

Policy Against Sexual Harassment and Sexual Violence

Contact information:

Jen Zuccola
Title IX Coordinator
Dean of Student Affairs
612-874-3626
jzuccola@mcad.edu

Joy Brathwaite
Deputy Title IX Coordinator
VP of Finance/CFO
612-874-3813
jbrathwaite@mcad.edu

I. Policy Statement

The Minneapolis College of Art and Design (the “College” or “MCAD”) encourages an atmosphere of mutual respect among members of its community. The College prohibits and will not tolerate sexual harassment or sexual violence by any member of the College community against another College community member. The College believes that all individuals should be treated with respect and dignity. Therefore, it is the expectation of the College that all individuals, in the course of performing their jobs or pursuing their academic careers, will conduct themselves appropriately. Sexual harassment or sexual violence committed by an MCAD student, faculty member or staff member against any other member of the College community is prohibited and will not be tolerated.

II. Definitions

A. Advisor

Any individual who provides the Complainant or Respondent support, guidance or advice.

B. Coercion

To force one to act based on fear of harm to self or others. Means of coercion may include, but are not limited to, pressure, threats, emotional intimidation, or the use of physical force.

C. Complainant

Any individual filing a complaint under this Policy who believes he or she has been the victim of sexual harassment or sexual violence by any member of the College community.

D. Consent

Under Federal Law Consent means:

Words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the victim or that the victim failed to resist a particular sexual act. A person who is mentally incapacitated or physically helpless cannot consent to a sexual act.

The use of alcohol or drugs by either person will not diminish the actor’s responsibility for sexual violence under this Policy.

Under Minnesota Law Consent means:

Words or overt actions by a person indicating a freely-given and present agreement to perform a certain sexual act with the actor. Minnesota law expressly states that a pre-existing relationship or the fact that the complainant did not resist is not consent.

E. Dating Violence

Under Federal Law Dating Violence means:

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. This violence is also called domestic abuse and may be subject to criminal prosecution under Minnesota law. Under Minnesota law, “domestic abuse” includes, among other things:

1. Physical harm, bodily injury or assault;
2. The infliction of fear of imminent physical harm, bodily injury, or assault;
3. Terroristic threats;
4. Criminal sexual conduct, if committed against a family or household member by a family or household member.

Individuals encompassed in this definition include, but are not limited to:

1. Persons involved in a significant romantic or sexual relationship;
2. Spouses or former spouses, parents, children, and other persons related by blood;
3. Persons who are presently residing together or who have resided together in the past;
4. Persons who have a child in common.

Under Minnesota Law Dating Violence means:

1. An act of domestic abuse, which is defined as an act of physical harm, bodily injury, or assault;
2. The infliction of fear of imminent physical harm, bodily injury, or assault;
3. Terroristic threats, criminal sexual conduct, or interference with an emergency call that is committed against a family or household member by a family or household member.

Family or household member is defined as follows:

1. Spouses and former spouses;
2. Parents and children;
3. Persons related by blood;
4. Persons who are presently residing together or who have resided together in the past;
5. Persons who have a child in common regardless of whether they have been married or have lived together at any time;
6. A man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and

7. Persons involved in a significant romantic or sexual relationship.

F. Domestic Violence

Under Federal Law Domestic Violence means:

A felony or misdemeanor crime of violence committed

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

Under Minnesota Law Domestic Violence means:

1. An act of domestic abuse which is an act of physical harm, bodily injury, or assault;
2. The infliction of fear of imminent physical harm, bodily injury, or assault;
3. Terroristic threats, criminal sexual conduct, or interference with an emergency call that is committed against a family or household member by a family or household member.

Family or household member is defined as follows:

1. Spouses and former spouses;
2. Parents and children;
3. Persons related by blood;
4. Persons who are presently residing together or who have resided together in the past;
5. Persons who have a child in common regardless of whether they have been married or have lived together at any time;
6. A man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and persons involved in a significant romantic or sexual relationship.

G. Incapacitation

Incapacitation is the physical and/or mental inability to make informed, rational judgments and decisions. States of incapacitation include sleep and blackouts. Where alcohol or other

substances are involved, incapacitation is determined by how the substance impacts a person's decision-making capacity, awareness of consequences, and ability to make informed judgments.

In evaluating whether a person was incapacitated for purposes of evaluating effective consent, MCAD considers two questions:

- (1) Did the person initiating sexual activity know that their partner was incapacitated? and if not,
- (2) Should a sober, reasonable person in the same situation have known that their partner was incapacitated?

If the answer to either of these questions is "yes," effective consent was absent.

For purposes of this Policy, incapacitation is a state beyond drunkenness or intoxication. A person is not incapacitated merely because they have been drinking or using drugs. Because the impact of alcohol and other drugs varies from person to person, one should be cautious before engaging in sexual contact or intercourse when either party has been drinking alcohol or using other drugs.

H. Member

Any College faculty member, student, staff member or other individual engaged in any College activity or program.

I. Respondent

Any member of the College community alleged to have committed a violation of this Policy, against whom a complaint has been filed.

J. Result

Any initial, interim and final decision by any MCAD official authorized to resolve disciplinary matters within the institution.

K. Sexual Assault

Sexual assault means an actual, attempted, or threatened sexual contact with another person without that person's consent. Sexual assault may include physical contact with a person's genital area, other bodily orifices (anal, oral or vaginal) or with a person's buttocks or breasts, either over or under clothing, if the contact is done without consent. Sexual assault can be committed by persons of the same sex or opposite sex, and could involve a stranger, acquaintance or date. Child (under 18) sexual abuse and incest is also included in this Policy. Sexual assault is a criminal act that can be prosecuted under Minnesota law.

L. Sexual Harassment

Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964 and the Minnesota Human Rights Act.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct or communication is made either explicitly or implicitly a term or condition of employment or academic status;
2. Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or academic endeavors;

3. That conduct or communication has the purpose or effect of substantially interfering with an individual's employment, academic endeavors or professional performance, or creates an intimidating, hostile or offensive employment or educational environment.

Sexual harassment is a specific form of sex discrimination. While sexual harassment often takes place in a situation of power differential between persons involved, sexual harassment may occur between persons of the same status (i.e., student-student, faculty-faculty, staff-staff). Sexual harassment may also range in severity. Prohibited sexual harassment includes acts of sexual violence.

Students, faculty and staff should understand that consensual sexual relationships might become a violation of this Policy, particularly those relationships between individuals of unequal status. The validity of the consent involved in such a relationship can easily come into question. While the College cannot forbid such relationships, it deems them to be very unwise.

Sexual harassment may include, but is not limited to:

1. Frequent verbal insults, harassment or abuse;
2. Subtle pressure for sexual activity;
3. Frequent inappropriate touching;
4. Intentional unwelcome physical conduct with another's body, including persistent unwelcome sexual propositions or inappropriate behavior such as touching, caressing or kissing, whether with or without threat of punishment for noncompliance and without promise of reward for compliance;
5. Persistently requesting unwelcome sexual favors, whether or not accompanied by implied or overt threats concerning an individual's employment or educational status;
6. Any sexually motivated unwelcome touching.

M. Sexual Violence

Sexual violence includes a continuum of conduct that includes sexual assault, dating and relationship violence and stalking, as well as aiding acts of sexual violence. The use of alcohol or drugs by either person will not diminish the actor's responsibility for sexual violence under this Policy. All forms of sexual violence identified in this Policy are also prohibited forms of sexual harassment.

N. Stalking

Under Federal law stalking means:

As a course of conduct which the actor knows or has reason to know would cause the victim under the circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated, and causes this reaction on the part of the victim regardless of the relationship between the actor and victim.

Under Minnesota law stalking means:

Conduct which the actor knows or has reason to know would cause the complainant under the circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated, and causes this reaction on the part of the complainant. Stalking does not depend on the relationship between the

actor and the complainant. Stalking also does not require a specific intent to cause the complainant harm.

O. Title IX Coordinator

The individual at the College designated as responsible for coordinating the College's compliance with Title IX of the Education Amendments of 1972. In most circumstances a complaint under this Policy will be investigated by either the Vice President of Administration or the Dean of Student Affairs.

III. Internal Complaint Process

A. Filing a Complaint

Complaints of sexual harassment or sexual violence should be made in the following manner:

1. Any members of the College community who believe they have been the victim of sexual harassment or sexual violence by any other member of the College community are urged to immediately report the alleged act to the appropriate College official.
 - If the victim is a student, the complaint should be reported to the Dean of Student Affairs;
 - If the victim is a member of the faculty, the complaint should be reported to the Vice President of Administration;
 - If the victim is a staff member, the complaint should be reported to the Vice President of Administration.
 - If the Dean of Student Affairs, the Vice President of Academic Affairs, or the Vice President of Administration is the subject of the complaint, the report should be made to the President of the College.
 - If the President of the College is the subject of the complaint, the report should be made to the Vice President of Administration.
2. Campus authorities are required to treat victims with dignity and are prohibited from suggesting that victims are at fault for the crimes or violations that allegedly occurred and from suggesting that victims should have acted in a different manner to avoid such crimes.
3. If the College deems it appropriate or necessary, the College has the right to investigate allegations of sexual harassment and sexual violence despite a victim's decision not to file a complaint.
4. All College employees with teaching or supervisory authority are obligated to report incidents of sexual harassment and sexual violence of which they become aware.
5. When a member of the College community reports to the College that the member has been a victim of sexual harassment or sexual violence by another member of the College community, the College will provide the member with a copy of this Policy, which includes a written explanation of the member's rights and options. This Policy does not cover sexual harassment or sexual violence committed by a third party who is not affiliated with the College. Notwithstanding the above, this Policy applies to criminal incidents of sexual harassment or sexual violence against a student or employee of the College occurring on property owned or leased by the College or at any activity, program, organization, or event sponsored by the College.
6. Any member of the College community who in good faith reports an incident of sexual harassment or sexual violence, whether as a victim or a witness, shall not be penalized by the

College for admitting in the report to a violation of the College's student conduct policy on the personal use of drugs or alcohol.

7. Any member of the College community who is victim of sexual assault or harassment may submit an anonymous report. All reports will be used for statistical tracking in compliance with the federal Student Right to Know and Campus Security Act. Reports made anonymously will not be investigated unless reported to the Dean of Students.

B. Investigation

1. All complaints of alleged sexual harassment and sexual violence are investigated under the oversight of the College's Title IX Coordinator. In most circumstances the complaint will be investigated by either the Vice President of Administration or the Dean of Student Affairs or their designees. The investigator may recommend findings and if necessary, the sanction to be imposed. The Title IX Coordinator is responsible for deciding whether this Policy has been violated and if there is a finding of sexual harassment or sexual violence, the sanction to be imposed.
2. Many factors are considered in determining whether the alleged conduct violates this Policy, including but not limited to: the surrounding circumstances, the nature of the alleged sexual conduct, the relationships between the parties involved, the context in which the alleged incident(s) occurred, and whether the behavior was unwelcome. Whether a particular action or incident violates this Policy requires a determination based on the facts and circumstances surrounding the alleged incident(s). The investigation may include personal interviews with the Complainant, the individual(s) against whom the complaint is filed and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
3. The Title IX Coordinator will deliver, in writing, to both the Complainant and the Respondent:
 - Result explaining the rationale for the Result, and the sanction or other remedy, if any;
 - The procedures for the Complainant and the Respondent to appeal the Result of the investigation;
 - Any change to the Result;
 - When such Result becomes final. This written Result will be delivered simultaneously to the Complainant and the Respondent. The written Result provided to the Complainant will only disclose information about sanctions imposed, if any, which directly relate to the Complainant.
4. The investigation will be prompt, fair and impartial and will use a "preponderance of the evidence" standard. The investigation will be conducted by officials who do not have a conflict of interest or bias for or against the Complainant or the Respondent.

C. Rights of the Complainant and the Respondent During the Investigative Process

1. The Complainant will be provided the same opportunity as the Respondent to meet with the Title IX Coordinator and/or the designee after filing the complaint. The Title IX Coordinator and/or investigator will advise the Complainant and the Respondent of their rights and responsibilities under this Policy. If the Complainant was the victim of a sexual assault, the Complainant may decide when to repeat a description of the incident of sexual assault.

2. Copies of all written statements and other written information submitted by the parties will be shared with the other party. The Title IX Coordinator (or investigator) may redact names and other identifying information if it is determined necessary or appropriate.
3. Both parties have the right to have an Advisor of their choice accompany them during all meetings and proceedings related to the Complaint. The Advisor's role is to observe and advise a party and the Advisor cannot speak during the meetings. This restriction applies equally to both parties.
4. A timely notice of meetings to both parties at which the Complainant or Respondent may attend.
5. The Complainant and the Respondent will be provided timely and equal access to any information that will be used during disciplinary meetings.

D. Appeal

1. Either party can appeal a Result of the Title IX Coordinator (and/or investigator) to the Vice President of Academic Affairs on the basis that the applicable procedures were not followed, the information presented does not support the Result reached or the sanction imposed, or there was a conflict of interest involving the investigator/Title IX Coordinator.
2. Appeals must be filed within five (5) class days of the Title IX Coordinator's Result. If the Vice President of Academic Affairs or his/her designee deems it necessary, he or she may interview one or both parties and/or any witnesses.
3. If a designee is selected by the Vice President of Academic Affairs, such designee will issue a report to be used by the Vice President of Academic Affairs in reaching a Result. The Result of the Vice President of Academic Affairs is final.

E. Notifications

The Complainant and the Respondent will be simultaneously notified in writing of:

1. The result of any internal disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault or stalking;
2. MCAD's procedures for the Complainant and the Respondent to appeal the decision of the Title IX Coordinator;
3. Any change to the decision; and
4. When the decision becomes final.

IV. Interim Action

When a complaint is filed under this Policy, both during and after the process of investigating a complaint and conducting a campus disciplinary procedure, campus personnel will provide assistance in shielding the victim from unwanted contact with the Respondent at the request of the Complainant. The Complainant can request a change in employment, academic, living, and/or transportation situations, even if the Complainant chooses not to report the crime to campus police or local law enforcement. The Title IX Coordinator or investigator will decide what interim action is appropriate for the period through the final determination of the complaint and what changes are reasonably available. Such interim actions could include:

For students: an interim suspension, reassignment to alternate housing, limitation of access to designated College housing facilities and/or campus facilities by time and location, limitation of the privilege to engage in specified College activities, or, in the case of residential housing, reassignment to a different dormitory.

For employees: an interim suspension, reassignment to a different employment position, or limitation in interactions between the Complainant and the Respondent.

V. **Criminal Proceedings**

The College urges all victims of sexual violence to file a complaint with the appropriate criminal authorities. If the individual elects to or is unable to make such a report, a representative from the College's Office of Public Safety will assist the individual in notifying law enforcement authorities and the appropriate individual as described in Section III(A)(1) above. Individuals also have the right to decline to report incidents to law enforcement. Regardless of whether there is a criminal investigation of the complaint of sexual harassment or sexual violence, the College will proceed with its investigation and determination as to whether this Policy has been violated. The College will not wait for the conclusion of a criminal investigation or criminal proceeding to begin or to continue with its investigation.

Notwithstanding the above, the College may briefly delay any fact-finding process while the criminal authorities collect and gather evidence. Once the police have concluded their collection of evidence, the College will promptly resume and complete its fact-finding and investigation of the complaint.

VI. **Discipline and Remedies**

- A. The purpose of College discipline is to be corrective and educational as well as punitive. Assigned discipline may include a combination of sanctions for a particular incident. The sanctions which may be incurred include, but are not limited to, the following:
1. Verbal Warning: a notice that continuation or repetition of prohibited conduct may be cause for additional disciplinary action.
 2. Formal Reprimand: an official written statement of the College's disapproval of the actions of a student or employee and a warning that any future violation(s) will result in more serious discipline.
 3. Disciplinary Probation: an official notice that the conduct of the student or employee is in violation of this Policy or other College Policy but does not warrant suspension, dismissal or termination. Probation is for a designated period of time and includes the possibility of more severe disciplinary sanctions if the Respondent commits another violation during the probationary period. In the case of a student, during the probation period, a student will be considered "not in good standing" and may be excluded from some programs and curricular or extracurricular activities.
 4. Suspension: an involuntary separation of the student or employee from the College for a definite period of time and/or until certain conditions are met. Suspension of a student may require administrative review and approval by the appropriate officials prior to readmission. In the case of an employee, the suspension is unpaid.
 5. Deferred Suspension: the discipline of suspension may be placed in deferred status provided that the student or employee completes other assigned sanctions by specified deadline dates. Failure to complete all sanctions and provide evidence of completion by the deadline date(s) will result in the automatic implementation of the suspension without further charges or administrative procedures. If a student or employee is found responsible for another violation

of College Policy during the period of deferred suspension, the student or employee may be permanently dismissed from the College.

6. Permanent Dismissal: a student or employee can be involuntarily separated from the College.
7. Delay and/or Denial of Degree Award: during the period disciplinary charges are pending against a student, the College may deny and/or delay issuance of a degree. Further, the College may refuse to issue a degree to a student who is serving a suspension or has been permanently dismissed from the College.
8. Revocation of Degree: an awarded degree may be revoked for violations of this Policy, which occurred prior to the award of the degree but are discovered after the degree has been awarded, where the violation is sufficient to justify the suspension or permanent dismissal of the student.
9. Other Sanctions: other sanctions may be imposed instead of or in addition to those specified above, which could include: (a) restitution (compensation for loss, damage or injury); (b) fines; (c) community service; (d) trespass notice; (e) restrictions and loss of privileges for the use of a College facility or service; (f) anger management programs and treatment; (g) alcohol education programs and treatment; (h) other appropriate education and training programs.

B. Remedies can also be issued for a Complainant. Possible remedies for the Complainant include:

For students:

1. Providing an escort so that the Complainant can move safely between classes and activities.
2. Ensuring that the Complainant and Respondent do not attend the same classes.
3. Providing counseling services.
4. Providing academic support services.
5. Arranging for the Complainant to retake a course or withdraw from a class without a penalty.

For employees:

1. Providing an escort so the Complainant can move safely between work and parking or the bus stop.
2. Providing counseling services.
3. Separating the Complainant and Respondent during the work day.

VII. Timing

- A. The Title IX Coordinator (or investigator) will normally complete the investigation within sixty (60) days from receipt of the complaint. This time frame may be extended during periods when classes are not held (i.e., spring break, final examination period) or because of difficulties in interviewing witnesses or other reasons beyond the control of the Title IX Coordinator.
- B. The Vice President for Academic Affairs will normally issue a written Result in an appeal within thirty (30) days after receiving a written appeal.

- C. The time frames may be extended for good cause, provided that the parties are provided with notice of the extension, the reason for the delay and the expected date of the Result.
- D. Interim measures imposed pending the outcome of the investigation process shall remain in place until a final determination is made under these procedures.

VIII. No Retaliation

Submission of a complaint or a report of a violation of this Policy that is made in good faith will not affect the individual’s future employment, educational endeavors, work assignments or academic career with the College. No retaliatory action will be taken against any person because he/she makes a complaint of sexual harassment or sexual violence or participates in an investigation regarding such offenses. The prohibition on retaliation includes retaliation by campus authorities, the Respondent, organizations affiliated with the Respondent, other students, and staff and faculty members. If anyone believes he or she is being retaliated against for making a complaint or participating in an investigation, he or she should immediately report such retaliation to the Title IX Coordinator or investigator who will promptly investigate the report of retaliation.

IX. Confidentiality

The College is sensitive to the need for privacy for the Complainant, the Respondent, and any witnesses. Therefore, in investigating complaints of sexual harassment or sexual violence, the College will be as discrete as possible. However, absolute confidentiality may not be possible in every case given the College’s responsibility to provide members of the community with a positive working and learning environment that is free from sexual harassment and sexual violence. Conduct that is inconsistent with this Policy poses a potential harm or danger to members of the College community, and in some cases, the College must issue a timely warning to the College community in compliance with the Clery Act, 20 U.S.C. § 1092. In these cases, the College will only provide enough information to safeguard the College community. Also, disclosure of the allegations to the Respondent and to those within the College administration with a need to know may be necessary to ensure a thorough, fair, and impartial investigation. Each situation will be resolved as discreetly as possible, with information shared only with those who need to know in order to investigate and resolve the matter. Requests for confidentiality will be considered to the greatest extent possible, provided such request does not preclude the College from effectively responding to the complaint and taking appropriate corrective and preventive action. Any accommodations or protective measures provided to a Complainant will be kept as confidential as possible. All files, documents, and other materials collected during the investigation will be kept in the confidential files of the Title IX Coordinator. A student who reports an incident of sexual assault will, upon request, have access to his or her description of the incident as it was reported to the College. This right to access applies even if the student transfers to another postsecondary institution.

X. Support Services

The College provides confidential counseling services through the Student Affairs Office during fall and spring semesters for students who feel they have been victims of sexual violence. Benefits eligible staff and faculty may use the Employee Assistance Program (Heath Partners: Twin Cities (866) 326-7194 or www.hpeap.com for counseling and referral).

Other MCAD resources numbers:

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| MCAD Public Safety Emergency Line | (612) 874-3555 |
| Student Housing | (612) 874-3780 |
| Student Affairs | (612) 874-3738 |
| MCAD Financial Aid | (612) 874-3733 |
| International Student Assistance | (612) 874-3628 |

Additional external resource numbers:

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|--------------------------------|----------------|
| Rape and Sexual Assault Center | (612) 825-4357 |
|--------------------------------|----------------|

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|---------------------------------------|----------------------------------|
| First Call for Help/United Way | (651) 291-0211 |
| MN Center for Crime Victims Service | (651) 201-7300 (888) 622-8799 |
| Crisis Intervention Center: | |
| Suicide Hotline | (612) 873-2222 |
| Assessment, Info, and Referral | (612) 873-3161 |
| Minneapolis Civil Rights Office | (612) 673-3012 |
| Domestic Abuse Service Center | (612) 348-5073 |
| AIDSLINE | (612) 373-2437 |
| Chrysalis: A Center for Women | (612) 871-0118 |
| Council on Crime and Justice: | |
| Crime Victim Services (24 hours) | (612) 340-5400 |
| <u>Clinics and Hospitals:</u> | |
| Hennepin County Medical Center (HCMC) | |
| 701 Park Avenue | |
| Minneapolis, MN 55415 | (612) 873-3132 |
| HCMC-Urgent Care | |
| Red Building, R1.060 | |
| 730 South 8th Street Entrance | |
| Minneapolis MN 55415 | (612) 873-5555 |
| Abbott Northwestern Hospital | |
| 800 East 28th Street | |
| Minneapolis, MN 55407 | (612) 863-4233 |
| <u>Minneapolis Police</u> | |
| Emergency call 911 | |
| Fifth Precinct | (612) 673-5705 |

XI. What to do if it Happens to You

- A. If you are a victim of sexual harassment or sexual violence, it is recommended that you take immediate action to obtain medical, emotional or other assistance.
- B. Remember that it's not your fault.
- C. Get to a safe place.
- D. Immediate assistance is available by calling the Minneapolis Police at 911.
- E. Don't be afraid to ask for help. Tell someone: your roommate, your Resident Advisor, your counselor, the Dean of Student Affairs, campus security, an instructor or a staff member.
- F. Remember everything you can about your assailant.
- G. Do not disturb any evidence. Do not shower, douche, wash clothing or comb hair.
- H. Do not disturb items. Leave the scene of the incident untouched.
- I. Go to the hospital for: rape exam, sexually transmitted disease check, pregnancy test, and injuries. Hospitals will verify and preserve evidence for the police.
- J. At the request of a sexual assault victim or complainant or at the direction of law enforcement, the Public Safety officers will provide complete and prompt assistance in obtaining, securing, and maintaining evidence in connection with an incident of sexual assault and in preserving materials relevant to a campus disciplinary proceeding.
- K. Victims are urged to contact the Dean of Student Affairs, the Vice President of Administration, or another College official to make an internal complaint, and contact local legal authorities to report the crime and press charges.

XII. Education and Training

- A. The College offers informational sessions on sexual harassment and sexual violence to students, staff, and faculty. Public safety officers, the Vice President of Academic Affairs, the Title IX Coordinator, and all investigators will be required to undergo annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation that protects the safety of victims and promotes accountability. Furthermore, MCAD will notify all students, faculty members and staff members of this Policy.

- B. The College will present education programs and campaigns that promote prevention and awareness of domestic violence, dating violence, sexual assault, and stalking for incoming and current employees and students. This will include:
 - 1. Training on safe and positive options for bystander intervention that individuals may take to prevent harm or intervene in risky situations;
 - 2. Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;
 - 3. Procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred, including the procedures described in this Policy;
 - 4. Definitions under Minnesota law of various terms covered by this Policy.

XIII. Additional Rights of Sexual Assault Victims

Students who report a sexual assault under this Policy and subsequently choose to transfer to another postsecondary institution will, upon request, be provided with information about resources for victims of sexual assault at the institution to which they are transferring.

In addition to the rights and responsibilities described in this Policy, victims of sexual assault have additional rights under Minnesota's Crime Victims Bill of Rights, which is located in Chapter 611A of Minnesota Statutes, as well as the right to assistance from the Minnesota Crime Victims Reparations Board and the Commissioner of Public Safety. Information on Minnesota's Crime Victims Bill of Rights can be obtained by contacting the Minnesota Department of Public Safety, by visiting the Minnesota Department of Public Safety website, or by viewing Minnesota Statute 611A at www.revisor.mn.gov/statutes. The Minnesota Crime Victims Reparations Board can be contacted at 651-201-7300 or 1-888-622-8799.