ANNUAL SECURITY & FIRE REPORT 2016
Annual Security & Fire Report

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POLICY STATEMENTS
REPORTING CRIMES & OTHER EMERGENCY PROCEDURES


The Clery Act requires institutions to disclose four general categories of crime statistics:

A. Types of Offenses – Criminal Homicide, including: Murder and Non-Negligent Manslaughter and Negligent Manslaughter; Sex Offenses including: rape, fondling, incest and statutory rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson.
B. Violence Against Women Act – Stalking (including Cyberstalking), Domestic Violence, Dating Violence.
C. Hate Crimes – Disclose whether any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias.
D. Arrests and Referrals for Disciplinary Action for illegal weapons possessions and violation of drug or liquor laws.

Hastings College is concerned about the safety and welfare of all campus members and guests and is committed to providing a safe and secure environment. The Jeanne Clery Act requires Hastings College to collect, publish and distribute certain criminal data. The offices designated to compile and release these campus statistics is the Office of Student Life, (402) 461-7305 and the Office of Campus Safety, (402) 984-8064.

The Associate Vice President (VP) for Student Life/Title IX Coordinator, housed in the Office of Student Life, is responsible for preparing the Annual Security Report and for distribution of the report to current students, current employees, prospective students and prospective employees annually by October 1st. Hastings College acquires information contained in the Annual Security Report from Campus Security Authority personnel, Campus Safety & Security Director and Hastings Police Department.
**Campus Geography:** Hastings College is comprised of a main campus located in Hastings, Nebraska. The College has identified all areas that are public property adjacent to campus, off campus, and the campus itself. Those defined geographical areas are used to capture data of reported crimes to both the Campus Safety and the Hastings Police Department and is used for inclusion into the annual security report.

**Reporting crimes:** Students and employees are encouraged to report criminal actions directly to the police by dialing 911. In addition, they should report crimes to college administrative personnel, who will maintain a record of such reports, as follows:

1. Criminal actions in the residence halls or Bronco Village apartments should be reported directly to the Resident Assistant, Resident Director, Director of Apartment Living, Campus Safety, or Office of Student Life. All staff must report incidents to the Office of Student Life and follow up with a written report.

2. Criminal actions in other campus facilities should be reported to the Office of Student Life (402) 461-7305 or Campus Safety (402) 984-8064.

3. Voluntary Confidential Reporting: Student may report a crime on a voluntary and confidential basis through Hastings College professional, licensed counselors (including those who act in that role under the supervision of a licensed counselor) or a pastoral counselor. These individuals who provide mental health counseling to members of the school community are not required to report any information about a crime without the consent of the individual reporting and all information reported will be without self-identifying information. The Campus Health nurse is also not required to report any information about a sex or gender based incident if disclosed during a medical exam.

Students are encouraged to be vigilant in protecting their own safety and should report all suspicious persons in campus housing facilities to a Resident Assistant, Resident Director, Campus Safety Officer or Director of Apartment Living, and the police if they believe the situation warrants it.

Crimes reported to the Office of Student Life or Campus Safety will be reported to the Hastings Police Department within 48 hours. Crimes will also be handled internally in accordance with college policies.

- **In a life-threatening emergency:** Call 911; then call Campus Safety at (402) 984-8064 to inform them of the situation.

- **In all other security and maintenance emergencies:** Call Campus Safety at (402) 984-8064. Campus Safety handles campus emergencies and will call the maintenance staff.

It is the duty of students, faculty and staff to report disturbing, abnormal, disruptive or threatening behavior, including threats to self or others. During office hours, this behavior should
be reported to the Office of Student Life (402) 461-7305. When offices are closed, reports may be given to a full-time Resident Director, the Director of Apartment Living or to Campus Safety (402) 984-8064. In a life-threatening emergency, call 911.

**Daily Crime Log:** In accordance with Federal Law, Hastings College Campus Security office maintains a daily log for all crimes reported to the office. The crime log is open for inspection to the public and includes the nature of the crime, date of occurrence, time of the occurrence, general location and disposition of the complaint, if known. The most recent 60-day period must be made available immediately and any portion older than 60-days must be made available within two business days. The law requires that this initial information be open for public inspection within two business days of the report of the crime unless the release of the information would jeopardize an on-going investigation, cause a suspect to flee, prohibited by law, would jeopardize the confidentiality of the victim, or result in the destruction of information. It also requires new information about the entries be made available within two business days. The crime log can be viewed by contacting the Director of Campus Safety & Security, by email dleonard@hastings.edu or phone (402) 984-8064.

**Campus wide safety notifications:** In an effort to provide timely notice to the College community in the event of a crime which may pose a serious and ongoing threat to members of the College community, a timely warning notice is distributed to all students and employees via a blast email by the Vice President of Student Life or their designee.

- **Timely Warning Obligations regarding acts of Sex or Gender based incidents:** If the College determines that the alleged responding party(s) poses a serious and immediate threat to the College community, the Office of Student Life or a College administrator will issue a timely warning to the community which is to include information representative of a serious or continuing threat to students or employees. Any such warning should not include any information that identifies the reporting party’s name and other identifying information while providing enough information for community members to make safety decisions in light of the potential danger.

**Campus Emergency notification system (RAVE):** All students, faculty and staff for whom the college has cell phone numbers are automatically enrolled in the college’s emergency text notification system (RAVE). Emergency notifications are also sent to the Hastings College email addresses of faculty, staff and current students. These are the means by which the College officials notify the College community of an emergency or serious weather condition without delay. Therefore, if you have a change of cell phone number or provider, please contact the Office of Student Life (402) 461-7305 to update your information the college’s records.
SECURITY OF AND ACCESS TO CAMPUS FACILITIES

Keys and Access FOBs: Residence hall and apartment residents will have fob access to the main doors of their building. Residents will have a key to their own room. Bronco Village Apartment residents will have a key to the front door of their unit and also to their bedroom. All keys must be returned to the Resident Director, Director of Apartment Living or Coordinator of Housing before check-out. Students will be charged if keys are not returned at check-out or are lost or stolen. The specific fee for replacement of keys or replacement of a tumbler in a door can be found under the following sections: Residence Hall Fines, Bronco Village Apartment Cleaning/Damage Cost and Honor or College House Cleaning/Damage Cost. To maintain security, lost fobs and keys should be reported immediately to the Office of Student Life (402) 461-7305, on weekdays and to Campus Safety (402) 984-8064, evenings, weekends and college vacations. Lost keys should be reported immediately to the Resident Director, Director of Apartment Living or Coordinator of Housing who will obtain a duplicate from the Director of Campus Safety and Security. Students are not permitted to have duplicate keys made off-campus.

Access to each Residence Hall is also monitored by student staff Sunday - Thursday from 9:00 pm – midnight and Friday – Saturday from 9:00 pm – 2:00 am. The student staff will verify the student is a resident of the building and ask each guest to register that they are in the facility.

Commitment to Safety Policy: The College is committed to ensuring a safe, healthy, and secure workplace for all employees, students and visitors. The College, through its policies and practices, shall comply with all applicable federal, state, and local laws and continually review its policies and practices to ensure the workplace is free from recognizable hazards.

The Physical Plant and Campus Safety Offices share responsibility to ensure:

- The routine inspection of facilities and any company owned or leased vehicles.
- Consideration of accidents and security incidents and recommendations for preventing similar accidents.
- Continuous review of, and recommendations for, revising workplace safety rules; safety, health, and security policies; and the related procedures and processes.
- Establish and ensure implementation of the annual safety-training calendar.

The College maintains procedures and expectations for reporting all accidents, injuries, or unsafe conditions. Employee recommendations for improving the safety and health conditions within the College and its operations will be given full consideration by the College’s leadership.

The College expects all employees to comply with workplace safety rules and use education, prevention activities, counseling, and discipline to ensure full compliance with those rules.
The College maintains all legally required records and reports safety trends, changes in policies or practices, or significant safety, health, and security matters to the Vice President for Finance.

**Campus Safety Staff On-Campus Building Walk Through:** Campus Safety staff members walk through or patrol campus every day of the year to ensure that all areas of campus are safe and crime free.

**CAMPUS LAW ENFORCEMENT**

**Campus Safety Office:** Campus Safety Office is located in the Kiewitt Gymnasium Rm 134 and is available for all community members of Hastings College. Campus Safety is staffed 24 hours a day, 7 days a week. Please contact Campus Safety if you have any concerns about safety and security, including if you witness any suspicious activity. Campus Safety cell is (402) 984-8064. Campus Safety also provides safe walks and safe rides.

**Law Enforcement & Jurisdiction:** Hastings College Campus Safety staff does not have the authority to arrest individuals found in violation of state or local city law. Hastings Police Department does have arrest authority for individuals found in violation of state or local city law that are on Hastings College property. The Campus Safety staff work directly with Hastings Police Department to ensure the safety of all visitors, students and employees on campus. Hastings College does not have a memorandum of understanding with the Hastings Police Department at this time.

**Accurate and prompt reporting of all crimes to the Campus Police:** Hastings College does not have campus police.

**Voluntary Confidential Reporting:** Student may report a crime on a voluntary and confidential basis through Hastings College professional, licensed counselors (including those who act in that role under the supervision of a licensed counselor) or a pastoral counselor. These individuals who provide mental health counseling to members of the school community are not required to report any information about a crime without the consent of the individual reporting and all information reported will be without self-identifying information. The Campus Health nurse is also not required to report any information about a sex or gender based incident if disclosed during a medical exam.

**Monitoring and Recording Criminal Activity at Non-Campus Locations:** Hastings College does not have any recognized students organizations with non-campus housing facilities.
CAMPUS SECURITY AUTHORITIES

The following employees are considered Campus Safety Authorities, Title IX Responsible Employees, or both.

<table>
<thead>
<tr>
<th>Employee/Position</th>
<th>Title IX Responsible Employee</th>
<th>Campus Security Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title IX Coordinator, Title IX Deputy Coordinators</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Human Resources Director &amp; Staff</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>President &amp; President’s Office Staff</td>
<td>Yes</td>
<td></td>
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<tr>
<td>Executive Vice President/Provost</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>All Vice Presidents</td>
<td>Yes</td>
<td></td>
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<tr>
<td>Campus Department Heads</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Faculty</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Student Organization Advisors</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Vice President of Student Life &amp; Student Life Staff</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Resident Directors, Resident Assistants</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Campus Safety Director &amp; Staff</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>IT Staff</td>
<td>Yes</td>
<td></td>
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<tr>
<td>Supervisors of Student Workers</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Athletic Director, Coaches &amp; Assistant Coaches</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Graduate Assistants</td>
<td>Yes</td>
<td></td>
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<tr>
<td>Desk Sitters, Bronco Bus Drivers</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Director of Health Services</td>
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<td></td>
</tr>
</tbody>
</table>
TYPE AND FREQUENCY OF PROGRAMS TO INFORM STUDENTS & EMPLOYEES ABOUT CAMPUS SECURITY

GENERAL SAFETY RULES FOR EMPLOYEES: All employees shall conduct themselves in a manner consistent with the College’s rules regarding safety, health, and security.

The College’s expectations regarding safety, health, and security includes compliance with general safety rules including but not limited to those listed below. Additional details regarding these rules may be included in other College policies.

1. General: Comply with all posted safety and danger signs and all disability parking signs.
2. Housekeeping: Ensure all passageways and doorways and access to all safety and emergency equipment or office equipment are free of obstructions or any substance that might make such areas slippery.
3. Lifting: Lift only those items whose weight and bulk are both within physical capabilities and within the weight restrictions of the job description. Do so in accordance with proper lifting techniques. Seek assistance from another person when weight and bulk exceed these limits.
4. Furniture and Equipment: Use such items only for their designated purposes and in accordance with manufacturer’s directions. Open only one file drawer at a time and never leave an opened drawer unattended.
5. Power: Use extension cords and multi-plugs in moderation never connecting an extension cord to another extension cord or a multi-plug to another multi-plug.
6. If authorized to drive for the College always drive with caution, wear your seatbelt, require all passengers to wear seatbelts, and obey all applicable traffic rules and regulations including speed limits.
7. All individuals authorized to operate motorized vehicles or equipment on behalf of the College must be free of illegal substance use and alcohol. Consequently, the use of illegal drugs by the individuals is prohibited.
   a. CDL (25+ passenger bus) drivers are sent to Physical Therapy & Sports Rehab for a urinalysis. The appointment is made out of Physical Plant Services office.
   b. Monthly random testing will be done of all Hastings College CDL drivers.
8. Employees operating a mobile device while driving in the course and scope of employment shall do so only with the use of a hands free device. Texting or operating any other mobile application while driving is strictly prohibited.

SAFETY POLICY FOR EMPLOYEES: The College provides general and job specific training regarding safety, health, and security.

All training includes an explanation of what is expected of employees. All training includes a question and answer period.

Attendance is recorded and retained by the appropriate departmental office along with a copy of the training agenda or outline, any handouts, power points or summary of audio-visuals used during the
training. In addition, employees shall log their attendance and participation on their Individual Development Plans.

It is mandatory that all employees complete the following two online trainings which will be assigned to them through their e-mail within the first two weeks of their employment:

- Sexual Harassment – Higher Education Version
- Sexual Abuse Awareness Training: Creating a Safe Campus for Young People

**New Hire Orientation.** New Hire Orientation, conducted by each department, includes an introduction to the College’s safety rules, policies and procedures, and a review of what is expected of all employees.

**General Policy Training.** No less than annually, employees will review the applicable safety, health, and security rules, as well as the policies and procedures. The training includes a review of what is expected of employees and affords employees an opportunity to ask questions.

**Periodic Training Updates.** When a safety, health, or security rule, policy or procedure is revised, it will be distributed electronically to all employees and all related manuals will be updated in a timely manner. Such notices include a direction as to who questions or concerns should be directed.

**Job Specific Training.** It is the responsibility of each supervisor to ensure that each new and continuing employee is given instruction on how to perform his or her specific job duties in a safe manner.

Supervisors shall solicit and respond to questions regarding the letter and intent of safety policies. 165 Updated 2/18/16 12:47 PM Human Resources Policy Manual Page 165 of 169

Supervisors shall review any job specific safety, health, and security issues including such items as egress, transportation, lifting, and use of equipment.

Supervisors shall provide immediate feedback when an employee is believed to be acting in a manner that is inconsistent with safe, healthy, and secure work habits or rules.

**Training Categories.** The College ensures that the appropriate numbers and holders of designated positions receive training in the following:

- Accident/Incident Investigation
- Accident/Incident Reporting
- Blood borne Pathogens
- Counseling and Discipline – Safety, Health, or Security
- CPR
- Defensive Driving and Vehicle Safety
- Emergency Preparedness
- Ergonomics
- Fire Drills
- First Aid
- Hazardous Communications
- Housekeeping
- Infection Control
- Lifting
- Management Safety Data Sheets
- Recognizing and Reporting Neglect and Abuse
- Recordkeeping
- Securing Medical Treatment

The College seeks to ensure a safe workplace for all employees, consumers, and visitors and has zero tolerance of any form of workplace violence or threat thereof, committed by or against employees at the workplace or in the course and scope of employment, regardless as to whether the violence originates inside or outside the workplace.

In addition, the College prohibits all persons at the workplace or at any College function from carrying a handgun, firearm, or other weapon of any kind regardless of whether the person is licensed to carry the weapon or not. The only exceptions to this weapons prohibition shall be law enforcement officers or duly authorized and licensed security officers.

**Prohibited Behavior:** College policy prohibits intimidation, threats of violence (bodily harm or property damage), and acts of violence (regardless of whether they cause harm or damage). This list of behaviors, while not exhaustive, provides examples of conduct that is prohibited.
- Actions or words that cause another person to reasonably fear for his or her safety or the safety of others.
- Aggressive, bullying, or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- An implied threat of physical attack.
- Causing physical injury to another person.
- Committing acts motivated by, or related to, sexual harassment or domestic violence.
- Discussing weapons or bringing them to the workplace.
- Intentionally damaging employer property or property of another employee or a consumer.
- Making threatening remarks.
- Stalking and other forms of intimidation.

**VIOLENCE-FREE WORKPLACE**

**Prohibition of Weapons:** Prohibited weapons shall include, but are not limited to any form of weapon or explosive restricted under local, state, or federal regulation. This includes all firearms, knives other than kitchen knives provided by the College or knives of no more than 1 ½ inches that are part of a multi-tool carried for work related purposes, or other weapons covered by the law. Legal, chemical dispensing devices such as pepper sprays that are sold commercially for personal protection are not prohibited by this policy. It shall be the employee’s responsibility to make sure beforehand that any potentially covered item possessed is not prohibited by this policy.

**Reporting Procedures, Investigation and Resolution:** Because the College has a zero tolerance of any form of workplace violence, any actual or potentially dangerous situations, as well as specifically
prohibited behaviors must be reported immediately to a supervisor as well as the Human Resources Office. Failure to report can be an independent basis for discipline.

While retaliation against anyone who makes a good faith report with regard to this policy is prohibited, reports may be made anonymously and all reported incidents or concerns for a potential incident will be investigated at the discretion of the College. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis.

The College will actively intervene at any indication of a possibly hostile or violent situation. Employees who believe they, or others, have been or may be the target of violence in the workplace (even if the offender is not a member of the College’s community) should promptly report the facts of the incident or incidents and the names of the individuals involved to their supervisor or directly to Human Resources Office.

Supervisors should immediately report any reports or actual or potential violence of which they become aware to Human Resources Office.

If the incident involves Human Resources, personnel reports should be made to the Executive Vice President for Academic Affairs/Provost who will intercede.

If the incident involves the President, reports should be made to the Chairman of the Board of Trustees. All reports will be promptly investigated. The person, who allegedly initiated the workplace violence will be interviewed, informed of the basis of the complaint, and allowed the opportunity to respond. The College may elect to utilize an independent, outside third party to investigate the complaint. Updated 2/18/16 12:47 PM Human Resources Policy Manual Page 168 of 169

Should the charges be founded by conducting a thorough investigation, a summary of: the complaint, the facts of the investigation, the finding and the College’s response will be forwarded for review by the Executive Committee of the Board of Trustees.

If it is determined that workplace violence has occurred, appropriate disciplinary action up to and including discharge will be taken. In addition, the College may elect to take legal action. The severity and frequency of the offense, or other conditions surrounding the incident determine the severity of the discipline or legal action.

A record of the complaint and the findings become a part of the complaint investigation record and the file will be maintained separately from the employee's personnel file. Documentation of disciplinary action resulting from this issue shall be placed in the employee’s personnel file.

Any individual electing in good faith to utilize this complaint resolution procedure should be treated courteously, the problem handled swiftly and as confidentially as feasible in light of the need to take appropriate corrective action, and the registering of a good faith complaint should in no way be used against the employee, nor should it have an adverse impact on the individual's employment status.
Employees who complain of workplace violence in good faith may do so without fear of reprisal. Reported or observed acts of retaliation toward an employee who has filed a complaint will subject the perpetrator to disciplinary action.

**Recognizing Potential for Violence:** The College does not expect employees to be skilled at identifying potentially dangerous persons, however, employees are expected to exercise good judgment and to inform their supervisor if any employee exhibits behavior that could be a sign of a potentially dangerous situation. Such behavior might include:

- Discussion of, threat of or taking of specific actions that violate this policy.
- Discussing weapons.
- Displaying overt signs of extreme stress, resentment, hostility, or anger.
- Sudden or significant deterioration of performance,
- Displaying irrational or inappropriate behavior.
- Undermining an individual or group with vindictive or humiliating words or acts.
- Yelling at or ridicule another.

**Employees at Risk:** Employees are asked to advise their Supervisor and the Human Resources Office if they believe they are at risk because they have been or may be subject to harassment, violence, or threats from a non-employee, including domestically or from former consumers or their families. 169 Updated 2/18/16 12:47 PM Human Resources Policy Manual Page 169 of 169

A plan will be designed with the at-risk employee to prepare for, and to prevent to the extent possible, any possible emergency situations.

**Removal from the Premises:** Any person who makes a threat of serious harm, exhibits threatening behavior, or engages in violent acts at the workplace will be removed from the premises as quickly as safety permits. Should this person be an employee, that employee will be immediately placed on investigatory leave. Keys and name badges should be retrieved and the employee will not be permitted to return pending the outcome of an investigation. When someone is removed from the premises, the person in charge must complete all necessary incident-reporting processes and notify others at the workplace in order to prevent the individual from regaining access to the facility.

**SECURITY AWARENESS AND PREVENTION PROGRAMS**

- **Safe Walk Program:** Campus Safety staff will escort or accompany a member of the Hastings College community across campus to ensure they arrive safely at their Residence Hall room, their classroom, office or other on-campus location. This program is active all year round, regardless of weather, including every evening and weekend. Please call Campus Safety at (402) 984-8064 to request a Safe Walk escort across campus. _Ongoing program throughout academic year._

- **Safe Ride Program (known as Bronco Bus):** The Safe Ride program (Bronco Bus) provided by Hastings College Campus Safety. It generally runs Thursday, Friday and Saturday nights, 9:00
pm to 2:00 am, when classes are in session, except during inclement weather. It provides free transportation for any student from any unsafe location; including when a student may not want to walk alone at night or when a sober driver is needed. Please call (402) 469-1564 to arrange for a driver to pick you up. Students are encouraged to provide specific addresses where to be dropped off; otherwise, drop offs are at three general locations: 917 Apartment building, Perkins Library, and HSU. Any questions about the service can by addressed to Campus Safety at (402) 984-8064. 

- **Shot of Reality:** Hastings College contracts with the company Bass Schuler to bring “A Shot of Reality” program to campus. The national program is delivered on-campus annually during New Student Days and is required for all new first year students. The program provides an honest, engaging, humorous and sensible look at alcohol responsibility for Hastings College students.

- **We End Violence Speaker:** Speaker Jeff Bucholtz from the company “We End Violence” presented on our campus to address the topics of WHY violence happens and Healthy Relationships in a format that was interactive and engaging for our students. He asked students to explore what every person can do to prevent sexual violence, and how to prevent it through an examination of the cultural ideologies, attitudes and behaviors that allow violence to flourish.

- **Residence Hall First Floor Meeting:** Resident Assistants in each building meet with the residents of their floors annually during the first weekend/week of the fall semester to address campus programs, hall policy and resources on-campus for students regarding safety/security.

- **Workplace Answers:** Annual on-line training program for all new staff and for current employees who are designated as a campus “mandatory reporter.” Training topics covered are policy definitions and procedures regarding dating violence, domestic violence, sexual assault, stalking and crime reporting.

  Topics covered through Workplace Answers Training:

  - Unlawful Harassment Prevention for Higher Education Staff
  - Unlawful Harassment Prevention for Higher Education Staff Supervisors
  - Unlawful Harassment Prevention for Higher Education Faculty
  - The Clery Act and Campus Security Authorities
  - Preventing Discrimination and Sexual Violence: Title IX VAWA and Clery Act for Faculty and Staff
  - FERPA for Higher Education
  - The Clery Act and Campus Security Authorities
  - Sexual Violence Awareness and Prevention for Campus Officials and Investigators
  - Preventing Discrimination and Sexual Violence: Title IX VAWA and Clery Act for Faculty and Staff

- **HAVEN:** Annual on-line interactive course designed to engage and empower student learning
by addressing the critical issues of sexual assault, sexual harassment, stalking, elements of a healthy relationship, the importance of sexual consent, and the role of bystanders in creating a safe, healthy campus community. HAVEN is required for ALL new students to Hastings College.

- **Alcohol Edu:** Annual on-line interactive two-part online alcohol abuse prevention program designed to help all new first year students clarify their thinking about alcohol and assist them in make healthy decisions while at college and beyond. Completion of this course is required for all first year students.

**EMERGENCY NOTIFICATION AND EVACUATION**

**Adams County emergency notification system:** It is recommended that all those on campus subscribe to the Adams County Code Red emergency notification system. Phone messages are sent out from the Code Red system in the case of a severe weather warning or another emergency. To sign up for Code Red notifications, go to [www.adamscounty.org](http://www.adamscounty.org).

**Campus Emergency notification system (RAVE):** All students, faculty and staff for whom the college has cell phone numbers are automatically enrolled in the college’s emergency text notification system (RAVE). Emergency notifications are also sent to the Hastings College email addresses of faculty, staff and current students. These are the means by which the College notifies the College community of an emergency or serious weather condition without delay. Therefore, if you have a change of cell phone number or provider, please contact the Office of Student Life (402) 461-7305 to update your information the college’s records.

**Reporting injuries:** All injuries occurring on campus or during an off-campus college-sponsored event should be reported as soon as possible to Beth Littrell, Director of Health Services (402) 461-7372.

**Notice of tornado and storm related information:** The weather can change rapidly in Nebraska and the area is susceptible to tornadoes. Whenever the weather looks threatening, you are encouraged to monitor radio, television and internet broadcasts. The emergency management team in our area (Adams County Emergency Management) will sound the tornado sirens if: a) there are winds of 70+ mph; b) a tornado is spotted or seen on radar, 7-10 miles away, or c) 1 3/4” hail or greater is expected. The sirens are only intended to warn those who are outdoors. Those who are indoors are asked to monitor weather broadcasts during threatening weather. A good TV channel to watch is KSNB-TV (the local NBC affiliate), since it is broadcast from Hastings and the reports cover our area well. KHAS radio is AM 1230 and is also good to monitor, as is the internet site for the National Weather Service ([www.nws.noaa.gov](http://www.nws.noaa.gov)). The National Weather Service has two categories to describe conditions related to tornadoes. Tornado Watch: weather conditions are such that a tornado could form. Weather
broadcasts should be closely monitored. Tornado Warning: a tornado has been sighted and residents should take action to protect themselves.

**Tornado Warning: If indoors** - Go to the basement or to an inside hallway at the lowest level. Safe areas in Hastings College Buildings are listed on the left. Avoid places with wide-span roofs such as auditoriums, cafeterias, large hallways, or shopping malls. Get under a piece of sturdy furniture such as a workbench or heavy table or desk and hold on to it. Stay away from windows. Use your arms to protect your head and neck. **If outdoors** - If possible, get inside a building. If shelter is not available or there is no time to get indoors, lie in a ditch or low-lying area or crouch near a strong building. Be aware of the potential for flooding. Use arms to protect head and neck. **If in a car** - Never try to out drive a tornado in a car or truck. Tornadoes can change direction quickly and can lift up a car or truck and toss it through the air. Get out of the car immediately and take shelter in a nearby building. If there is no time to get indoors, get out of the car and lie in a ditch or low-lying area away from the vehicle. Be aware of the potential for flooding.

**Campus Storm Shelter Locations:**

- Barrett Alumni Center (Move to an interior windowless room)
- Batchelder Building (Move to an interior windowless room)
- Bronco Village (Move to basement of building, 917 N. 6th Ave, *fob access required*)
- Daugherty Center (Move to basement)
- Lynn Farrell Arena/Flehartly Center (Move to hallways on lower level of arena)
- French Memorial Chapel (Move to basement via east and west access)
- Fuhr Hall (Move to basement, across from Perkins Auditorium’s south stage exit)
- Gray Center (Move to northeast corner of Studio B)
- Hazelrigg Student Union (Move to basement by way of the stairs near the building’s southwest entrance)
- Honors Houses (Move to an interior basement hallway)
- Hurley-McDonald (Move to basement)
- Jackson Dinsdale Art Center (Move to the restrooms)
- Kiewit Gymnasium (Move to locker rooms)
- McCormick Hall (Move to the basement)
- Morrison-Reeves Science (Move to the first or second floor bathrooms)
- Perkins Library (Move to basement by way of the stairs in the northwest corner, near the computers)
- Physical Fitness Facility (Move to the restrooms)
- Residence Halls (Move to an interior basement hallway)
- Sachtleben Observatory (Move to ground level restroom or ditches near entrance)
- Scott Studio Theatre (Move to an interior windowless room)
- Stadium (Move to hallways on lower level of arena or restrooms of stadium)
- Stone Health Center (Move to interior ADA restroom)
- Track (Move to Barrett Alumni Center interior windowless room)
Wilson Center (Move to basement)

Emergency Drills, Testing & Evacuation Procedures: Information on emergency drills is distributed by the Office of Student Life upon request. Hastings College participates in the annual City of Hastings Tornado Drill annually during the spring semester. Email and electronic notification is sent across campus to alert all faculty, staff and students of the drill and with information of storm shelter locations. Hastings College does not assess this emergency drill.

Hastings College Office of Residence Life hosts bi-annual fire drills in all Residence Halls. The drills are planning by Residence Life staff and arranged with the Office of Campus Safety and the Hastings Fire Department. Residents of each building are not made aware of the drill prior to it happening. Each Residence Hall Director tracks the number of students participating and the amount of time it takes to empty the building.

MISSING STUDENT NOTIFICATION PROCEDURES

Reporting missing on-campus students immediately: If a member of the Hastings College community has reason to believe that a student who resides in on-campus housing is missing; a report should be made immediately to the Office of Student Life (402) 461-7305 or Campus Safety (402) 984-8064. Office of Student Life or Campus Safety will generate a missing person report and initiate an investigation. After investigating the missing person report, if the Office of Student Life/Campus Safety determines that the student is missing and has been missing for 24 hours, Hastings College will notify the Hastings Police department and the student’s emergency contacts no later than 24 hours after the student has been determined to be missing. Each student residing in campus housing has the option of confidently identifying person(s) (close friend, etc.) who can be contacted if the student is reported missing. In the case of a missing student who resides in on-campus housing – and is also under 19 years of age and not emancipated – their custodial parent or guardian will also be notified that they are thought to be missing. A student’s confidential contact information will be accessible only to authorized campus officials and law enforcement as appropriate.

POLICY ON POSSESSION AND USE OF ALCOHOL AND DRUGS

Definitions: The term “Alcohol,” as used in this shall include alcoholic spirits, liquor, wine, beer, and every substance containing alcoholic spirits, liquor, wine or beer.

The term “illegal drug” shall mean any controlled substance included in Nebraska Revised Statutes § 28-405 (which lists controlled substances regulated under Nebraska criminal laws relating to drugs and narcotics), any “controlled substance” as defined under federal law in 21 U.S.C. § 801 et seq., and any
otherwise lawfully available drug (such as over the counter or prescription drugs) used for any illegal or unauthorized purpose.

**Philosophy:** The College cares about its students and employees, their health, and well-being, and it encourages all individuals to care about each other. The College recognizes that there are many academic and social problems associated with the consumption of alcohol and illegal drugs, which have a negative impact on students, employees, and campus life in general. In recognition of the problems associated with the use of drugs and alcohol on college campuses, and in accordance with the Drug Free Schools and Communities Act of 1989, Hastings College has adopted the following policy regarding the possession and use of alcohol and illegal drugs on and off campus:

**Standards of conduct for students and employees of Hastings College and their guests:**

1. Actual, attempted or promotion of the unlawful possession, use, or distribution of drugs and alcohol by students and employees on Hastings College property or as part of any Hastings College activity is prohibited.
2. All laws pertaining to alcohol and drug use must be observed at all times, including, but not limited to, legal drinking age, prohibitions against providing alcohol to minors, and restrictions against operation of a motor vehicle while under the influence of alcohol and/or drugs.
3. No illegal drugs or paraphernalia may be possessed or used on or off campus by any Hastings College employee, student or guest. The possession and/or use on or off campus of any illegal drug by a Hastings College employee, student or guest will subject the student or guest to disciplinary action, up to and including dismissal from the College.
4. No alcoholic beverages may be possessed or consumed on or off campus by any Hastings College employee, student, or guest under the age of 21.
5. Alcoholic beverages are allowed within the confines of individual Hastings College Bronco Village Apartments or campus houses only if all residents of that particular apartment are of legal drinking age and have applied for, been granted and display alcohol permit. Alcoholic beverages may not be consumed in individual Hastings College Bronco Village Apartment or campus house if minors are present.
6. On rare occasions and by prior written approval of the Hastings College President, an event for alumni and/or community members being hosted on campus in an academic or administrative building can serve alcohol. Alcoholic beverages cannot be consumed by anyone under the age of 21 and must be served by an approved licensed vendor following all campus, state and federal laws.
7. No alcohol cans, bottles or paraphernalia are allowed in the College residence halls. No advertising for beer or other alcohol may be accepted in any campus publication or for display on campus.
8. In an effort to deter underage drinking on or off-campus, Hastings College does not endorse or support any off-campus event(s) where alcohol will be served and where Hastings College students are present. However, in the case that an event does have alcohol present, the following guidelines are expected to be followed:
   a. No college funds, including campus organization treasury funds processed through the Hastings College Business Office may be used to purchase alcohol for any student event.
b. Each student event must ensure compliance with the laws of the State of Nebraska and the Hastings College Code of Conduct.
c. Advertising of an event does not constitute an endorsement by Hastings College.
d. No posters, signs, or e-mail announcements promoting alcohol may be displayed on campus.
e. No tickets for any student events with alcohol may be sold on campus.

**Legal Sanctions:** Local, state and federal laws prohibit the unlawful possession or distribution of alcohol and illicit drugs. Violations of such laws are criminal offenses. Sanctions and penalties for such violations may range from probation to substantial monetary fines and/or imprisonment for substantial time periods if prosecuted in the criminal or civil courts. Additionally, convictions for possessing or selling illegal drugs may impact a student’s eligibility for federal student aid.

**College Disciplinary Sanctions:**

a. Disciplinary sanctions for students violating alcohol and drug provisions of this policy or the Hastings College Student Code of Conduct will be imposed. These may include, but are not limited to, the following series of sanctions or combination thereof:

i. First Violation
   • Parental notification
   • Fine or service hours
   • Mandatory completion of alcohol or drug education program

ii. Second Violation
   • Parental notification
   • Fine or service hours
   • Probation
   • Possible mandatory screening with certified drug and alcohol counselor

iii. Third Violation and above
   • Parental notification
   • Fine or service hours
   • Probation
   • Suspension from residency or the college

b. Good Samaritan Policy: Student health and safety are primary concerns of the Hastings College community. Students are expected to contact Campus Safety, a member of the residence life staff, or other college official when they believe that medical assistance for an intoxicated/impaired student is required. In case of medical emergency or in the event that a college official cannot be reached, students should call 911 for assistance from local police, fire, or medical emergency professionals.
When such assistance is sought for an intoxicated/impaired student, the students and/or organizations seeking help, as well as the individual assisted and others involved, will not be subject to college disciplinary action with respect to the alcohol policy. (This policy does not preclude disciplinary action regarding other violations of college standards, such as causing or threatening physical harm, sexual abuse or violence, damage to property, harassment, hazed, etc. Students should also be aware that this college policy does not prevent action by state and local authorities.)

In order for this policy to apply, the intoxicated student(s) must agree to timely completion of recommended alcohol education activities, assessment, and/or treatment depending upon the level of concern for student health and safety. Serious or repeated incidents will prompt a higher degree of medical concern. Failure to complete recommended follow-up will normally result in disciplinary action and could also prompt the imposition of withdrawal from the college.

c. Consistent with Hastings College commitment to take action against acts of Sexual Harassment, Misconduct and Violence, a person reporting and witnesses involved the report of such an incident will not be held responsible for an alcohol violation disciplinary sanction under the Policy on Possession and use of Alcohol and Drugs. The respondent (person committing the act) can be held responsible for their actions under the Policy on the Possession and use of Alcohol and Drugs, the Sexual Harassment Policy, Sexual and Misconduct and Violence Policy. Additionally the respondent can also be exposed to criminal and civil proceedings outside of Hastings College.

Support and Prevention Services: Hastings College is committed to increasing employee and student awareness of the issues related to alcohol and drug use and abuse. In an effort to curb the negative effects of alcohol and drug use, the College takes the following steps:

a. Hastings College provides educational efforts to increase awareness about the effects of alcohol and drug use, including in-class and extra-curricular lectures and discussions. Information is also provided through films, posters, and pamphlets, and peer educational efforts promoted through the BACCHUS group.

b. Greek organizations are provided additional education on health and safety issues, especially regarding hazing and acute alcohol intoxication.

c. Drug and Alcohol Counseling Treatment or Rehabilitation Programs: The Stone Health Center coordinates and offers a variety of alcohol and other drug abuse prevention and education services for students, referral services, alcohol and other drug education classes, and peer alcohol educators associated with the campus BACCHUS program. In addition, counselors provide screenings, counseling, and treatment/rehabilitation referral services for those students who are having difficulty with alcohol and drug use/abuse.

d. Hastings College also provides counseling support through the Counseling Center for those wishing
to decrease their consumption of alcohol or drugs and/or deal with alcohol/drug related problems. This may include individual, small group, and/or large group counseling support, as requested.

e. The Coordinator of Student Engagement and the Office of Student Life at Hastings College are available to provide advice, assistance, and encouragement to student organizations for their development and promotion of guidelines for responsible decision-making about alcohol use by their members.

f. The Coordinator of Student Engagement and the Office of Student Life at Hastings College are available to promote and facilitate any student organization’s efforts to provide alcohol free social and recreational options.

g. Office of Student Life at Hastings College encourage and cooperate with local businesses to help reduce the drinking promotions targeting underage drinkers and excessive drinking.

**Health Risks:** Drug abuse is a major health problem in the United States. College-age students are particularly vulnerable to the consequences of alcohol and other drug abuse because of their tendency to engage in a variety of high-risk behaviors and can lead to sexual misconduct, sexual violence and other criminal conduct. The problems associated with alcohol and/or other drug consumption covers a broad range including physical and psychological illnesses (acute alcohol poisoning, mood disorders, self-destructive behavior, and suicide). Accidents, homicides and suicide are the leading causes of mortality in the college-age population, and alcohol is a major contributing factor in a third to half of all the cases. Alcohol is also a contributing factor in poor decision-making that can lead to unsafe and antisocial behaviors (arguments, fights, driving while intoxicated, sexually transmitted diseases and unplanned pregnancies). With respect to long-term consequences of alcohol and other drug abuse, the most serious illness and the highest rate of mortality result from alcohol-induced liver damage. Other consequences of chronic alcohol and other drug abuse include gastrointestinal diseases, cancer, and permanent damage to the brain and nervous system.

**Alcohol Policy for College Sponsored Off-Campus Excursions:** There are special considerations related to the use of alcohol during off-campus excursions when those excursions extend outside of the regular instructional day, and may extend for several days. These considerations stem from the need to balance the rights of students to exercise their personal freedoms with the responsibility of the college to maintain a safe and effective learning and teaching atmosphere during such excursions. Therefore, the following policies will govern the use of alcohol by students on college-sponsored off-campus excursions, such as field trips and sporting events. Sponsoring departments and trip organizers may establish restrictions in addition to these (e.g., Athletic Department prohibitions on any alcohol consumption by athletes, a faculty member deeming alcohol consumption inappropriate in association with the purposes of the trip.):

1. Students must observe all laws pertaining to alcohol use in the jurisdiction where the excursion takes
place. These include, but are not limited to, legal drinking age, prohibitions against providing alcohol to minors, restrictions against operation of a motor vehicle while under the influence of alcohol, and alcohol-restricted zones such as parks, public buildings, and campgrounds.

2. Students must refrain from the consumption of alcohol during periods that College faculty members define as instructional periods. Instructional periods may include any part or all of any given day during the excursion and are not limited to periods used for direct instruction.

3. Students may consume alcohol only during periods defined as personal, non-instructional time. Students who use alcohol during personal, non-instructional, time must do so in a manner that allows them to be prepared to participate fully in subsequent instruction with complete sobriety and without physical or mental impairment.

4. In all cases, faculty members’ discretion and authority will prevail with respect to the appropriateness of student alcohol consumption at any particular time, instructional or personal, during off-campus excursions.

5. At all times students are responsible for following the Hastings College Code of Conduct.

6. Illegal drugs, as defined by campus policy are prohibited during any off-campus excursion.

7. Students are ultimately responsible for their own behavior and compliance with laws and regulations of the local jurisdiction, Hastings College policies, department restrictions and faculty authority.

Guidelines for Events where Alcohol is Present (not an all-inclusive list, but intended to provide some basic suggestions):

1. An equal number of alternative, non-alcoholic beverages should be provided at each event involving alcoholic beverages.

2. Food should be provided at each event involving alcoholic beverages.
   a. The amount of food should be reasonable depending on the number of guests expected.
   b. The variety of food should include some items without salt.

3. Each participant must present an ID when entering any event involving alcoholic beverages or when purchasing alcohol.
   a. A mark or wristband must be used to designate those of legal age (21 in Nebraska).
   b. Enforcement must occur at private parties, as well as at public establishments.

4. Beverage containers, whether alcoholic or non-alcoholic, must be kept inside the host facility.

5. Third-party vendors or trained servers must be used for all registered events.
   a. Alcoholic beverages may not be served to intoxicated individuals.
   b. The serving of alcohol must cease one hour before the event is to end.

6. Security measures must be taken to monitor for and prevent underage drinking.
a. Empty or abandoned drinks must be discarded.
b. Alcoholic beverages may not be passed “under the table.”

7. Designated Drivers or the Hastings College Safe Rides must be used at each social event.
   a. If Designated Drivers are used, there must be an adequate number available dependent on the number attending.
   b. If the Hastings College Safe Ride is used, they must be notified of the time, place, and hours of the social event several days in advance.
   c. If the Hastings College Safe Ride is used, the telephone number to call must be posted in a prominent place at the student event.
   d. All unregistered student events or social gatherings, including pre- and post-parties (“primers” and “posters”) that are in violation of these guidelines are officially discouraged by the College and its campus organizations.

8. Illegal drugs are prohibited at any student event.

**DRUG EDUCATION AND TESTING POLICY FOR STUDENT ATHLETES**

**Policy Statement:** Hastings College (HC) is committed to the physical and mental health, and well-being of its student-athletes. Hastings College recognizes that the use of certain drugs and substances is not in the best interest of the student-athlete or Hastings College Athletics. In an effort to eliminate the use of certain drugs and other substances, Hastings College has implemented a comprehensive substance abuse education and testing program to promote healthy and responsible lifestyles for student-athletes. Hastings College requires all student-athletes to complete drug education programming through myPlaybook, a series of online lessons that ensure student-athletes are thoroughly educated about the risks of drug use prior to any drug testing. To become and remain a participant in Hastings College’s Intercollegiate Athletics program, a student-athlete must comply with the terms of this program that encompasses drug education, screening, and counseling.

**Purpose:** The purpose of the Hastings College Student-Athlete Drug Education and Drug Testing Policy is multifaceted. The program focuses on the following objectives:

A. Promoting the health, safety, and welfare of the student-athletes who participate in intercollegiate athletics.

B. Educating student-athletes on the risks associated with the use of certain drugs and other substances.

C. Deterring the use of certain drugs and other substances by imposing significant sanctions on offenders.

D. Providing rehabilitation and educational services.

E. Promoting the role of Hastings College student-athletes as representatives of the College and positive role models for the youth in the community.
F. Counseling student-athletes who do not adhere to the requirements of the program.

**Drug-Testing Policies:** The Hastings College athletics department will not tolerate the use and abuse of banned substances (as defined in this policy on Appendix B) by student-athletes. Each student-athlete is subject to random drug testing, follow-up testing, and testing based upon reasonable suspicion. Student-athletes may be drug tested throughout the academic year for banned substances. Failure to report for a drug test and/or leaving the test site without permission will result in a test being classified as a “positive” test. Penalties will be imposed as prescribed in this policy. Collection protocol is set forth in Appendix D.

**Drug-Testing Selection Process:** All Hastings College student-athletes are subject to drug testing. Selection for the drug testing will occur randomly using a computer algorithm to generate a list of student-athletes to be tested.

**Hastings College Banned Drugs:** The Hastings College Athletics Department utilizes the most current NCAA list of banned drugs and drug classes (‘Banned Substances,’ see NCAA Bylaw 31.2.3.4), although the definition of a positive test under the Hastings College policy may differ from that of the NCAA Drug-Testing Program. The current list of banned drugs is set forth on Appendix B and consists of substances generally believed to be performance enhancing and/or potentially harmful to the health and safety of the student-athlete. Hastings College athletics will notify student-athletes of additions to the list of Banned Substances. Additionally, Hastings College prohibits its student-athletes from possessing or using controlled substances (as defined by federal and Nebraska law) (collective described in this policy as ‘Banned Substances’).

**Drug Testing Consent Form:** All enrolled student-athletes who have signed the Drug-Testing Consent Form and are listed on the NAIA or institution squad list or receive institutional athletic financial aid are subject to unannounced random testing. Student-athletes will be selected for testing from the NAIA or institutional squad list by using a computerized random number program.

Each academic year, student-athletes must sign the Hastings College Drug-Testing Consent Form (see Appendix A), which permits the collection of urine, saliva, and/or blood for testing of Banned Substances, as described in Appendix B. Completion of this document is required of all student-athletes as a part of their pre-participation physical examination. Failure to sign the consent form will result in the student-athlete’s ineligibility for practice or competition. The student-athlete will be required to notify his/her parent(s) and/or guardian(s) of the execution of the Drug Testing Consent Form and any minor student-athletes shall have the Drug Testing Consent Form executed by his/her parent(s) and/or guardian(s).
**Notification Process:**

1) With Notification
   a) Upon selection for testing, student-athletes will be notified prior to testing by the
      Hastings College athletic director and/or his/her designee, the student-athlete’s coach, or
      a member of the athletic training staff.
      i) Personnel will call all available phone numbers; seek the student-athlete in
         classes, housing, activities, etc., in an effort to notify the student-athlete.
      ii) Personnel will not leave a phone message on the student-athlete’s voice mail or
         with anyone answering the phone other than the student-athlete.
   b) Notification will take place no more than twenty-four (24) hours before the scheduled
      test.
   c) Failure to Report for Drug Test
      i) It is the head athletic trainer’s responsibility to notify the athletic director and/or
         his/her designee of those individuals who do not report for their test within the
         scheduled time periods.
      ii) If a student-athlete does not report at the scheduled time for his/her test, his/her
         absence will be interpreted as a positive test result. The student-athlete will be
         sanctioned as described in this policy.

**Collection Procedures:** Hastings Colleges will follow Mary Lanning HealthCare protocol for collection
procedures as outlined by their collection procedures.

**Hastings College Drug-Testing Penalties:** There are three ways in which a student-athlete can test
positive under this program:

A. The presence of one or more banned substances in the student-athlete’s system (e.g., urine).
B. Failure to report for a drug test after receiving notification of the drug test from the Athletic
   Director and/or his/her designee, the student-athlete’s coach, or a member of the athletic training
   staff.

Subject to certain exceptions noted in this Policy, the sanctions for a positive drug test are as follows:

1) **First Positive Test**

   The athletic director, head coach, and/or the head athletic trainer will have a confidential meeting
   with any student-athlete who tests positive. The student-athlete will be required to notify his/her
   parent(s) and/or guardian(s) of the positive drug test with a designated member of the athletic
   department present for the notification. The student-athlete will be suspended immediately from
   athletic competition for 10% of the season of competition, or a minimum of one (1) athletic
contest. If the current season is not in effect or if less than 10% of athletic competition remains in the current season, the positive test suspension will carry over to the following season. In addition, the student-athlete must participate in a substance abuse treatment program as set forth by the athletic director and head athletic trainer. The student-athlete will be subject to unannounced follow-up drug testing for one year after the date of the first violation. Refusal to participate in the substance abuse treatment program, as set forth in this paragraph, will be treated as a second positive test result. The student athlete may appeal the above conditions to the drug-testing appeals committee.

The student-athlete must be medically authorized by the team physician, in conjunction with the head athletic trainer or any counselor and/or therapist, prior to resuming any athletic practice or competition. The student-athlete may appeal the above conditions to the drug-testing appeals committee.

2) Second Positive Test
The athletic director, head coach, and head athletic trainer will be notified of a student-athlete’s second positive test result. The athletic director, head coach, and/or head athletic trainer will have a confidential meeting with any student-athlete who tests positive. The student-athlete will be required to notify his/her parent(s) and/or guardian(s) of the positive drug test with a designated member of the athletic department present for the notification. The student-athlete will be suspended immediately from athletic competition for 50% of the season of competition. If the current season is not in effect or if less than 50% of athletic competition remains in the current season, the positive test suspension will carry over to the following season. In addition, the student-athlete must participate in a substance abuse treatment program as set forth by the athletic director and head athletic trainer. The student-athlete will be subject to unannounced follow-up drug testing through the remainder of his/her enrollment at Hastings College. Refusal to participate in the substance abuse treatment program, as set forth in this paragraph will be treated as a third positive test result. The student-athlete may appeal the above conditions to the drug-testing appeals committee.

The student-athlete must be medically authorized by the team physician, in conjunction with the head athletic trainer or any counselor and/or therapist, prior to resuming any athletic practice or competition.

3) Third Positive Test
A student-athlete who tests positive for a third time will immediately lose all remaining eligibility for athletics participation at Hastings College. In addition, any existing athletics financial aid may be terminated immediately and may not be renewed the following year. The student-athlete may appeal the above conditions to the drug-testing appeals committee.
**Self-Reporting Abuse of Chemical Substances:** As a one-time exception to the Hastings College Drug-Testing Penalties during a student-athlete’s career, a student-athlete may receive a limited sanction when the student-athlete self-reports his/her own misuse or abuse of chemical substances and seeks professional help to correct the behavior prior to being selected for a drug test. Such self-disclosure may be made to the Athletic Director or to the Head Athletic Trainer.

Upon self-reporting, an immediate drug-test will be administered. This test will not count as a positive test as it relates to sanctions, but will be considered positive as it relates to the number of positives the student-athlete accumulates over the course of his/her career. The student-athlete will be withheld from institutional random testing for a period of thirty (30) days.

Self-reporting student-athletes will not be exempted from future Hastings College drug-testing, nor exempted from any sanctions if the results of future tests are positive.

**Reporting of Results:** All drug-test results are made available to the athletic director. It is the responsibility of the athletic director to inform the head coach of all positive test results.

**Confidentiality:** All Hastings College employees, including all members of the Hastings College Athletic Department, are expected to maintain the confidentiality of any information seen, heard, read, and/or otherwise obtained regarding a student-athlete's personal health information, including results under this policy.

All Hastings College Athletic Department personnel are expected to adhere to the Confidentiality Policy at all times. Violation of the policy may incur disciplinary action at the discretion of the College President.

**Drug-Testing Appeals Committee:** Hastings College has formed an Athletic Drug Education and Testing Committee. Members of this committee include Team Physician, Athletic Director, Assistant Athletic Director, Head Athletic Trainer, and Vice President of Student Life.

Student-athletes who test positive under the terms of this policy or who have had a sanction imposed will be entitled to an appeal hearing. The student-athlete will remain ineligible, if applicable, for competition pending the outcome of the appeal. Appeals must be presented in writing by the student-athlete to the athletic director within three (3) business days after the student-athlete has received notification of a positive drug test. The athletic director will forward the request for a hearing to the Drug-Testing Appeals Committee. A hearing will be scheduled within ten (10) business days of receiving the written request for appeal. The Drug-Testing Appeals Committee will consist of the athletic director or his/her designee(s), the Title IX Coordinator at Hastings College, and a faculty/staff member appointed by the Title IX Coordinator.

The meeting will include an opportunity for the student-athlete to present evidence, to question adverse
testimony, as well as to review the results of the drug test or review the findings and/or sanction imposed. The student-athlete may bring one person of his/her choosing to the Appeal Hearing to function as an advisor to the student. This person may speak on behalf of the student-athlete during any or all times of the hearing. The hearing will be confidential. The decision by the Appeals Committee regarding the sanction to be imposed will be final. The Athletic Director will inform the student-athlete of the committee’s decision in writing. A formal record, a tape recording, or a verbatim transcript of the meeting will be kept for college records. The student-athlete can request a confirmation retest of the original sample at his/her own expense, this second test will be conducted by Mary Lanning Healthcare and must be requested within 48 hours of being notified of a failed test.

SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING POLICY STATEMENTS

Programs to Prevent Dating Violence, Domestic Violence, Stalking and Sexual Assault:

- **Workplace Answers:** Annual online training program for all new staff and for current employees who are designated as a campus “mandatory reporter.” Training topics covered are policy definitions and procedures regarding dating violence, domestic violence, sexual assault, stalking and crime reporting. Trainings covered through Workplace Answers:
  - Unlawful Harassment Prevention for Higher Education Staff
  - Unlawful Harassment Prevention for Higher Education Staff Supervisors
  - Unlawful Harassment Prevention for Higher Education Faculty
  - The Clery Act and Campus Security Authorities
  - Preventing Discrimination and Sexual Violence: Title IX VAWA and Clery Act for Faculty and Staff

- **HAVEN:** Annual online interactive course designed to engage and empower student learning by addressing the critical issues of sexual assault, sexual harassment, stalking, elements of a healthy relationship, the importance of sexual consent, and the role of bystanders in creating a safe, healthy campus community. HAVEN is required for ALL new students to Hastings College.

- **Alcohol Edu:** Annual on-line interactive two-part online alcohol abuse prevention program designed to help all new first year students clarify their thinking about alcohol and assist them in make healthy decisions while at college and beyond. Completion of this course is required for all first year students.

- **INT 103 Bridges Presentation:** During the first semester for all first year students are required to take an introductory course to college called INT 103. The portion of the course that is dedicated to teaching new students about campus services and resources is called INT 101 Bridges. The Bridges presentation conducted by C.A.R.E (College Acquaintance Rape Educators – Peer Education Group) focuses on the topics of sexual assault, interpersonal
violence which includes dating and domestic violence, stalking and consent. The members of
C.A.R.E also educate new students on the resource available including counseling services,
health services and services available in the Hastings community that are available to Hastings
College students.

- **The Hunting Ground Movie:** C.A.R.E held multiple viewings of the movie “The Hunting
Ground” and afterward held a discussion to review campus policy/procedures.

- **Walk a Mile in Her shoes and other public awareness events:** Public awareness events such
as “Walk a Mile in Her Shoes,” the Clothesline Project, candlelight vigils, protests, “survivor
speak outs” or other forums in which students/employee disclose incidents of sex/gender based
harassment, discrimination or sexual misconduct.

- **We End Violence Speaker:** Speaker Jeff Bucholtz from the company “We End Violence”
presented on our campus to address the topics of WHY violence happens and Healthy
Relationships in a format that was interactive and engaging for our students. He asked students
to explore what every person can do to prevent sexual violence, and how to prevent it through an
examination of the cultural ideologies, attitudes and behaviors that allow violence to flourish.
These two programs were held during New Student Days weekend and during the first week of
the fall semester.

**Policy Statement that Prohibits the Crimes of Dating Violence, Domestic Violence, Sexual Assault
and Stalking**

**HC Cares Policy Statement & Jurisdiction:** Hastings College (HC) is committed to fairness and
equity in all aspects of the educational experience and, therefore, prohibits sex/gender based harassment,
discrimination, and sexual misconduct. HC adheres to all federal and state civil rights laws banning
discrimination in private institutions of higher education. Alleged violations of this policy are subject to
resolution using the procedures detailed within this document. This policy applies to allegations of
sex/gender based harassment, discrimination and sexual misconduct that takes place in any College
program or activity that happens either on or off-campus including overseas programs. All members of
the College’s community are subject to this policy including, but not limited to, students, faculty,
administrators, trustees, staff, coaches, and independent contractors, as well as others who participate in
College programs and activities, regardless of sexual orientation or gender identity. However, the
College’s response may be limited if the responding party is a guest or is not subject to the College’s
jurisdiction. Members of the HC community in violation of this policy will be subject to disciplinary
action, sanctions or other means necessary to address the behavior. Additionally, because the College
takes seriously all acts of sex/gender based harassment, discrimination and sexual misconduct, those
who make malicious and purposeful false accusations will be subject to College sanctions and
discipline.

**Definitions:**

**Sex/Gender Based Stalking:** Stalking is a crime in Nebraska. See Neb. Rev. Stat. §§ 28.311.02 to
28.311.05. Stalking behavior covered by this policy is a course of conduct that is unwelcome and
directed at a specific person or persons on the basis of sex or gender which would cause a reasonable person to fear for their safety or the safety of others, or to suffer substantial emotional distress. “Course of conduct” is defined as a pattern of actions composed of more than one act over a period of time, however short, evidencing a continuity of conduct.

- sex/gender based stalking includes menacing behaviors or activities occurring repetitively and can include the pursuit, following, harassing and/or interfering with the peace and/or safety of others. Examples of such behaviors and activities may include, but are not limited to, the following:
  
  i. Non-consensual communication, including face-to-face communication, telephone calls, voice messages, e-mails, written letters, gifts, or any other communications that are undesired and place another person in fear.
  
  ii. Use of online, electronic, or digital technologies, including:
    
    a. Posting of pictures or information in chat rooms or on websites
    b. Sending unwanted/unsolicited email or talk requests
    c. Posting private or public messages on internet sites, social networking sites, and/or school bulletin boards
    d. Installing spyware on the reporting party’s computer
    e. Using Global Positioning Systems (GPS) to monitor a reporting party
  
  iii. Pursuing, following, waiting, or showing up uninvited at or near a residence, workplace, classroom, or other places frequented by the reporting party
  
  iv. Surveillance or other types of observation, including staring or “peeping”
  
  v. Trespassing
  
  vi. Vandalism
  
  vii. Non-consensual touching
  
  viii. Direct verbal or physical threats
  
  ix. Repeated, unwanted, or unnecessary gathering information about an individual from their friends, family, and/or co-workers
  
  x. Threats to harm self or others
  
  xi. Defamation — lying to others about the reporting party

**Sexual Misconduct (same as Sexual Assault):** This policy defines sexual misconduct as the threat or the commission of behavior used to obtain sexual gratification against another’s will or at the expense of another such as inducing fear, shame, or mental suffering. Sexual misconduct includes unwanted sexual acts or actions, whether by an acquaintance, a person in the position of authority, or a stranger that occurs without consent of both individuals or under threat or coercion. Sexual misconduct can occur either forcibly and/or against a person’s will, or when a person is incapable of giving consent. Silence does not constitute consent. Anyone may experience and report sexual misconduct including, but not
limited to, adults, adolescents, minors, the developmentally disabled and vulnerable individuals regardless of age.

The following are types of prohibited sexual misconduct under this policy:

1. **Sexual Harassment** (defined in section III, A, 1 of the HC Cares policy that can be found at www.hastings.edu/hccares).

2. **Non-Consensual Sexual Intercourse**: any sexual intercourse or penetration, however slight, with any object by a person upon another person that is without consent and/or by force. Intercourse includes: vaginal or anal penetration by a penis, object, tongue or finger, and oral copulation (mouth to genital contact), no matter how slight the penetration or contact.

3. **Non-Consensual Sexual Contact**: any intentional sexual touching, however slight, with an object by a person upon another person that is without consent and/or by force. Sexual Contact includes intentional contact with the breasts, buttock, groin, or genitals, or intentionally touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; or any other intentional bodily contact in a sexual manner.

4. **Sexual Exploitation**: taking non-consensual or abusive sexual advantage of another, and the conduct does not fall within the definitions of sexual harassment, non-consensual sexual intercourse, or non-consensual sexual contact. Examples of sexual exploitation include, but are not limited to:
   - sexual voyeurism (such as watching a person undressing, using the bathroom, or engaging in sexual acts without the consent of the person observed);
   - taking photographs, video recording, or audio recording of another in a sexual act or in any other intimate, private activity without the consent of all persons involved in the activity;
   - exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity or disseminating sexual pictures without the photographed person’s consent);
   - engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV), other sexually transmitted disease (STD) or other sexually transmitted infections (STI) without informing the other person of the infection;
   - administering alcohol or drugs (such as “date rape” drugs) to another person without the person’s knowledge or consent.

5. **Intimate Relationship Violence**: violence between those in an intimate relationship (this includes romantic, dating or domestic relationships). Examples include, but are not limited to:
   - Physical assault between those in an intimate relationship who do not live together (Dating Violence)
• Physical assault between those in an intimate relationship who live together (Domestic Violence)

6. Sex/Gender Based Stalking: (previously defined in this Report).

College definition and attributes of Consent: a clear and knowing and voluntary affirmative agreement in word or action that give permission for specific sexual activity; active, not passive; silence in and of itself, cannot be interpreted as consent; previous relationship or prior consent does not imply future consent; consent can be withdrawn at any time, as long as that withdrawal is clearly communicated; consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another; consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the willingness to engage in and the conditions of sexual activity; force or threat of force, express or implied, invalidates consent; consent is not effective if the consent that was given was the result of the actor’s deception as to the identity of the actor or the nature or purpose of the act on the part of the actor; someone who is incapacitated cannot consent; sexual activity with someone you know to be or should know to be incapacitated constitutes a violation of this policy:

- incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent
- a person whose incapacity results from a mental or other disability, sleep, unconsciousness, involuntary physical restraint or from taking/using drugs (possession, use and/or distribution of any date rape drug is also a violation of this policy) or alcohol that prevents the individual from having the capacity to give consent.

College definition of Force from the HC Cares Policy: the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation and coercion that overcome free will or resistance.

Nebraska State Definition of without Consent (28-318 Definitions)

(8) Without consent means:

(a)(i) The victim was compelled to submit due to the use of force or threat of force or coercion, or (ii) the victim expressed a lack of consent through words, or (iii) the victim expressed a lack of consent through conduct, or (iv) the consent, if any was actually given, was the result of the actor's deception as to the identity of the actor or the nature or purpose of the act on the part of the actor;

(b) The victim need only resist, either verbally or physically, so as to make the victim's refusal to consent genuine and real and so as to reasonably make known to the actor the victim's refusal to consent; and
(c) A victim need not resist verbally or physically where it would be useless or futile to do so; and

(9) Force or threat of force means
(a) the use of physical force which overcomes the victim's resistance or (b) the threat of physical force, express or implied, against the victim or a third person that places the victim in fear of death or in fear of serious personal injury to the victim or a third person where the victim reasonably believes that the actor has the present or future ability to execute the threat.

Programming Requirements:
HC Cares statements on Bystander Interventions and Warning Signs
1. What safe and positive options are available for bystanders to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual misconduct, or stalking?
Hastings College encourages all members of the College community to take safe and positive actions to intervene when there is a risk of sex/gender based discrimination, harassment and sexual misconduct. There is no single “right” way to intervene, and what is appropriate depends on the situation and the individuals involved. Available intervention strategies include:
- Asking the people involved to stop what they are doing.
- Stepping in and separating the people involved in a non-combative manner.
- Using a distraction to focus one or more of the peoples’ attention on someone or something else.
- Asking another bystander (or a number of other bystanders) to intervene with you.
- Notifying one or more of the following offices or persons who can assist you:
  - Hasting College Campus Safety (402) 984-8064
  - Associate Vice President of Student Life (402) 461-7305
  - Title IX Coordinator (402) 461-7704
  - Hastings Police Department (402) 461-2380 or Call 911

2. What are warning signs of abusive behavior, and how can potential attacks be avoided?
Warning signs of abusive behavior include threats of violence, jealousy, controlling behavior, unusually quick romantic involvement, isolation, blaming others for feelings, and hypersensitivity. Potential attacks can be avoided by avoiding unsafe situations. The following are examples of safety tips that can be used to avoid potential attacks:
- Be aware of your surroundings.
- Avoid isolated areas.
- Do not let yourself be alone with someone you do not trust or know well.
- Make sure your cell phone is with you and charged.
- Use the buddy system when going out or walking at night.
Do not let others get drinks for you. Always know what is in your drink. Never leave your drink unattended.
- Be cautious of those who pressure you to drink more than you want.
- Do not give in to guilt, pressure, threats, or embarrassment.
- Take a self-defense class.
- Call Campus Safety for escort services between classrooms and parking lots, for assistance with vehicle trouble, or similar needs.

A. Educational Programs: Hastings College provides educational resources about and prevention of sex/gender based discrimination, harassment, sexual misconduct and retaliation. Hastings College’s educational programs promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual misconduct and stalking and include primary prevention and awareness programs for all incoming students and new employees as well as ongoing prevention and awareness campaigns for students and faculty. Members of Hastings College community are urged to take advantage of the following on-campus prevention and educational resources:
- The Director of the Health Center;
- CARE (Campus Acquaintance Rape Educators) – a peer education group on campus, advised by the Director of the Health Center;
- The Hastings College Counseling Center and the Director of Counseling Services
- Title IX Coordinator in the Office of Student Life

B. Background Checks
1. Hastings College performs pre-employment background checks on all new employees as a condition of employment. Hastings College performs background checks on adjunct faculty before they commence working. Background checks are completed on all current employees on a three year rotating cycle. Additionally, Hastings College requires background checks on all camp counselors, and program leaders prior to performing the duties or participating in the activity qualifying them for this requirement.
2. This policy defines background checks as the following:
   a. A search for sex-related offenses in an individual’s counties of residence for the past seven years;
   b. A search of the state registry of sex offenders; and
   c. A database search for criminal activity in the individual’s states of residence for the past seven years.

C. Training: Sex/gender based harassment, discrimination, and sexual misconduct often takes place when there is a power imbalance. A sound sex/gender based discrimination prevention training program prioritizes awareness directly tied to prevention, along with strategies for a proactive
response once a warning sign emerges. Sex/gender based discrimination prevention training is required for members of the Hastings College campus community according to the following schedule:

- All new students, within first semester of attendance;
- New faculty and staff, within six months of hire;
- All faculty and staff - annually;
- Camp counselors and program leaders prior to performing the duties or participating in the qualifying activity.

**PROCEDURES VICTIMS SHOULD FOLLOW IN CASE OF ALLEGED DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT OR STALKING**

**Immediate steps to follow following an act of Sexual Misconduct:**

1. Go to a safe location as soon as you are able.
2. Call someone you trust. A friend, family member, or victim advocates are good resources. You do not have to go through this alone.
3. Preserve evidence. After sexual violence, do not shower until you have considered whether to have a no-cost forensic sexual assault examination at Mary Lanning Healthcare. After sexual violence, relationship violence, and/or stalking, save the clothes you were wearing (unwashed) in a paper or cloth bag. Take photos of any damage or injury, and keep communication records. Evidence collection should be completed within 72 hours of incident, but fluids, hair samples, and DNA can be collected for a long time thereafter. Even if you have washed, evidence can often still be obtained.

**Within 24 hours:**

- Contact any of the following for assistance:
  a. Title IX Coordinator at (402) 461-7704
  b. Campus Safety at (402) 984-8064
  c. Office of Counseling Services at (402) 461-7424*
  d. Office of the Chaplain at (402) 461-7769*
  e. Office of Student Life at (402) 461-7305
  f. Office of Health Services at (402) 461-7372
  g. Spouse Abuse Sexual Assault (SASA) Crisis Center (402) 462-5810; Confidential 24-hour Hotline, (402) 463-4677*

*Denotes that this resource is confidential. They will talk with you confidentially about your options for additional support services and reporting.

If you are off-campus and experiencing an emergency situation, you can call the Hastings Police department by dialing 911 or the non-emergency line at (402) 461-2380.
After unwanted physical contact, get medical attention. A medical provider can check for and treat physical injury, sexually transmitted infections or diseases, and pregnancy. You do not need to make a formal report or press charges to receive medical care.

Medical Treatment: A person who is the victim/reporting party of sexual misconduct is urged to seek appropriate medical evaluation as promptly as possible.

- For life-threatening conditions, call 911;
- The Hastings College Health Center, (402) 461-7372;
- Mary Lanning Healthcare Emergency Room staff are trained to work with and support victims/reporting parties of sexual misconduct. If the victim/reporting party goes to the hospital emergency room, they should be aware that by Nebraska law the emergency room staff are required to notify the police of any wound or injury of violence. If the victim is under age 19, parents must also be notified;
- The Spouse Abuse Sexual Assault (SASA) Crisis Center of Hastings located at 220 South Burlington Avenue in Hastings can be contacted to explore options for resources that will cover all or partial cost of a medical treatment and they can be reached at (402) 462-5810 or by a confidential 24-hour hotline (402) 463-4677.

Medical-Legal Evidence Collection: A person who is the victim/reporting party of sexual misconduct (particularly rape, forcible oral copulation, or sodomy) is encouraged to request collection of medical-legal evidence. Collection of evidence entails potential interaction with police and a police report. Prompt collection of physical evidence is essential should a person later decide to pursue criminal prosecution and/or a civil action. The victim/reporting party should take a change of clothing to the hospital emergency room or the clothes worn at the time of the assault need to be taken in a brown paper bag. Medical-legal evidence can be collected at the Mary Lanning Healthcare Emergency Room.

Obtaining Information, Support, and Counseling: Whether or not one makes a formal report, a person who is the victim/reporting party of sexual misconduct is encouraged to obtain information, counseling and support. Counselors at a variety of agencies, both on and off campus, can help a person decide what steps to take, such as seeking medical attention, preserving evidence, obtaining counseling, or filing a report with authorities. The degree to which confidentiality can be protected depends upon whether Hastings College has a legal duty to respond to the allegations and the professional role of the person consulted. The scope of confidentiality should be addressed by that professional person before specific facts are disclosed. Counseling and support services can be obtained from:

- Hastings College Health Center and the Director of the Health Center (402) 461-7372;
- CARE (Campus Acquaintance Rape Educators) – a peer education group on campus, advised by the Director of the Health Center (402) 461-7372;
- Hastings College Counseling Center and the Director of Counseling Service (402) 461-7424;
• Hastings College Chaplain (402) 461-7769;  
• The Spouse Abuse Sexual Assault Crisis Center of Hastings (SASA) located at 220 South Burlington Avenue in Hastings, (402) 462-5810 or by a confidential 24-hour Hotline, (402) 463-4677

Reporting options following an act of Sexual Misconduct: A member of Hastings College's community who is the reporting party of sexual misconduct is urged to make a formal report to:

• Hastings Police Dept., 317 S. Burlington Ave., Hastings, NE (402) 461-2380 or 911;  
• Title IX Coordinator at (402) 461-7704, Office of Student Life, Hazelrigg Student Union;  
• if the Title IX Coordinator is not available, contact the Deputy Title IX Coordinator (402) 461-7300 or Associate Vice President of Student Life (402) 461-7305;  
• during weekends or when College administrative offices are closed, to Hastings College Campus Safety (402) 984-8064 (cell).

Whether or not the individual makes a formal report, the reporting party(s) of an alleged act of sexual misconduct is urged to seek appropriate help, which may include a medical evaluation and obtaining information, support, and counseling, either on or off campus. A reporting party(s) should use the resources listed in this policy to assist them in accessing the full range of services available.

Consider making a formal report and choose how to proceed. You have options, and are encouraged to contact the Office of Counseling Services to discuss your options: 1) Do nothing until you are ready; 2) Pursue resolution by Hastings College; and/or 3) Initiate criminal proceedings; and/or 4) Initiate a civil process against the perpetrator. You may pursue whatever combination of options is best for you. If you wish to have an incident investigated and resolved by Hastings College, students and employees should contact the Title IX Coordinator in the Office of Student Life or employees can also contact the Title IX Deputy Coordinator in the Office of Human Resources. Hastings College procedures will be explained. Those who wish incidents to be handled criminally should contact the Hastings Police Department. A campus official is available to accompany students in making such reports, if desired. Contact the Title IX Coordinator for more information.

Police Reporting: In addition to required campus reporting, reports may also be made to the police, especially if a crime is or may be involved, by calling the following numbers: Hastings Police Dept., 317 S. Burlington Ave., Hastings, Nebraska (402) 461-2380 or 911.

Process for requesting a No Contact Order: Hastings College may take whatever steps are deemed necessary to appropriately respond to allegations of sexual misconduct. Measures include, but are not limited to: Referring to counseling and health services; Referring to the Employee Assistance Program; Providing education to the community; Altering the housing situation of the reporting or responding party; Altering work arrangements for College employees; Issuing interim suspensions pending a
hearing; Providing campus escorts; Implementing contact limitations between the parties (no contact order) and Offering adjustments to academic course schedules, etc.

These measures are available regardless of whether a reporting party seeks formal resolution through Hastings College or makes a report through the Hastings Police Department.

No contact orders can be requested in person or by written request to the Title IX Coordinator.

Hastings College does not have jurisdiction to implement a criminal or civil Restraining Order. A student or employee may request a criminal or civil Restraining Order through the Hastings Police Department, Adams County Sheriff Department and/or Adams County Court System.

**Reporting Party Rights**

**Reporting:**
- Reporting parties have the right to notify the Hastings Police Department (HPD) of incidents and to receive assistance from campus personnel in doing so.
- Reporting parties may decline to report to HPD if they so wish.
- Reporting parties have the right to have their allegations investigated and resolved by Hastings College.

**Fairness:**
- All members of the campus community have the right to have reported incidents addressed according to the published HC Cares policy and procedures.
- All parties have equal opportunities to have an advisor/support person of their choosing present throughout all resolution proceedings (including intake, interviews, sanctioning, etc.). This person can be an advisor, advocate, attorney, family member, friend, faculty member, etc.
- All parties have the right to written notice of the outcome of sexual misconduct resolution proceedings.
- Reporting parties and witnesses will receive amnesty for minor infractions (i.e., alcohol and drug violations) that are secondary to the reporting incidents of sexual misconduct.
- Reporting parties, their supporters, and witnesses have a right to be free from retaliation.

**Support:**
- Students have a right to be notified of their ability to access campus counseling and health services.
- Students and employees have a right to be notified of on and off campus support resources.
- All parties involved in sexual misconduct allegations will receive the information and assistance needed to effectively participate in all proceedings.
- Reporting parties have the right to seek orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by criminal, civil, or tribal courts, and may seek the help of Hastings College in requesting and/or enforcing.
AMNESTY FOR INDIVIDUALS REPORTING A POTENTIAL HC CARES VIOLATION
Hastings College encourages the reporting of harassment, discrimination, sexual misconduct and crimes by all members of our community (i.e. 3rd party reporter and reporting party). At times individuals are hesitant to report to College officials or participate in resolution processes because they fear that they may be accused of policy violations that occurred at the time of the incident, such as underage drinking. It is in the best interest of this community that as many individuals as possible choose to report to College officials, and that witnesses come forward to share what they know. To encourage reporting, the College has a Good Samaritan Policy (Hastings College Student Handbook) which offers individuals who are the reporting party, 3rd party reporter, and witnesses of misconduct amnesty from minor policy violations related to the incident. The College pursues a policy of amnesty for students who offer help to others in need. [While policy violations cannot be overlooked, the College will provide educational options, rather than punishment, to those who offer their assistance to others in need.]

PROCEDURES FOLLOWED IN THE CASE OF ALLEGED DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT OR STALKING

Confidential and Privileged Reporting
Confidentiality of Information
1. Hastings College will make every reasonable effort possible to preserve the privacy of an individual who makes a report under this policy and to protect the confidentiality of the information reported consistent with applicable legal requirements. The degree, to which confidentiality can be protected, however, depends upon the Hastings College's legal duty to respond to the information reported and the professional role of the person consulted. The professional consulted should make these limits clear before the disclosure of any facts. This section of the policy is intended to make students aware of the various reporting and confidential disclosure options available to them – so they can make informed choices about where to turn if they experience sex/gender based harassment, discrimination or sexual misconduct. The College encourages a reporting party to talk to someone identified in one or more of these groups.
2. As required by law, all disclosures to Hastings College of an on campus act of sex/gender based harassment, discrimination or sexual misconduct are tabulated for statistical purposes without personal identifying information. The College must report annually the number of on-campus occurrences of rape, fondling, incest, statutory rape, stalking, and both dating and domestic violence. Further information regarding disclosure can be found in Section VII.
3. Reporting and Confidentiality
   a. The College encourages the reporting party to talk to somebody about what happened – so reporting party can get the support needed, and so the College can respond appropriately. Different employees on campus have different abilities to maintain a reporting party’s confidentiality.
      i. Some are required to maintain near complete confidentiality; talking to them is sometimes called a “privileged communication” defined in section VI, B of this policy.
ii. Others are required to report all the details of an incident (including the identities of both the reporting party and responding party) to the College’s Title IX Coordinator or Deputy Coordinator.

4. Requesting Confidentiality from the College
   a. If a reporting party discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident, the College must weigh that request against the College’s obligation to provide a safe, non-discriminatory environment for all students, including the reporting party.
   b. If the College honors the request for confidentiality, a reporting party must understand that the College’s ability to meaningfully investigate the incident and pursue disciplinary action against the responding party(s) may be limited.
   c. The College Title IX Coordinator will evaluate requests for confidentiality once notified of an act of sex/gender harassment, discrimination or sexual misconduct.
   d. There are times when the College may not be able to honor a reporting party’s request for confidentiality in order to provide a safe, non-discriminatory environment. When weighing a reporting party’s request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator or designee will consider a range of factors, including the following:
      i. The increased risk that the alleged responding party will commit additional acts of sex/gender based harassment, discrimination or sexual misconduct, such as:
         ● whether there have been other complaints of similar conduct about the same alleged responding party;
         ● whether the alleged responding party has a history of arrests or records from a prior school indicating a history of violence;
         ● whether the alleged responding party threatened further acts of harassment, discrimination or sexual misconduct against the reporting party or others;
         ● whether the harassment, discrimination or sexual misconduct was committed by multiple responding parties;
         ● whether the harassment, discrimination or sexual misconduct was perpetrated with a weapon;
         ● whether the reporting party is a minor;
         ● whether the College possesses other means to obtain relevant evidence of the harassment, discrimination or sexual misconduct (e.g., security cameras or personnel, physical evidence);
         ● whether the reporting party’s report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.
   e. The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the College will likely respect the reporting party’s request for confidentiality.
   f. If the College determines that it cannot maintain a reporting party’s confidentiality, the College will inform the reporting party before starting an investigation and will, to the extent possible, share information only with people responsible for handling the College’s response. The College will remain mindful of the reporting party’s well-being, and will take ongoing steps to protect the reporting party from retaliation or harm and work with the reporting party
to create a safety plan, if necessary. Retaliation against the reporting party, whether by students or College employees, will not be tolerated. The College will also:

- assist the reporting party in accessing other available information concerning victim advocacy, academic support, counseling, disability, health or mental health services, both on and off campus;
- provide other security and support if appropriate, which could include issuing a no-contact order, helping arrange a change of academic, living, transportation or working arrangements or course schedules (including for the alleged responding party pending the outcome of an investigation) or adjustments for assignments or tests; and
- inform the reporting party of the right to report a crime to campus or local law enforcement.

g. The College will not require a reporting party to participate in any investigation or disciplinary proceeding. The timeframe for concluding the complaint process will depend upon the complexity of the investigation, timing of the reporting, availability of witnesses, etc.

h. Because the College is under a continuing obligation to address the issue of sexual misconduct and sex/gender based harassment or discrimination campus-wide, reports of these acts (including non-identifying reports) may also prompt the College to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported acts occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments and/or revisiting its policies and procedures.

i. If the College determines that it can respect a reporting party’s request for confidentiality, the College will also take immediate action as necessary to protect and assist the reporting party.

Federal Timely Warning Obligations
If the College determines that the alleged responding party(s) poses a serious and immediate threat to the College community, the Office of Student Life or a College administrator will issue a timely warning to the community which is to include information representative of a serious or continuing threat to students or employees. Any such warning should not include any information that identifies the reporting party’s name and other identifying information while providing enough information for community members to make safety decisions in light of the potential danger.

Institutional Responses
Public Information: All requests from the media, the campus community at large or the general public, to the College’s employees or staff for information concerning any alleged incident of sex/gender based harassment, discrimination or sexual misconduct should be directed to the Hastings College Office of Marketing and Communications (402) 461-7327. Failure to comply with this requirement may be subject to possible sanctions including, but are not limited to, suspension, removal from campus, cancellation of contract and/or termination.

Public Notification of Incidents and Other Reporting Requirements: As required by law, Hastings College collects and annually reports statistical information concerning sexual misconduct occurring
within its jurisdiction. To promote Campus Safety, Hastings College also alerts the campus community to incidents and trends of immediate concern. Nebraska statutes require any person who is aware of or suspects child abuse or neglect (a child is defined as under 19), including sexual abuse and sexual misconduct, to report it to law enforcement. Also, Nebraska statutes require that every person engaged in the practice of medicine and surgery shall report to law enforcement in every case in which they are consulted for treatment of a wound or injury of violence which appears to have been received in connection with the commission of a criminal offense.

**Files on Sexual Misconduct Incidents:** All reports of sexual misconduct, including a copy of the report and a written summary of the College’s response, will be given to and maintained by the College’s Title IX Coordinator. A copy of files pertaining to students will also be maintained in the Office of Student Life.

**Privileged Reporting:**

1. Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the school community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX Coordinator or to the Deputy Title IX Coordinator. The Campus Health nurse is also not required to report any information about an incident if disclosed during a medical exam.

2. The following is contact information for these individuals:
   a. Hastings College Chaplain: Rev. Damen Heitmann – (402) 461-7769;
   b. Director of Counseling Services: Jon Loetterle, MEd – (402) 461-7424;
   c. Counselor: Stephanie Pershing, MA – (402) 461-7424;
   d. Additional staff working under the supervision of the Director of Counseling Services and acting in the role of a professional counselor.
   e. Director of Campus Health Services: Beth Littrell – (402) 461-7372;
   f. Additional staff working in the Campus Health Services office in the role of a licensed nurse.

3. A reporting party who speaks to a professional or non-professional counselor, nurse or advocate must understand that, if the reporting party wants to maintain confidentiality, the College will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged responding party.

4. A reporting party who at first requests confidentiality may later decide to file a complaint with the school or report the incident to local law enforcement, and thus have the incident fully investigated. These counselors and advocates will provide the reporting party with assistance if the reporting party wishes to do so.
**Off-campus Counselors and Advocates:** Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with the College unless the reporting party requests the disclosure and signs a consent or waiver form.

1. Contact information for mental health counselors in the area may change from time to time. For a current list of counselors in the area, please contact Counseling Services at (402) 461-7424. Off-campus counselors and advocates may have reporting or other obligations under state law.
2. The Spouse Abuse Sexual Assault Crisis Center of Hastings (SASA) Office: 220 South Burlington Avenue, Hastings, (402) 462-5810; Confidential 24-hour Hotline, (402) 463-4677

**Interim Action (Accommodations):** When appropriate, Hastings College will take interim actions to ensure equal access to its education programs and activities, and protect both parties as necessary before the final outcome of an investigation at no cost to the student/employee. In these cases, the College will notify both parties of their options to avoid contact with each other. The College will also take steps to both parties aware of their rights and will provide information concerning victim advocacy, housing assistance, transportation or work assistance (if applicable), academic support, counseling, health and mental health services, legal assistance and the right to report a crime to campus security or local law enforcement. The College will consult with the reporting party regarding possible interim measures even where it has determined that it can/cannot respect the reporting party’s request for confidentiality.

Notice to reporting and responding party: The College will not restrict either party from discussing and sharing information relating to their complaint with others who are directly supporting or assisting in presenting their case. The College does remind both the reporting and responding parties that any form of retaliation, including retaliatory harassment and retaliation by a third party is prohibited.

The College may suspend, on an interim basis, a student or place an employee on administrative leave pending the completion of the investigation of sex/gender based act of harassment, discrimination or sexual misconduct. In cases in which an interim suspension or administrative leave is imposed, the student or employee will be given the opportunity to meet with an appropriate administrator before such action is imposed, or as soon thereafter as reasonably possible, to show cause why the action should not be implemented. During an interim suspension or administrative leave, a student or employee may be denied access to College housing, the College campus, facilities, classes or events, either entirely or with specific application. At the discretion of the appropriate administrative officer, alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding party student. At the discretion of the appropriate administrative officer, alternative employment/work options may be pursued to ensure as minimal an impact as possible on the responding party employee. Violation of interim provisions will be grounds for disciplinary action.
Remedies:
Hastings College may take whatever steps are deemed necessary to appropriately respond to allegations of sexual misconduct. Measures include, but are not limited to:

- Referring to counseling and health services.
- Referring to the Employee Assistance Program.
- Providing education to the community.
- Altering the housing situation of the reporting or responding party.
- Altering work arrangements for College employees.
- Issuing interim suspensions pending a hearing.
- Providing campus escorts.
- Implementing contact limitations between the parties (no contact order).
- Offering adjustments to academic course schedules, etc.

These measures are available regardless of whether a reporting party seeks formal resolution through Hastings College or makes a report through the Hastings Police Department.

POLICY ENFORCEMENT, INVESTIGATION AND GRIEVANCE-ADJUDICATION PROCEDURES FOR SEX/GENDER BASED INCIDENT

Informal Resolution Process

1. Informal resolution is an alternative to the formal complaint resolution process. The Title IX Coordinator or designee will determine if informal resolution is appropriate based on the willingness of the parties and the nature of the alleged conduct. The College will not pursue an informal resolution process for acts of sexual misconduct. Sanctions are generally not pursued as the result of an informal resolution process, but can be given if found necessary, though the parties may agree to appropriate remedies. The Title IX Coordinator will keep records of any resolution that is reached. The College reserves the right to cancel informal resolution if sufficient evidence suggests a formal investigation or other sanctions or remedies may be necessary and appropriate.

2. If the Title IX Coordinator is able to resolve the complaint in an informal manner satisfactory to both the reporting party and the responding party, the Title IX Coordinator or their designee shall send a written notice to that effect to both parties with a written report to the appropriate Associate Vice President or Vice President.

3. It is not necessary to pursue informal resolution first in order to make a formal complaint, and anyone participating in informal resolution can stop that process at any time and request to continue through the formal process.
4. If an allegation includes actions that involve criminal activity and/or sexual misconduct, reports will be coordinated by the Title IX Coordinator. Individuals are strongly encouraged to also file a report with Hastings Police Department.

**Formally reporting an act of sex/gender based harassment, discrimination, or sexual misconduct**

**Filing a complaint:** Reporting party(s) are encouraged to file complaints as soon as reasonably possible to increase the ability of Hastings College and/or law enforcement (if reported to law enforcement) to gather adequate information and take appropriate remedial action. Actions may be limited where a significant amount of time has elapsed between an incident and the filing of a complaint. A person who is the reporting party of sexual misconduct is encouraged to make a formal report to:

- hccares@hastings.edu;
- the Title IX Coordinator (402) 461-7704 who is in the Office of Student Life;
- the Deputy Title IX Coordinator (402) 461-7300 who is in the Office of Human Resources;
- Vice President for Student Life, (402) 461-7305; and/or
- the Hastings Police Department (911) or (402) 461-2364.
- During weekends or when College administrative offices are closed, to Hastings College Campus Safety (402) 984-8064 (cell).

**Complaint Intake:** Following receipt of notice or an incident complaint, the Title IX Officer or Deputy Title IX Coordinator will make an initial determination as to whether the information has weight to indicate there may have been a violation of this policy. If it appears a violation may have occurred, a pattern of misconduct, and/or a perceived threat of further harm to the community or any of its members is present, then an investigation will be pursued. If the complaint does not appear to allege a policy violation or if conflict resolution is desired by the reporting party and appears appropriate, then the complaint will not proceed to investigation.

**Investigator assignment:** The Title IX Coordinator will designate the two persons who have been trained annually, who do not have any (real or perceived) conflicts of interest with either party, to represent the College and to conduct the investigation into the alleged incident.

**Investigation:** If a reporting party wishes to pursue a formal complaint or if the College determines an investigation is necessary, the Title IX Officer will assign two trained College investigators.

a. Investigations will be thorough and impartial.

b. The College will inform parties involved at regular intervals of the status of the investigation.

c. The College will designate a reasonably prompt timeframe for the major stages of a complaint process (investigation, review of materials, findings determination and appeal
procedures) with the aim to complete the entire process within 60 college business days. Factors may extend investigations beyond the 60 business days. In these occurrences, written notification will be given to all parties explaining the cause for an extension to the process. The College may also undertake a delay when criminal charges are being investigated upon request by the police department conducting the investigation. The College disciplinary process will continue regardless of the status of criminal investigation or charges involving the same incident.

d. The reporting party and responding party will be given equitable rights during the investigation and grievance/adjudication process, and each party will have an opportunity to present information, documents and witnesses to the persons deciding if the act of sex/gender based harassment, discrimination or sexual misconduct occurred and the nature of the sanction if it is determined that the act occurred.

e. The responding party will be provided notice of the allegations against them.

f. In incidents of sexual misconduct the College prohibits questioning about the reporting party’s prior sexual conduct with anyone other than the responding party. Evidence that a prior consensual dating or sexual relationship between the parties does not by itself imply consent or preclude a finding of sexual misconduct.

g. Both the reporting party and responding party may ask an advisor (maximum of two) of their choosing to be present at any investigation interview or at a findings/sanctioning meeting; however:

- the advisor’s presence in an investigation interview or a findings/sanctioning meeting is for support and advice purposes only;
- advisors are not permitted to speak for/on behalf of the student, reporting party or responding party or to otherwise engage in the proceedings in any way or to cross examine witnesses;
- the advisor may be a friend, family member, attorney or other person of the reporting party’s or responding party’s choosing;
- if any advisor, including an attorney, is deemed to be disruptive or attempts to speak for or on behalf of the reporting party or responding party, or who attempts to participate in the proceedings, that advisor may be excluded from the investigative interview or the findings/sanctioning meeting or meeting room.

h. Failure by a responding party to cooperate in an investigation or respond in a timely manner may be grounds for discipline.

i. If at any time during the investigation, the reporting party declines to cooperate in the investigation or if it is determined that the reporting party no longer wishes to pursue their complaint, the matter may be considered closed with appropriate notification to both parties. The reporting party can decide to resume the investigation at a later date as long
as a finding was not determined by a Hastings College administrator through the original investigation.

j. To the extent practicable and allowable by law, all aspects of the complaint and investigation conducted in accordance with these proceedings will be confidential.

k. All affected parties shall cooperate fully in the investigation and shall maintain and preserve the confidentiality of the investigation.

l. No party shall employ audio or video taping devices during any portion of the procedures detailed in this policy.

m. After the fact-finding process has been concluded, the investigators shall send simultaneous written notice to both parties as to the next step of the grievance process.

n. The investigators will also explain to both the reporting party and responding party that they will have access to review all investigation materials upon request and after the completion of the investigation. An in-person review will be arranged with the Title IX Coordinator. Personal identifying information for witnesses and other information as deemed necessary by the Title IX Coordinator will be removed from all investigation materials prior to review.

o. At any point during the investigation, if it is determined there is no reasonable cause to believe that College policy has been violated, the Title IX Coordinator has authority to terminate the investigation and end resolution proceedings.

**Improper Conduct During an Investigation:** Any member of Hastings College's community who provides knowingly false information or who refuses to cooperate in an investigation related to this policy will be subject to disciplinary action, up to and including expulsion, suspension, termination, removal from campus, cancellation of contract or any other means necessary to address the behavior.

**Student Withdrawal from College while Allegations Pending:** Should the responding party (who is a student) decide to withdraw from the College and then not participate in the investigation and/or hearing, the process will continue in the student’s absence to a reasonable resolution. That student will not be permitted to return to the College unless any and all sanctions have been satisfied. The Title IX Coordinator will continue to act to promptly and effectively remedy the effects of the conduct upon the reporting party and the community.

**Employee Resign from College while Allegations Pending:** Should a responding party (who is an employee) resign while allegations are pending, the records of the Title IX Officer will reflect that status, as will College’s responses to any future inquiries regarding employment references for that individual. Should an employee decide to leave and not participate in the investigation and/or hearing, the process will continue in the employee’s absence to a reasonable resolution and that employee will not be permitted to return to the College unless any and all sanctions have been satisfied. The Title IX
Officer will continue to act to promptly and effectively remedy the effects of the conduct upon the reporting party and the community.

**Disciplinary Procedures and Action**

1. Upon receipt of the investigative report and investigation documents, the Title IX Officer will review all materials to ensure a fair, equitable and private/confidential investigation process; to assess evidence and credibility of information; and to make sure all investigation materials are present.

2. Upon review of the investigation materials the Title IX Coordinator will forward it to the appropriate, annually trained, Associate Vice President or Vice President for a disciplinary decision of whether a policy violation has or has not occurred, and for determination of applicable sanctions.

3. The preponderance-of-the-evidence (i.e., more likely than not) standard will be used. A student or employee will be found either in violation or not in violation of this policy.

4. Where the responding party is found not responsible for the alleged violation(s), the investigation will be closed.

5. Where the responding party is found in violation of this policy due to the alleged violation(s), the College will act to end the discrimination or other misconduct, prevent its recurrence, and remedy its effects on the reporting party and the HC community.

6. Sanctions for violations of this policy may include, but are not limited to:
   - termination;
   - expulsion;
   - suspension;
   - removal from campus;
   - suspension/expulsion from campus housing;
   - cancellation of contract and/or termination;
   - other appropriate institutional sanctions.

7. Other members of Hastings College's community who are not students, staff or employees, and who may not be explicitly subject to this College procedure, upon a finding of a violation, shall be subject to adverse actions such as removal from campus, cancellation of contract or any other means necessary to address the behavior.

8. After the disciplinary process has been concluded, the appropriate Associate Vice President or Vice President shall send simultaneous written notice to both parties including information on the policy violation, the disciplinary finding(s), the sanctions and appeal procedure.

9. All parties will receive written notification of the outcome, including the findings, any resulting responsive actions, and the rationale for the decision. This written notification of a final decision will be delivered to the parties without undue delay between the notifications. The notification will also explain appeal options and procedures to both parties.
10. A copy of this notification will also be given to the Title IX Coordinator.

**Appeal Procedure**

Once the College has responded to a report of sex/gender based harassment, discrimination or sexual misconduct, either party has the ability to petition for appeal by written request to the Title IX Coordinator within five business days of the date of the decision. The written request for appeal must be based on at least one of the following reasons listed below and must include justification for that reason:

1. A procedural error or omission occurred that significantly impacted the outcome of the hearing (i.e. substantiated bias, material deviation from established procedures, etc.).
2. The sanction(s) imposed are substantially disproportionate to the severity of the violation or fall outside the range of sanctions Hastings College has designated for this violation.
3. To consider new evidence, unknown or unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included in the appeal.

The Title IX Coordinator will review the petition for appeal and determine if at least one of the reasons stated above are met, to decide if the appeal will be granted or denied. In the case that the appeal is denied because none of the reasons have been met, then the original findings and sanctions stand.

In the case where reason #1 or #2 have been met and the appeal is granted, the Title IX Coordinator will forward the appeal to the Vice President for Student Life or Provost, or their designee, for a finding and decision.

In the case where reason #3 is met and the appeal is granted, the appeal will first be remanded to the original investigator(s) of the incident for investigation of new evidence. New evidence will then be forwarded to the original sanctioning individual(s) for reconsideration. The sanctioning individual(s) will then forward a recommendation to the Vice President for Student Life or Provost, or their designee, to render a finding.

The Vice President for Student Life or Provost, or their designee, will review all written documentation of the case or record of the original hearing, and pertinent documentation regarding the reasons for appeal, as the appeal process is not intended to be a re-hearing of the case.

The Vice President for Student Life or Provost, or their designee, will render a written decision of the appeal outcome.

In the event that the Vice President for Student Life and the Provost recuses themselves from serving as the appeals officer on a particular case, they will designate a trained member of the Title IX team to
serve as the Appeals officer.

When either party requests an appeal, the other party (parties) will be notified and given the opportunity to respond in writing to the appeal. The appeal will also be shared with investigators and they will have an opportunity to respond in writing to the appeal. All parties will be informed of whether the petition for appeal is granted or denied, and the results of the appeal decision.

All findings of an appeal are final and binding, and no further appeals are permitted. All sanctions imposed by the College administrator will be in effect during the appeal process.

**Standard of Evidence:** preponderance-of-the-evidence (i.e., more likely than not) standard will be used in all cases.

**Response to a report of dating violence, domestic violence, sexual assault or stalking:** When Hastings College receives a report of dating violence, domestic violence, sexual assault or stalking the reporting party receives a copy of the HC Cares policy and a copy of the brochure “A Resource Guide for Students and Employees on Sexual Misconduct.”
CONDUCT POLICY FOR STUDENT CODE OF CONDUCT VIOLATIONS

Jurisdiction of Hastings College: Generally, Hastings College jurisdiction and discipline shall be limited to conduct which occurs on College premises or which adversely affects the Hastings College community and/or the pursuit of its objectives.

Hastings College does have jurisdiction to sanction a student for activities that take place off campus when those activities adversely affect the interests and/or reputation of the College or cause injury or harm to any person. The College is regularly notified of student violations of the law within the City of Hastings. Among those violations open to College sanction are: 1) disturbance of the peace, 2) selling alcohol without a license, 3) procuring alcohol for minors, and 4) any form of criminal violence to person or property.

Conduct—Rules and Regulations: Any student found to have committed the following misconduct is subject to the disciplinary sanctions:

1. Acts of dishonesty, including but not limited to the following:
   a. Cheating, plagiarism, or other forms of academic dishonesty. (See the following section in this Handbook on “Academic Dishonesty.”)
   b. Furnishing false, fraudulent, misrepresentation of self or information to any Hastings College office, faculty member, staff or administrator.
   c. Forgery, alterations, or misuse of any Hastings College document, record, or instrument of identification.
   d. Tampering with the election of any Hastings College recognized student organization.
2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other College activities, including its public service functions on or off campus, or other authorized non-Hastings College activities, when the act occurs on College premises.
3. Physical abuse; verbal abuse; threats; intimidation; bullying or harassment; any kind of sexual violence including but not limited to sexual assault, dating violence, domestic violence and abuse and sexual harassment; harassment of any kind; stalking; coercion and/or other conduct which threatens or endangers the health or safety of any person.
4. Attempted or actual theft of and/or defacement, vandalism, or damage to property of Hastings College or property of a member of the College community or other personal or private property.
5. Hazing, defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. It includes any activity that is expected of someone joining or participating in a group that humiliates, degrades, abuses or endangers them regardless of a person’s willingness to participate. Such activities and situations include, but are not limited to, paddling in any form, creating excessive fatigue, forced consumption of any substance (such as food, beverages, tobacco, alcohol), forced road trips, kidnapping, morally degrading games or stunts, or other activities prohibited by law or College policy.
6. Failure to comply with directions of Hastings College officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
7. Unauthorized possession, duplication or use of keys (including electronic) to any Hastings College facilities or unauthorized entry to or use of any College facility.
8. Illegal use, possession, or distribution of any drug or other controlled substance or use, possession or distribution of any analog drug or other chemical substance, compound or combination when used to: induce an altered state; and/or including any otherwise lawfully available product (such as over the counter or prescription drugs) used for any purpose other than its intended use.
9. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on College premises.
10. Participation in a campus demonstration which disrupts the normal operations of the College and infringes on the rights of other members of the College community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus or at College-sponsored or supervised functions.
11. Conduct which is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on College premises or at functions sponsored by, or participated in by Hastings College.
12. Attempted or actual theft or other abuse involving computers, cell phones or electronic devices and equipment including but not limited to:
   a. Unauthorized entry into a file, to use, read, or change the content or for any other purpose.
   b. Unauthorized transfer of a file.
   c. Unauthorized use of another individual’s identification and password.
   d. Use of computing facilities to interfere with the work of another student, faculty member or College official.
   e. Use of computing facilities to send obscene or abusive messages.
   f. Use of computing facilities to interfere with normal operation of the Hastings College computing system.
13. Attempted or actual theft involving the Hastings College telephone system or other abuse including, but not limited to:
   a. Unauthorized use of another individual’s identification, password or calling card.
   b. Use of the telephone system to send obscene and/or abusive messages.
14. Abuse of the Hastings College Judicial System, including but not limited to:
   a. Failure to obey the summons of a judicial or College official.
   b. Falsification, distortion, or misrepresentation of information before a judicial body.
   c. Disruption or interference with the orderly conduct of a judicial proceeding.
   d. Institution of a judicial proceeding knowingly without cause.
   e. Attempting to discourage an individual’s proper participation in, or use of, the judicial system.
   f. Attempting to influence the impartiality of a member of a judicial body prior to and/or during the course of, the judicial proceedings.
   g. Harassment (verbal or physical) and/or intimidation of a member of a judicial body prior to, during, and/or after a judicial proceeding.
   h. Failure to comply with the sanction(s) imposed under the Student Code.
i. Influencing or attempting to influence another person to commit an abuse of the judicial system.

15. Violation of published Hastings College policies, rules or regulations including rules adopted from time to time governing campus residential facilities.

16. Violation of federal, state or local law on Hastings College premises or at Hastings College sponsored or supervised activities, or in any other setting.

**Sanctions:** Any of the following sanctions may be imposed upon any student found to have violated the Hastings College Student Code (this is not an exhaustive list). A decision as to whether a student has violated college policies and the Code of Conduct are made using the standard of *preponderance of the evidence*, in other words that an act was more likely than not to have occurred.

1. **Warning**—A notice in writing to the student that the student is violating or has violated institutional regulations.

2. **Loss of Privileges**—Denial of specified privileges and/or participation in extracurricular activities for a designated period of time.

3. **Fines**—Appropriate fines may be imposed.

4. **Restitution**—Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.

5. **Discretionary Sanctions**—Work assignments, service to the College or other related discretionary assignments (such assignments must have the prior approval of the Student Life).

6. **Administrative or Conduct Probation**—probationary status for a specified period of time whereby subsequent infractions would trigger additional consequences, including suspension or expulsion. Conditions for successfully completing probationary status may be specified.

7. **Campus Housing Suspension/withdrawal**—separation of the student from the living on campus for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.

8. **Campus Housing Expulsion**—Permanent separation of the student from the residential areas.

9. **College Suspension or Withdrawal**—Separation of the student from Hastings College for a definite period of time, after which the student is eligible to re-turn. Conditions for readmission may be specified.

10. **College Expulsion**—Permanent separation of the student from Hastings College.

   The institution may impose sanctions including revocation of scholarships for grave misconduct demonstrating flagrant disregard for the rights of others. In addition, the institution may withhold rewarding a degree otherwise earned until the completion of processes set forth in this Code, including the completion of any sanctions imposed. In addition, deactivation—loss of privileges, including College recognition, for a specified period—may be imposed. The sanctions listed above may also be imposed upon groups or organizations. Other than College expulsion, disciplinary sanctions shall not be made part of the student’s academic transcript, but shall become part of the student’s confidential record. These records are maintained for five (5) years after final disposition of the case.

Upon written request, the institution can release a student disciplinary proceeding for any violent crime or sexual misconduct offense where the incident results in the student’s death (the victim of the incident), to the student’s next of kin.
Interpretation and Revision:

- Any questions of interpretation regarding the Student Code shall be referred to Student Life and/or the president of Hastings College for final determination.
- The Student Code shall be reviewed every five (5) years or earlier if deemed necessary by the Student Life Council under the supervision of Student Life.

All students who enroll at Hastings College are expected to abide by this Student Code of Conduct. The College, in turn, will attempt, during the student’s tenure, to lend advice, support, and counsel as solicited and/or needed.

All students, on or off campus, and their guests are expected to show consideration and exhibit respect for the residents of Hastings, especially close neighbors, and behave in a manner compatible with the standards of the larger community. In addition, all HC students are expected to exhibit respect for the social regulations, personnel, and property when visiting other colleges and communities.

Referral, Hearing Procedures and Jurisdictions: The student judicial system comprises systems that include the following: Residence Halls Council, Bronco Village Board, Student Judiciary Council, Administrative Hearing, and Academic Affairs Committee. Reports of violations of Student Code of Conduct are referred to the respective body or office that is responsible for adjudication.

Reports or referrals of violations that occur in residence halls jurisdiction are referred to the respective residence hall council via the Residence Hall Director (see Residence Hall Council section below). Reports or referrals of violation that occur in the Bronco Village apartments’ jurisdiction are referred to the Bronco Village Board via the Director of Apartment Living (see Bronco Village Board section below). Students who are referred to these bodies are informed of hearing procedures. Reports or referrals for violations outside of these jurisdictions are referred to the Vice President or Associate Vice President of Student Life in the Office of Student Life.

The Office of Student Life makes final determination of whether a case will be conducted through the Student Judiciary Council or through the Administrative Hearing process. If the Office of Student Life determines that the referral will be adjudicated through SJC, the referral is forwarded to the Chair of SJC for further processing.

If the Office of Student Life determines that the referral will be adjudicated through the Administrative hearing process, the Office of Student Life promptly summons/contacts the student(s) to make an appointment for a hearing to discuss the report/violation.

Referrals for violations can be made by any student, faculty or staff; however, referral for violations that occur in residence halls and Bronco Village apartments are typically made by the respective residence/Bronco Village apartment’s staff. Hearings are closed to only the adjudicating body/administrator and the referred student(s). However, in cases involving sexual violence (including sexual assault, domestic abuse, dating violence, sexual exploitation, stalking, retaliation, intimidation, sexual harassment and hostile environment caused by sexual harassment), students (both the reporting
and the responding parties) may invite an advisor of their choosing to attend the hearing. In the event that a student chooses to ask an advisor to be present at a hearing with the student, it is important to note that the advisor’s presence in a hearing is for support and advice purposes only i.e., advisors are not permitted to speak for/on behalf of the student, or to otherwise engage in the proceedings in any way or to cross examine witnesses. The advisor may be a friend, family member, attorney or other person of the student’s choosing. However, if any advisor, including an attorney, is deemed to be disruptive or attempts to speak for or on behalf of the student or who attempts to participate in the proceedings, that advisor may be excluded from the hearing or meeting room.

Violations pertaining to academic dishonesty are typically addressed by individual faculty; procedures are delineated below under the section Academic Dishonesty and can also be found in the Hastings College Academic Catalog.

**RESIDENCE HALL COUNCIL**

Membership:
1. Hall President
2. Members at Large
3. All RAs
4. Student Senate Representative
5. Food Service Committee Representative
6. Head Desksitter
   Ex-officio—Resident Director
   Chairperson—Hall President

Jurisdiction and responsibilities:
1. To hear and discipline all cases involving violations of the Code of Conduct committed within the respective residence halls.
2. To hear and discipline all cases involving other inappropriate student behavior within the respective residence halls.

Powers - The Residence Hall Councils have the power to:
1. To inform the referred student of adjudication procedures, including when a hearing is scheduled.
2. Levy appropriate penalties including fines and probation.
3. Require that fines levied be paid in a timely fashion to the Resident Director.
4. Recommend expulsion or suspension from the Residence Halls and/or college.

Appeals: All offenders have the right to appeal a decision to the Student Judiciary Council or Office of Student Life.

**BRONCO VILLAGE BOARD**

Membership:
1. All Apartment Resident Assistants
2. One student representative from each apartment building
   Chairperson—Director of Apartment Living

...
Jurisdiction and Responsibilities:
1. To inform the referred student of adjudication procedures, including when a hearing is scheduled.
2. To hear appeals of sanctions issued at Bronco Village Apartments.
3. To review and make recommendations regarding Bronco Village Apartment policies.
4. To plan and assist in the implementation of Bronco Village Apartment community activities.
5. To hear grievances and concerns regarding community living violations (e.g., consistent noise problems or violations, etc.), and to recommend appropriate solutions to the Director of Apartment Living.
6. To provide general support in the development of a positive community living environment at the Bronco Village Apartments.

Appeals: All offenders have the right to appeal a decision to the Office of Student Life. See Appeals

STUDENT JUDICIARY COUNCIL
Membership:
1. Six students (four members and two alternates)—elected at large by a vote of the entire student body each spring.
2. Two teaching faculty/staff members—appointed by the Faculty Senate.
3. One staff advisor – Associate VP for Student Life/Title IX Coordinator.
Chairperson—A student elected by the membership.

Jurisdiction and Responsibilities:
1. To hear and to discipline cases involving violations of the Code of Conduct committed outside the jurisdiction of the individual residence hall councils and are referred to SJC Chair by the Associate Vice President or Vice President of Student Affairs.
2. To hear and discipline any cases within the jurisdiction of a residence hall council which that council has formally chosen not to handle.
3. To handle appeals of individuals from the decisions of residence hall councils, election board, Inter-Greek Council, or any other campus regulatory body.
4. To rule on the constitutionality of any action of either the Executive Council or Student Senate upon request of any Student Association member.
5. To inform the referred student of adjudication procedures, including when a hearing is scheduled.

Powers:
1. Levy appropriate penalties including fines and probation.
2. Require that fines levied be paid in a timely fashion to the Student Association or Office of Student Life account in the College Business Office.
3. Recommend expulsion or suspension from the college to the Vice President or Associate Vice President of Student Life.

Appeal: If SJC hears a case (not an appeal), offenders have the right to appeal a decision to the VP of Student Life or the Associate VP of Student Life. If SJC is hearing an appeal, the SJC decision is binding. In cases of expulsion or suspension, the SJC recommends action to the Office of Student Life.
APPEALS PROCEDURES
In cases adjudicated by Hall Councils, an individual may make an appeal to the VP of Student Life or to chairperson of the Student Judiciary Board. In cases adjudicated by the Bronco Village Board, an individual may make an appeal to the VP of Student Life. In cases adjudicated by Associate VP, an appeal may be made to the VP of Student Life. In cases adjudicated by VP for Student Life, an appeal may be made to the President of the College. The appeal must be within five (5) business days following the receipt of the decision. Appeal must be in writing and clearly state one of the reasons listed below:

1) Flagrant violation of one of the procedures in the judicial systems document that could change the outcome of the decision; or
2) Discovery of new evidence that was not available at the time of the decision; or
3) The severity of the sanctions.

If the appeals body, VP for Student Life, or President of the College determines that there is sufficient justification, they may ask the adjudicating body or individual to reconsider the case. Decisions by appeal bodies and individuals are binding.
PROGRESSIVE DISCIPLINE AND PERFORMANCE COUNSELING POLICY FOR EMPLOYEES

Although nothing in this policy is intended to restrict the employee or the College’s ability to exercise employment at will, the College uses a progressive discipline and performance counseling process when it is believed such a process may effectively lead to the necessary changes with regard to compliance with work rules and supervisory expectations and with regard to performing job duties at a satisfactory level. Depending upon the circumstances, discipline may begin at any step in the process or immediate termination may be invoked.

Informal Counseling
When a relatively minor problem first arises the supervisor will meet with the employee to advise him/her of the problem, the supervisor’s expectation and the future consequences of failing to resolve the problem.

Verbal Warning
If a minor problem continues after informal counseling, or when a more significant problem occurs for the first time, the supervisor will meet with the employee to discuss the problem, the supervisor’s expectations, and the future consequences of failing to resolve this matter. This conversation will be documented and a copy of the documentation will be provided to the employee and the original will be maintained in the supervisor’s files.

Written Warning
If a problem persists, for which a verbal warning has already been issued; if a new problem occurs which is similar in nature or severity to the one already addressed through verbal warning; or if a more significant code of conduct violation occurs, the supervisor will review the matter with the one-up supervisor and then upon concurrence from the one-up supervisor meet with the employee and issue a written warning delineating the unacceptable behavior, the prior meetings and actions taken to date, the supervisor’s expectations and the future consequences of failing to resolve the matter. The written warning will provide a space for the employee to make his/her own written comments. The employee is expected to sign the warning signifying that he/she has received the warning. A copy of the written warning will be provided to the employee. The original and any supporting documents including all other prior documentation will be reviewed by Human Resources and then placed in the employee’s personnel file.

Final Written Warning
If a problem persists, for which a written warning has already been issued; if a new problem occurs which is similar in nature or severity to the one already addressed through written warning; or if a more significant code of conduct violation occurs, then the supervisor will review the matter with the one-up supervisor and Human Resources, and then upon concurrence from the one-up supervisor and Human Resources meet with the employee and describe the unacceptable behavior, remind the employee of the prior meetings and actions taken to date.
The final written warning will result in a change of employee status to one of disciplinary probation. Generally, disciplinary probation will not exceed three (3) months and may be extended in rare circumstances and only with concurrence of the Vice President for Finance & Administration or his designee.

Continued employment is at risk for employees on disciplinary probation. Employees will be advised of the behavior that must be altered immediately and that must be sustained over time in order to continue employment. Failure to make immediate and sustained change or improvement may result in termination either during or at the conclusion of the designated disciplinary probation period.

This action will be documented and includes a space for the employee to make any written comments he/she desires. The employee is expected to sign the documentation signifying that he/she has received notice of the action. A copy of the documentation will be provided to the employee. The original, along with any supporting documents (including all other prior documentation), will be reviewed by Vice President for Finance & Administration and then placed in the employee’s personnel file.

**Suspension**

If a significant code violation occurs or is alleged to have occurred and it is the supervisor’s judgment that the employee’s presence at work during any investigation of this matter is contrary to the interest of the College, then the employee may be suspended without pay during that investigation period. The employee may elect to use any accrued vacation leave to continue pay for all or a portion of this period.

**Termination**

When, in the judgment of the supervisor, the one-up supervisor, and Human Resources, it is believed that a progressive disciplinary or performance counseling process will not effectively cause the necessary changes in regard to compliance with work rules and supervisory expectations and in regard to performing job duties at a satisfactory level or if the employee behavior is severe enough to be contrary to the interest of the College, then termination for cause will be the ultimate discipline.

**NEBRASKA SEX OFFENDER REGISTRY**

Campus community can visit the [Nebraska Sex Offender Registry](#) online. The Nebraska Sex Offender Registry and Community Notification System are maintained by the Nebraska State Patrol as mandated by state law. Information about Level III sex offenders and where they reside may be found at the State Patrol's website. Level III sex offenders have been determined to be at high risk of re-offending, according to the State Patrol.
<table>
<thead>
<tr>
<th>Offense</th>
<th>Year</th>
<th>On-Campus Property</th>
<th>On-Campus Student Housing Facilities</th>
<th>Non-Campus Property</th>
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### VAWA OFFENSE REPORTING TABLE

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### HATE CRIMES REPORTING TABLE

- **2014**: No Hate Crimes reported
- **2015**: No Hate Crimes reported
- **2016**: No Hate Crimes reported

### UNFOUNDED CRIMES REPORTING TABLE

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## ARRESTS AND DISCIPLINARY REFERRALS REPORTING TABLE

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Overview
The Higher Education Opportunity Act became law on August 14, 2009, requiring all academic institutions maintaining on-campus student housing facilities to publish an Annual Fire Safety Report. This report must include information about campus fire safety practices and standards.

Fire Hazards and Other Prohibited items
The following electrical equipment is not permitted in Hastings College residence halls: toasters, toaster ovens, George Foreman grills, hot plates, electric skillets, electric blankets, space heaters, halogen lamps, homemade lamps, and similar appliances and devices. Electric coil resistance appliances are not permitted. No electrical wiring may be changed or added by students and the use of extension cords and power strips is discouraged. Any extension cords used should be 14 gauges. Students may not have burned or unburned candles in their rooms. The burning of incense and any other material is not allowed.

Evacuation Procedures/Reporting Fires
In the event of an unexplained fire or smoke:
1. Pull the fire alarm
2. Exit the building immediately
3. Call 911
4. Call Campus Safety at 402-984-8064
5. Contact your RA or RD
All evacuation procedures are posted in all of the residence halls, apartments, and houses. Exit signs are located in the hallways indicating the closest exit out of the building.

If a fire does occur on campus, the faculty, staff, and students are to call 911 and the maintenance department during the day or Campus Safety at night and on the weekends. If there is a fire the Director of Physical Plant Services or Campus Safety will respond accordingly along with the Associate Vice President of Student Life, the Vice President of Student Life, and/or Vice President for Finance.

Contact Numbers
Hastings Fire Department  911
Campus Safety Cell Phone  402-984-8064
Director of Physical Plant Services  402-461-7457
Vice President of Student Affairs  402-461-7700
Vice President for Finance  402-519-8494
Associate VP for Student Life  402-461-7704

Students are required to be alert to anything that might jeopardize fire safety in their building. They should turn off and unplug appliances when not in use. No substance should ever be burned in the building. Students are required to leave the building immediately when the fire alarm goes off.

It is unlawful in the City of Hastings to tamper with fire alarms or fire fighting equipment. Any unauthorized use or tampering with the fire alarm system, fire extinguishers, or similar equipment in a
residence hall or apartment is a felony and is punishable under state fire regulations. Violators will also be subject to college disciplinary action.

**Fire Safety and Education**
All Residential staff receives fire safety training annually at the start of the school year. The students are informed of the fire safety procedures at the start of the school year in their respective residential areas.

Each Campus Safety Officer, Resident Director, Resident Assistant, and Maintenance Staff member are trained on the use of fire extinguishers. Fire safety training is provided by the Hastings Fire Department.

**Description of Student Housing and Fire Safety System**

**Altman Hall**
A co-ed residence hall, Altman Hall was built in 1963 and accommodates 138 students. Women are housed on the south side and men on the north.

**Babcock Hall**
Babcock Hall was built in 1978 and is a three-story residence hall providing a friendly environment for 78 women.

**Bronco Hall**
Bronc Hall, a three-level facility, was built in 1960 and provides a lively environment for 125 men.

**Taylor Hall**
Taylor Hall was built in 1938 and renovated in 1990. The residence hall provides a home away from home atmosphere for 104 women.

**Weyer Hall**
Weyer Hall was built in 1963 and is a three-story residence hall providing a friendly environment for 78 men.

**Bronco Village**
Bronco Village opened August 1, 2004, and is for junior and senior students. There are six buildings, and they house 288 students.

**Houses**
Hastings College operates seven houses around the perimeter of campus. Each house is by single gender (all male or all female). They house 4-9 students, depending on the size of the house.

Ongoing plans to fire sprinkle all residential areas as they are remodeled.
## STUDENT HOUSING FACILITY FIRE SAFETY SYSTEM 2016

<table>
<thead>
<tr>
<th></th>
<th>Fire Monitoring</th>
<th>Sprinkler System</th>
<th>Smoke Detection System</th>
<th>Fire Extinguishers</th>
<th>Evacuation Plans/Placards</th>
<th>Number of Fire Drills Each Academic Year</th>
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## FIRE LOG 2016

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