part 6. Investigation and Resolution

The college, university or system office has a duty to take timely and appropriate action to stop behavior prohibited by Board Policy 1B.3, conduct investigations and take appropriate action to prevent recurring misconduct.

Subpart A. Information privacy

Confidentiality of information obtained during an investigation cannot be guaranteed. However, the information will be handled in accordance with applicable federal and state data privacy laws.

Subpart B. Processing the complaint

The Title IX Coordinator must be contacted to initiate a complaint under this procedure. The Title IX Coordinator shall determine the process used in each complaint based on the complexity of the allegations, the number and relationship of individuals involved, and other pertinent factors.

1. **Jurisdiction.** The Title IX Coordinator shall:
 - a. Determine whether the complaint meets the elements of prohibited conduct as outlined in Board Policy 1B.3 to proceed under this procedure;
 - b. Determine if the complaint involves the education program or activity of the college or university and whether the incident occurred in the United States;
 - c. Determine if the complaint occurred outside of the context of employment or education program or activity but has continuing adverse effects on Minnesota State property or in any Minnesota State employment or education program or activity;
 - d. Determine whether the complaint is one that should be processed through another college, university, or system procedure available to the complainant; and
 - e. If appropriate, direct the complainant to that procedure as soon as possible.
2. **No basis to proceed.** At any point during the processing of the complaint, the Title IX Coordinator may determine that there is no basis to proceed under this procedure. The Title IX Coordinator may refer the complaint as appropriate to another college or university process. If the conduct alleged in the formal complaint would not constitute sexual misconduct as defined by Board Policy 1B.3, even if proved, did not occur in the college or university's education program or activity, or did not occur against a person in the United States, then the college or university must dismiss the formal complaint.

The Title IX Coordinator may dismiss a formal complaint or any allegations therein any time during the investigation or hearing if a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the college or university; or specific circumstances prevent the college or university from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. The college or university must promptly notify both the complainant and the respondent of any dismissal.

3. **Conflicts.** The Title IX Coordinator should identify to the president any real or perceived conflict of interest in proceeding as the Title IX Coordinator. If the president determines that a conflict exists, another Title IX Coordinator or Deputy Coordinator must be assigned. The Title IX Coordinator will evaluate and address any concerns of conflicts of interest or bias for those serving in the roles of investigator, informal resolution facilitator, and decision-maker.

Subpart C. Informal resolution

A Title IX Coordinator may offer an informal resolution process if a formal complaint is filed and after providing both parties with a notice of allegations. The parties must voluntarily consent, in writing, to the informal resolution process. At any time before agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the process with respect to the formal complaint. This procedure neither prevents nor requires the use of informal resolution by individuals who believe they have been subject to conduct prohibited in Board Policy 1B.3. Informal resolution must not be used to resolve allegations of sexual misconduct by an employee toward a student.

Subpart D. Formal resolution

The formal resolution process involves two stages: (1) an investigation concluding with an investigation report, which is a summary of the relevant evidence gathered during the investigation; and (2) a live hearing with questioning of both parties, after which a written determination regarding responsibility and disciplinary action will be issued.

1. **Information provided to the complainant.** At the time the complaint is made, the Title IX Coordinator shall:
 - a. Inform the complainant of the provisions of the Board Policy 1B.3 and this procedure;
 - b. Provide a copy of or a weblink for Board Policy 1B.3 and this procedure to the complainant;
 - c. Inform the complainant of their right to have an advisor present during investigatory interviews and the extent of the advisor's involvement;
 - d. Inform the complainant of the provisions of Board Policy 1B.3 prohibiting retaliation;
 - e. Discuss the availability of supportive measures; and
 - f. Explain the process for filing a formal complaint.
2. **Complaint documentation.** The Title IX Coordinator shall ensure that the complaint is documented in writing. The Title IX Coordinator may request, but not require, the complainant to document the complaint in writing using the complaint form of the college, university, or system office. Following the documentation of the formal complaint, the Title IX Coordinator will provide a notice of allegations and investigation to the complainant and the respondent.
3. **Information provided to the respondent.** At the time initial contact is made with the respondent, the Title IX Coordinator shall inform the respondent in writing of the existence and general nature of the complaint and the provisions of the sexual misconduct policy, including the name of the complainant. At the initial meeting with the respondent, the Title IX Coordinator shall:

- a. Provide a copy of or a weblink for Board Policy 1B.3 and this procedure to the respondent;
 - b. Provide sufficient information to the respondent consistent with federal and state data privacy laws to allow the respondent to respond to the substance of the complaint;
 - c. Explain to the respondent that in addition to being interviewed by the investigator, the respondent may provide a written response to the allegations;
 - d. Inform the respondent of their right to have an advisor present during investigative interviews and the extent of the advisor's involvement;
 - e. Discuss the availability of supportive measures;
 - f. Inform the respondent of the provisions of Board Policy 1B.3 prohibiting retaliation; and
 - g. Inform them of the presumption that the respondent is not responsible for the alleged conduct, as a determination regarding responsibility is made at the conclusion of the investigation process.
4. **Investigatory process.** The investigator, who may also be the Title IX Coordinator, shall:
 - a. Conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings;
 - b. Inform the witnesses and other involved individuals of the prohibition against and protection from retaliation;
 - c. Create, gather, and maintain investigative documentation as appropriate;
 - d. Disclose appropriate information to others only on a need-to-know basis consistent with state and federal law, and provide a data privacy notice in accordance with state law;
 - e. Handle all data in accordance with applicable federal and state privacy laws
 - f. Conduct an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence.
 - g. Neither consider nor inquire about the complainant's sexual predisposition, regardless if either party provides information or reference to such.
 - h. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
 - i. Before completing the investigation report, send to both the complainant and the respondent and their advisors, if any, the evidence subject to inspection and review. Both the complainant and the respondent must have at least ten (10) business days to submit a written response to the evidence, which the investigator will consider before completing the investigative report. Both parties and their advisors may use the information solely for purposes of proceedings pursuant to this policy.
 - j. Create an investigative report that fairly summarizes relevant evidence and, at least ten (10) calendar days prior to a formal hearing, send to each party and the party's advisor, the investigative report in an electronic format or a hard copy, for their review and written response.
5. **Witness participation in the investigation.** Both the complainant and respondent have an equitable opportunity through the investigation process to suggest witnesses and identify what information the individuals may contribute to the investigation. Witnesses are encouraged to cooperate with the investigation and to share what they know about the allegations of the formal complaint. Witnesses may also provide written statements in addition to or in lieu of interviews. Generally, witnesses shall be interviewed by the investigator before they would be considered to participate in the formal hearing.
6. **Interview documentation.** It is standard practice for investigators to create a record of all interviews pertaining to the investigatory process, by recording, transcript, or written summary.

The complainant and respondent may review copies of their own interviews upon request. No unauthorized audio or video recording of any kind is permitted during investigation meetings. All interviews are documented, and all involved should be made aware if there is an audio and/or video recording created. The recording and/or transcript of those meetings will be provided to the complainant and respondent for their review, after which the complainant and respondent may suggest additional questions to be asked of another party or witness or additional witnesses. Those subsequent meetings or interviews are also recorded and/or transcribed.

7. Interim actions

- a. **Employee reassignment or administrative leave.** Under appropriate circumstances, the president or chancellor may, in consultation with system legal counsel and labor relations, reassign or place an employee on administrative leave at any point in time during the report/complaint process. In determining whether to place an employee on administrative leave or reassignment, consideration shall be given to the nature of the alleged behavior, the relationships between the parties, the context in which the alleged incidents occurred and other relevant factors. Any action taken must be consistent with the applicable collective bargaining agreement or personnel plan.
 - b. **Student summary suspension or other action.** Under appropriate circumstances, the president or designee may summarily suspend a student at any point during the report/complaint process. A summary suspension may be imposed only in accordance with Board Policy 3.6 and associated system procedures. After the student has been summarily suspended, the report/complaint process should be completed within the shortest reasonable time period, not to exceed nine (9) school or business days. During the summary suspension, the student may not enter the campus or participate in any college or university activities without obtaining prior permission from the president or designee. Other temporary measures may be taken in lieu of summary suspension where the president or designee determines such measures are appropriate.
8. **Timely completion.** Colleges, universities, and the system office shall provide resources sufficient to complete the investigative process and issue a written response in a timely manner after a complaint is made, unless reasonable cause for delay exists. Reasonable cause may include considerations such as the absence of a party, party's advisor or witness, concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities. The Title IX Coordinator shall notify the complainant and respondent if the written response is not expected to be issued within a timely manner. The college, university, or system office must meet any applicable shorter time periods, including those provided within the applicable collective bargaining agreement.

Subpart E. Decision process

If the above methods, including the informal resolution process, have not resolved the complaint within a reasonable period of time to the satisfaction of the Title IX Coordinator, the procedures in this subpart must be followed.

1. **Title IX Coordinator.** The Title IX Coordinator shall:
 - a. Issue the final investigation report.
 - b. Refer the matter for a formal hearing.
2. **Formal Hearing.**
 - a. For formal hearings under this procedure, the Title IX Coordinator will select an appropriate decision-maker who has been properly trained to serve as the hearing administrator to preside over the formal hearing.

The decision-maker, the complainant, the respondent, and their respective advisors will be provided electronic copies of the final investigation report and all relevant but not impermissible evidence, including the names of all parties, witnesses, and advisors, at least ten (10) business days in advance of the hearing.

Pre-hearing meetings will be offered to the complainant and the respondent, along with their advisors, to review the formal hearing process.

Parties should contact the Title IX Coordinator at least three (3) business days prior to the hearing to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, if possible.

- b. The formal hearing is a live meeting that may occur in person or via video technology. During the formal hearing, the decision-maker, complainant, and respondent must be able to simultaneously see and hear each other or a witness while that person is speaking. All formal hearings will be recorded, and the complainant and respondent may request a copy of the recording from the Title IX Coordinator following the hearing, which may only be used in relation to the formal hearing and decision, including any appeal. No unauthorized recordings are permitted.

Persons who may be present for a formal hearing include the Title IX Coordinator or designee, decision-maker, investigator(s), the complainant and their advisor, and the respondent and their advisor, as well as anyone providing authorized accommodations, interpretation, and/or assistive services. Witnesses are present only during their portion of the testimony.

A decision-maker has discretion to respond to evidence or witnesses not included in the investigation report; the decision-maker may decide to proceed without the information or to allow for its inclusion. However, this may delay the hearing, result in the hearing being rescheduled, and or result in the formal complaint being sent back to the investigator for further investigation or verification.

As the hearing administrator at the formal hearing, the decision-maker will facilitate questioning of the parties and witnesses first by the decision-maker and then by the parties through their advisors. The decision-maker must permit the complainant's and the respondent's advisors to ask the other party and any witnesses all relevant questions and follow-up questions, including those regarding credibility. This cross-examination must be conducted directly (the questions may not be asked by the decision-maker), orally, and in real time by the party's advisor and never by a party personally.

- i. Prior to the complainant, respondent, or witness answering a question, the decision-maker must rule on the relevance of the question and explain any decision to exclude a question as not relevant.
- ii. The decision-maker may request, but may not require, that questions by the complainant or respondent be submitted in advance.
- iii. The Title IX Coordinator may otherwise limit the extent to which the party's advisor may participate in the hearing.
- iv. Questions and evidence about the complainant's sexual predisposition or sexual history are not relevant, unless such questions are offered to prove that someone other than the respondent committed the alleged conduct, or regard specific incidents of the prior sexual behavior with respect to

the respondent, and are offered to prove consent. These questions may be submitted prior to the start of the formal hearing.

During the formal hearing, the decision-maker may enforce rules to ensure hearing decorum, such as requiring respectful treatment, specifying any objection process, governing the timing of the hearing, and the length of breaks, etc.

If deemed reliable and relevant by the decision-maker, and not otherwise subject to exclusion under this procedure, the decision-maker may consider the statements of persons who were not present at the hearing, or persons who were present at the hearing but refused to answer a cross-examination question. This includes, but is not limited to, opinions and statements in police reports or other official reports, medical records, court records and filings, investigation notes of interviews, emails, written statements, affidavits, text messages, and social media postings. The decision-maker shall determine the appropriate weight to afford the statements under the circumstances and will do so in a fair and equitable manner. The decision-maker may not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence or refusal to answer cross-examination or other questions. There are no exceptions to this exclusion as there are in legal proceedings.

3. **Deliberation and determination.** Following the formal hearing, the decision-maker shall:
 - a. Decide whether the policy has been violated using the preponderance of evidence standard;
 - b. Determine appropriate disciplinary actions if the policy has been violated; and
 - c. Issue a written determination that must include:
 - I. Identification of the allegations potentially violating Board Policy 1B.3;
 - II. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearing help;
 - III. Findings of fact supporting the determination;
 - IV. Conclusions regarding application of the policy to the facts;
 - V. A statement of, and rationale for the result as to each allegation, including determination regarding responsibility, any disciplinary actions the college or university imposes on the respondent, and whether remedies designed to restore or preserve equal access to the college's or university's education program or activity will be provided by the college or university to the complainant; and
 - VI. The college's or university's procedures and permissible bases for the complainant and respondent to appeal.
 - d. **Disciplinary actions.** May be imposed if a finding is made that sexual misconduct or retaliation has occurred. These include, but are not limited to, sanctions up to and including suspension or expulsion of students, or discipline, up to and including termination from employment, as provided in the applicable bargaining agreement or personnel plan, for employees. The appropriate disciplinary actions will be determined on a case-by-case basis, taking into account the severity of the conduct, the student's or employee's previous disciplinary history, and other factors as appropriate.

The written determination may satisfy the determination elements by adopting portions of the report and recommendation. The decision-maker shall provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the

college or university provides the parties with written determination of the result of an appeal, or the date on which an appeal would no longer be considered timely, regardless of whether an appeal was or was not filed.

The college, university, or system office shall take the appropriate corrective action based on results of the investigation, and the Title IX Coordinator shall make appropriate inquiries to ascertain the effectiveness of any corrective or disciplinary action. Complainants are encouraged to report any subsequent conduct that violates Board Policy 1B.3, including allegations of retaliation.

Subpart F. Resolution

Written notice to parties relating to discipline, resolutions, and/or final dispositions resulting from the report/complaint process is deemed to be official correspondence from the college, university, or system office.

Part 7. Appeals

Subpart A. Appeal of dismissal

The decision to dismiss a formal complaint is appealable by either the complainant or the respondent. All dismissal appeal requests must be filed within three (3) business days of the notification of the dismissal decision. The appeal should specify at least one of the grounds noted in Subpart D and provide any reasons or supporting evidence for why the ground is met. Upon receipt of a written dismissal appeal request, the Title IX Coordinator will share the request and supporting documentation with the other party and provide three (3) business days for the other party and the Title IX Coordinator to respond to the request. At the conclusion of the response period, the Title IX Coordinator will forward the request, as well as any response provided by the other party and/or the Title IX Coordinator to the president or designee for consideration.

Subpart B. Appeal of formal hearing decision

The complainant or the respondent may appeal the decision made by the decision-maker of the formal hearing. An appeal must be filed in writing with the president or designee within ten (10) business days after notification of the decision. The appeal shall specify at least one of the grounds available for appeal, which are provided in Subpart D, and shall provide any reasons or supporting evidence for why the ground is met. In a complaint against a president or other official who reports directly to the chancellor, an appeal may be considered by the chancellor, whether or not the chancellor served as the decision-maker.

Subpart C. Effect of appeal

For employees covered by a collective bargaining agreement, an appeal of the decision under this procedure is separate and distinct from contractual grievance procedures. During the pendency of the appeal, disciplinary or corrective action taken as a result of the decision may be enforced. In cases involving disciplinary action of suspension for ten (10) days or longer, students must be informed of their right to a contested case hearing under Minn. Stat. Ch. 14.

Subpart D. Appeal process

The president or designee shall review the record and determine whether to affirm or modify the decision. Grounds for appeal include the following:

- procedural irregularity that affected the outcome or decision,
- new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter, and
- a conflict of interest or bias by the Title IX Coordinator or decision-maker that affected the outcome of the matter.

The president or designee may receive additional information if the president or designee believes such information would aid in the consideration of the appeal. The decision on appeal must be made within a reasonable time, and the complainant, respondent, and Title IX Coordinator must be notified in writing of the decision, consistent with applicable state and federal data privacy laws. The decision on appeal exhausts the complainant's and respondent's administrative remedies under this procedure except as provided herein.

Part 8. Maintenance of Report/Complaint Procedure Documentation

During and upon the completion of the complaint process, the complaint file must be maintained in a secure location in the office of the Title IX Coordinator for the college, university, or system office, for a period of seven (7) years, in accordance with the applicable records retention schedule. Access to data must be in accordance with the respective collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act, and other applicable law. Information on reports of incidents of sexual misconduct made to campus security authorities must be documented in accordance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, codified at 20 U.S.C. § 1092 (f). The information will be used to report campus crime statistics on college and university campuses as required by the Clery Act.

Each college, university, and the system office shall annually report statistics on sexual assaults to the Minnesota Office of Higher Education. Additionally, the report must be published on each college and university website in accordance with state law.

Southeast uses a preponderance of the evidence standard of evidence in determining violations of its VAWA policies.

Sanctions

Southeast may, at any time during the report/complaint process, reassign or place on administrative leave an employee alleged to have violated [*Minnesota State Board of Trustee Policy 1B.3*](#), in accordance with the procedures in [*Minnesota State Board of Trustee Policy 1B.1.1*](#). Such action must be consistent with the applicable collective bargaining agreement or personnel plan.

Southeast may summarily suspend or take other temporary measures against a student alleged to have committed a violation of [*Minnesota State Board of Trustee Policy 1B.3*](#), in accordance with [*Minnesota State Board of Trustee Policy 1B.1.1*](#) or [*Minnesota State Board of Trustee Policy 3.6*](#).

Sanctions that may be imposed if a finding is made that sexual violence has occurred include, but are not limited to suspension, expulsion of students, or termination from employment for employees. The appropriate sanction will be determined on a case-by-case basis, taking into account the severity of the conduct, the student's or employee's previous disciplinary history, and other factors as appropriate. Witnesses or complainants who report in good faith an incident of sexual violence will not be sanctioned by Southeast for admitting in the report to a violation of the student conduct policy on the use of alcohol or drugs.

Actions by a student or employee intended as retaliation, coercion, discrimination, reprisal, or intimidation against an individual for making a complaint or participating in any way in a report or investigation under this policy are prohibited and are subject to appropriate disciplinary action.

In 2024, there were no sanctions issued for violations.

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

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

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

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

Procedure for employees, students, and individuals who are both an employee and a student:

If the respondent is an employee, the investigation and disciplinary decision-making shall be conducted pursuant to the procedures outlined in Board Procedure 1.B.1.1 except that use of the optional “Personal Resolution” described in Part 3. Subpart B should not be encouraged in dealing with allegations of sexual violence due to the seriousness of the conduct.

Reports can be filed with the following agencies/individuals at Southeast (Winona & Red Wing Campus’) regarding sexual assaults, stalking, harassment, dating violence, and other related incidents:

Title	Phone Number	Location
Dean of Students/Title IX Coordinator	507-453-1422	Room 124-P 1250 Homer Road-Winona
Director of Campus Safety	507-457-5555	Room 102-A W. Mark St - Winona

Parallel Proceedings

Southeast's investigation and disciplinary procedures for allegations of sexual violence will proceed independently of any action taken in criminal or civil courts. Southeast will not delay its proceedings while a parallel legal action is ongoing. If the college is aware of a criminal proceeding involving the alleged incident, they may contact the prosecuting authority to coordinate when feasible. Criminal or civil court proceedings are not a substitute for Southeast policies.

Complainants' rights

Complainants must be notified of the following:

- a. Their right to make a report to local law enforcement officials in sexual misconduct cases that may constitute criminal behavior.
- b. Rights under the crime victims bill of rights, Minn. Stat. §§ 611A.01 – 611A.06, including the right to assistance from the Crime Victims Reparations Board and the commissioner of public safety.
- c. Availability of prompt assistance from campus officials, upon request, in notifying the appropriate campus investigating authorities and law enforcement officials, and, at the direction of law enforcement authorities, assistance in obtaining, securing, and maintaining evidence in connection with a sexual misconduct incident.
- d. Assistance available from campus authorities in preserving for a sexual misconduct complainant materials relating to a campus disciplinary proceeding.
- e. Their right to decide whether to report a case to law enforcement or not report altogether; participate in a campus investigation, disciplinary proceeding, or informal resolution; or not participate altogether.
- f. Their right to decide when to repeat a description of the incident of sexual misconduct.
- g. The prohibition of any campus authority to suggest the complainant was at fault for the sexual misconduct or should have behaved differently to prevent the misconduct;
- h. The availability of a campus or local program providing victim advocacy services and information on free legal resources and services.
- i. Complaints of incidents of sexual misconduct made to campus security authorities must be promptly and appropriately resolved.
- j. Upon a complainant's request, the college, university, or system office may take action and other supportive measures to prevent unwanted contact with the respondent, including, but not limited to, transfer of the complainant and/or the respondent to alternative classes, or to a work site or to alternative college-owned housing, if such alternatives are available and feasible.
- k. Upon request and consistent with laws governing access to student records, provide a complainant who reported an incident of sexual misconduct with access to their description of the incident as it was reported to the institution, including if that student transfers to another postsecondary institution.
- l. Upon request, students who report sexual misconduct to the college or university and subsequently choose to transfer to another college or university will be provided with information about resources for victims of sexual misconduct at the college or university to which the complainant is transferring.

Southeast Protective Measures Available to a Victim Alleging Misconduct

The Title IX Coordinator or their designee will determine whether interim interventions and protective measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include but are not limited to a Southeast order of no contact, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Southeast.

How Southeast Determines Whether This Policy Will Be Used

The Title IX Officer will make the determination if a complaint will be processed under this policy.

Disclosure to Victims of Crimes of Violence or Sexual Violence

Southeast will disclose to the alleged victim of a crime of violence, including sexual violence, the results of any investigation by Southeast against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Southeast will provide the results of the disciplinary hearing to the victim's next of kin, if so requested. Requests can be made to the Title IX Coordinator, Kenney White, at Kenneth.white@southeastmn.edu or 507-453-1422.

Campus Sex Crimes Prevention Act

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

Information regarding individuals on the registered sex offenders' list can be obtained from the Winona Police Department, 201 W. 3rd Street, Winona, MN 55987, 507-454-6100, and from the [Minnesota Department of Corrections Predatory Offender](https://coms.doc.state.mn.us/PublicRegistrantSearch/) website or type in the url: <https://coms.doc.state.mn.us/PublicRegistrantSearch/>

Alcohol Policy and Drug Policy

https://www.southeastmn.edu/about_us/PoliciesAndProcedures/index.aspx?id=13104&s=7

In order to comply with Federal law, including, but not limited to, the Drug-Free Schools and Communities Act (34 CFR Part 86), the Drug Free Workplace Act (34 CFR Part 85), and the Campus Security Act, Southeast will adopt and implement a policy which is designed to prevent abuse of alcohol and the use of controlled substances.

Compliance with State Law Minnesota State College Southeast prohibits unlawful use, possession, production, manufacture, and/or distribution of alcohol and other drugs and controlled substances.

Except as provided in this policy, the possession, use, sale, or distribution of alcoholic beverages and 3.2% malt liquor at Southeast-sponsored events on or off campus is prohibited.

Exception for Instructional Purposes. Use of alcohol in laboratory and classroom instruction/experiments is not prohibited.

Student violations of the Alcohol and Drug-Free Campus policy will be directed to the Dean of Students Office (507-453-1422) to be addressed.

Faculty and staff violations of this policy will be directed to the Director of Human Resources (507-453-2673) to be addressed.

Guest violations of this policy will be directed to the Director of Campus Safety (507-457-5555) to be addressed.

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

State and Federal Laws

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

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

Students who are found in violation of this policy will:

- a) have the drugs and/or paraphernalia confiscated by staff or Campus Safety;
- b) be referred to the Dean of Students/Title IX Coordinator and may face the possibility of legal action as local law enforcement may be notified.
 - a. In addition, students found guilty of illegal drug use may lose their federal financial aid.

Firearms Policy

https://www.southeastmn.edu/about_us/PoliciesAndProcedures/index.aspx?id=13108&s=7

Purpose and Scope. The purpose of this policy is to establish restrictions on the possession or carrying of firearms or dangerous weapons applicable to Minnesota State College Southeast (Southeast), in accordance with the Minnesota Citizens' Personal Protection Act of 2003, Minnesota Statutes section 624.714, and other applicable laws.

No person is permitted to possess or carry a weapon on Southeast property except as provided in this policy. No vehicle owned, leased, or otherwise under the control of Southeast shall be used to store or carry a firearm, except as authorized for purposes under part 3.B.1.

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

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

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

Southeast Alcohol & Other Drug Education & Prevention Programs

www.southeastmn.edu/wellness

In compliance with the Drug Free Schools and Communities Act, Southeast publishes information regarding the College's sanctions for violations of federal, state, and local laws and related College policy. A complete description is provided in the College's annual notification to students and employees and is available online at:
<http://www.southeastmn.edu/Policies700.aspx>

The Drug Free Schools and Communities Act requires institutions of higher education to conduct a biennial review of their alcohol and drug policies and prevention programs. The following are excerpts from the 2022-2023 Biennial Review. The full report can be accessed at <https://southeastmn.edu/security/index.aspx?id=364>

Reducing Alcohol Availability

Southeast restricts alcohol on campus. The Southeast president has the authority to approve the use of alcohol at specific special events on campus or college-sponsored events off campus with rare exceptions.

The illegal use, possession, distribution, manufacture, or sale of any controlled substance, drugs, or alcoholic beverages is prohibited for individual students and/or student organizations at college events on or off-campus and on travel status when representing Southeast (e.g., as a

member of Student Senate, student organizations and groups, member of a Southeast group, delegation, etc.).

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

Southeast's alcohol and other drug policy is comprehensive in scope, the policy clarifies expectations for students off-campus, prohibits disruptive use of alcohol (aimed at students drinking off-campus and causing problems on-campus), and restricts alcohol advertising, among other areas addressed.

Southeast Substance Abuse Resources

Southeast does not have specific substance abuse programming currently, however, our Dean of Students/Title IX Coordinator, Kenney White Kenneth.white@southeastmn.edu, is available to connect students to the necessary community resources.

Winona and Red Wing Area Substance Abuse Resources

Winona Health, 507-454-3650

Primary care, behavioral health, and emergency care services are offered.

Hiawatha Valley Mental Health Center, 507-454-4341 (Winona), 651-327-2270 (Red Wing)
Behavioral health care agency with both outpatient and residential services.

Common Ground MN, 507-281-0023

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

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

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

Substance Use Health Risks

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

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

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

Cocaine - A powerfully addictive stimulant drug made from the leaves of the coca plant native to South America. Can cause narrowed blood vessels; enlarged pupils; increased body

temperature, heart rate, and blood pressure; headache; abdominal pain and nausea; euphoria; increased energy, alertness; insomnia, restlessness; anxiety; erratic and violent behavior, panic attacks, paranoia, psychosis; heart rhythm problems, heart attack; stroke, seizure, and coma.

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

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

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

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

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

Hallucinogens - This classification of psychoactive drugs include LSD, Psilocybin, Ketamine, Saliva, Peyote, PCP, and other amphetamine-based derivatives. Use of these drugs can create visual hallucinations, altered perception of one’s own body, agitation, paranoia, and hyperactivity.

Heroin - An opioid drug made from morphine; a natural substance extracted from the seed pod of the Asian opium poppy plant. Can cause euphoria; warm flushing of skin; dry mouth; heavy feeling in the hands and feet; clouded thinking; alternate wakeful and drowsy states; itching; nausea; vomiting; slowed breathing and heart rate. Other health effects: collapsed veins;

abscesses (swollen tissue with pus); infection of the lining and valves in the heart; constipation and stomach cramps; liver or kidney disease; pneumonia.

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

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

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

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

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

Appendix 1

Definitions

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

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

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

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

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

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

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

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

Appendix 2

Clery Act Reportable Crime Terms & Definitions

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

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

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

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

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

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

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

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

Arson: any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house,

public building, motor vehicle or aircraft, personal property of another.

Clery Act Reportable Hate Crimes

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

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

Violence Against Women Act (VAWA) Offenses

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts covered under the definition of domestic violence.

Domestic Violence: A felony or misdemeanor crime of violence committed—By a current or former spouse or intimate partner of the victim; By a person with whom the victim shares a child in common; By a person who is

cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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

Hazing: any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons), against another person or persons regardless of the willingness of such other person or persons to participate, that-

- is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), or physical or psychological injury including-
 - whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
 - causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;

- causing, coercing, or otherwise inducing another person to perform sexual acts;
- any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- any activity against another person that includes a criminal violation or local, State, Tribal, or Federal law; and
- any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation or local, State, Tribal, or Federal law.

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

Arrest: Persons processed by arrest, citation or summons.

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

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

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

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

