

# Mayville State University

## Campus Crime and Security Act Provisions

### I. Campus Crime Reports and Statistics

Mayville State University has a student population of approximately 900, and approximately 150 faculty and staff members. MSU is concerned about the safety and well-being of all students, staff, faculty, and visitors who are on the campus and attempts to ensure a safe and secure environment in which to live, work, and learn.

In accordance with the Campus Security Act of 1990, 1992 and 1998 and the Higher Education Opportunity Act of 2008, Mayville State University provides information relating to crime statistics and security measures to prospective students, active students, and all employees. Crime statistics for the most recent five year period are available through the Student Services Office and are detailed below.

#### Mayville State University Crime Statistics

Nature of Offense	1/2006 to 12/2006	1/2007 to 12/2007	1/2008 to 12/2008	1/2009 to 12/2009	1/2010 to 12/2010
Murder	0	0	0	0	0
Forcible sex	0	0	0	0	0
Non -forcible sex	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	Campus residence=1	0	Campus Property=1
Motor Vehicle Theft	0	0	0	0	0
Burglary	Campus Residence=3 On Campus Property=5	Campus Residence=1	On Campus Property=2	Campus Residence=1	0
Arson	0	0	0	0	0
Manslaughter	0	0	0	0	0
Hate/Bias Crimes	0	0	0	0	0
Liquor Law Violations	Campus Residence Violations=21	Campus Residence Violations = 3	Campus Residence Violations=18	Campus Residence Violations=14	Campus Residence Violations= 14
Drug Abuse violations	0	Campus Residence Violations = 1	Campus Residence Violations=3	On Campus Property Arrests=4	Campus Residence Violations= 5

Arson, manslaughter, and Hate/Bias crimes are first reported for the period of 10/1/98 to 12/31/98. All other crimes are reported for the full calendar year. Prior to 1998 only **arrests** for liquor law, drug abuse and weapons violations that occurred on campus were reported. Since 1/1/98 liquor law, drug abuse, and weapons violations include on campus arrests as well as referrals for campus disciplinary action. Since 1/1/98 all reports of crime incidents are identified as occurring in a campus residence, on/about campus property, on/about non-campus property used by the institution, or on/about public property adjacent to the institution. All violations cited above involved students residing in university operated residence halls or occurring on/about campus facilities or on property adjacent to the campus. Since 1/01/2009 reports of hate crimes include larceny-theft, simple assault, intimidation, and destruction or vandalism of property. The definition of Burglary has also been modified to include any forced and unlawful entry into a structure with the intent of committing a felony or theft.

For purposes of this report the following Crimes of Violence are included: Arson, Assault, Burglary, Robbery, Kidnapping/Abduction, Forcible and Nonforcible sex offenses, Criminal homicide (including murder and non negligent manslaughter and manslaughter by negligence), and destruction, damage and vandalism of property.

Mayville State University does not employ any campus security personnel who have authority to investigate an incident involving criminal activity. Any suspected incident of a crime or criminal activity should be reported to an appropriate University official and/or to local police officials. The following individuals should be contacted if a suspected crime or criminal activity has occurred on campus, and they in turn will notify appropriate law enforcement personnel:

1. Richard Smith, Director of Student Life – Campus Center 103, 788-4697
2. Ray Gerszewski, Vice President for Student Affairs — Main 107, 788-4770
3. Bob Kozojed, Nightwatch Supervisor and Custodial Services Supervisor –  
Campus Center Building, 788-4872.

In addition, students residing on campus should contact their appropriate hall director if a crime has occurred in a residence hall. Any MSU faculty or staff member who has knowledge of an alleged criminal incident must report that information to one of the above named officials as soon as possible. Staff members who are in a professional counseling relationship with a student who reports an alleged criminal incident are exempt from this reporting requirement. However, counselors are encouraged to inform the person making a confidential report of a crime of the appropriate procedures for voluntarily disclosing such information to an appropriate university or police official.

When a report of a suspected crime is received, an appropriate university official will conduct a preliminary investigation and will contact local law enforcement for assistance. Mayville State University has a formal Memorandum of Understanding with local law enforcement that provides for the following joint actions and responses to incidents of criminal behavior that occur on campus:

1. Mayville State University shall report to local law enforcement all serious crimes occurring on the Mayville State University campus of which University officials have received notice.
2. Local law enforcement shall promptly investigate all such reported actions, and Mayville State University shall cooperate fully in such investigation. Local law enforcement shall provide oral and written reports of any such investigations in a timely manner and as permitted by law.
3. Subject to state and federal laws, University officials shall also, upon request, cooperate fully and provide any relevant information in their possession regarding any other criminal investigation being conducted independently by local law enforcement.
4. Prior to coming on the Mayville State University campus to investigate or prevent any actual or possible criminal activity not reported by Student Services Office, local law enforcement shall first notify the University of its planned activity and shall comply with all reasonable measures requested by University officials to avoid student disruption.
5. Mayville State University shall provide limited access to local law enforcement to the campus security camera system.

Students or employees who have knowledge of criminal activity are encouraged to file a written report with university officials and local police, although verbal reports will also be investigated.

Based on a preliminary investigation, university officials will determine appropriate courses of action, including, but not limited to the following:

1. Await results of a formal investigation by police officials before proceeding with institutional actions;
2. Conduct a full and thorough investigation of the reported incident and proceed with appropriate disciplinary actions, if warranted;
3. Determine that there is not enough information to proceed with formal disciplinary action.

Once appropriate action has been determined, all parties involved in the alleged criminal incident will be notified of their rights and responsibilities according to the Student Code of Conduct. Any action taken by university officials will not preclude further legal and/or civil action by the university or any victim(s). If necessary to protect students and employees, a general announcement will be made in a timely matter to the

university community about the alleged criminal incidents. In all cases, a report of an alleged crime as detailed above will be recorded and included in subsequent Campus Security Reports. The Student Services Office is responsible for preparing and distributing the annual Campus Security report and does so in coordination with local law enforcement personnel. Periodically, local law enforcement updates the Director of Student Life, the Vice President for Student Affairs and the Chief Security Officer of criminal activity that occurs both on and off campus by individual students and/or groups of students (including any officially recognized student organizations). At least once each year local law enforcement provides data to the institution of any crimes committed on campus, as well as in/on non-campus buildings owned by the institution. This data is included as part of the annual statistical report referenced above. In addition, local law enforcement maintains a list of registered sex offenders who reside in the Mayville and Portland communities. Interested individuals may contact the police at 701-636-4610 for more information. Should a registered sex offender enroll for classes at the university, the institution may decide to disclose the identity of that individual if it is deemed to be necessary to protect the safety and security of other enrolled students. Such disclosure is consistent with recently issued guidelines of the Family Educational Rights and Privacy Act (FERPA).

## **II. Security and Access to Campus Facilities**

### **A. Campus Security**

University Nightwatch staff conduct foot patrols in University buildings and grounds between the hours of 9:00 pm and 5:00 am, seven days a week. They document violations of university regulations and report violations of state and local laws. Two-way radio contact is maintained by nightwatch personnel with local police for incidents where police support is necessary. Mayville State University's Chief Security Officer coordinates the efforts of the University Nightwatch staff (NWP) and works closely with local law enforcement. Mayville State University does not employ law enforcement or security personnel, but relies on local law enforcement staff for professional support when incidents of criminal activity occur.

A building lock-up schedule is maintained by the University and campus nightwatch staff lock and checks each building on the schedule. Nightwatch staff, and university housing directors/managers, together with local law enforcement enforce laws regulating underage drinking, and the use of controlled substances, (Alcoholic beverages and illegal drugs are not permitted on campus) as outlined in policies implemented as part of the Drug Free Schools and Community Act. Information regarding policy provisions is available from the Student Services Office.

Firearms and dangerous weapons of any type are not allowed in residence halls. Possession or use of fire arms or fire works of any type is not permitted anywhere on campus without written permission of the Chief Security Officer. Suspicious activity of any kind can be reported directly by any student, faculty member, or employee to the Chief Security Officer, nightwatch staff, or university housing directors/managers.

Nightwatch staff maintains a schedule of daily patrols throughout campus and note any unusual activity and/or circumstances on written summary sheets. These summary sheets are reviewed by the Chief Security Officer and shared with the Director of Student Life and Vice President for Student Affairs when necessary. Residence hall staff also report regularly to the Director of Student Life about any unusual activities within the residence halls. Certain noted situations require an administrative response along with action by nightwatch staff, housing directors, or police officers. The Vice President for Student Affairs office works closely with the aforementioned entities to handle such incidents.

## **B. Security in University Housing**

MSU has both residence halls and apartment housing units on campus. Each residence hall has their wing doors locked on a 24 hour basis. Student room locks are of quality construction and key security has been improved through the use of check out forms and billing for lost keys. Each residence hall student is issued an outside door key which opens only the outside door locks for their residence hall, and some halls issue wing keys as well. Phones are available in hall entryways or in each of the hall lounges for visitors to use to contact hall residents. All visitors must be escorted by a resident of the hall.

**A special student worker is employed in the residence halls and conducts regular ‘patrols’ in the buildings and communicates regularly with resident assistants and the residence hall director when inappropriate or illegal activities are observed.**

One professional is employed to direct/manage each hall. Resident assistants or student building managers are employed in each campus residence building. The ratio of residents to student assistants is approximately 25:1. Residence hall staff makes rounds through each building several times per evening. The residence hall staff are an immediate link with local law enforcement should the need arise. Staff training includes information on safety and security. Awareness programs for residents are held yearly and information about such topics such as personal safety, acquaintance rape, and campus resources responsible for counseling and alcohol awareness are provided.

The current MSU Residence Hall Handbook, which is made available to every student residing in campus housing, outlines procedures and methods used to ensure the safety of students.

## **C. Student, Faculty, and Staff Responsibility**

The cooperation and involvement of the campus community is absolutely necessary to maintain a secure environment. Students, faculty members, and staff must assume responsibility for their own personal safety and the security of their personal belongings by taking simple, common sense precautions. For example, although the campus is well lighted, any student—male or female—may feel more comfortable walking with someone they know (rather than alone) when returning to the residence halls late at night. Room doors should be locked at night and whenever the room is unoccupied. Serial numbers of valuable items such as stereos, cameras, and televisions should be recorded and those numbers should be kept in a safe place. Bicycles should be licensed and secured with a sturdy lock. Cars must be parked in the assigned areas and kept locked. Valuable items should be locked in the trunk. Any suspicious incidents or individuals should be reported to a Residence Hall Director, to a university official listed above or directly to law enforcement personnel listed below.

1. Traill County Sheriff 636-4510

Information sessions are held for students, and informational materials are distributed to students and faculty/staff each year to remind the campus community of security procedures and practices and to acquaint them with common crime prevention measures.

#### **D. Alcohol and Drug Abuse Provisions.**

The abuse of alcohol and drugs represents a major health problem in the United States today and poses a serious threat to the health and welfare of the members of the Mayville State University community. For these reasons the following statement regarding drug and alcohol use by students and employees at Mayville State has been issued:

As a condition of their employment or enrollment at Mayville State University, a student or employee will not engage in the unlawful manufacture, distribution, possession, or use of a controlled substance nor engage in the unlawful possession, distribution, or use of alcohol on university property or as part of any university activity during the period of employment or enrollment. Furthermore, any employee or student at Mayville State University agrees to obey federal, state, and local laws relating to the unlawful possession or distribution of illicit drugs and alcohol, and to abide by sanctions which the institution may impose for violations of its standards of conduct, up to and including termination or suspension. If an employee or student is convicted of an alcohol or drug related offense occurring on-campus, he/she must notify the institution within five days of such a conviction. In addition, federal law mandates that Mayville State must communicate information regarding the conviction of a student or employee for a drug or alcohol related offense which occurs on- campus to the appropriate federal agency within ten days.

The University's response to alcohol and other substance abuse is detailed in its Drug Free Schools and Community Policy.

### **III. Reporting of Campus Security ACT Provisions**

#### **A. Annual reporting to campus constituencies.**

Each year (prior to October 1) every enrolled student and employed faculty/staff member receives a written notice that the Campus Security Act information is available electronically at the MSU Website (<http://www.mayvillestate.edu/about-msu/Pages/ConsumerInformation.aspx>) or in printed format. Students or faculty/staff may request a printed version from the Student Services Office in Main 107. Likewise, printed copies of the policy are available, upon request, to any prospective student, parent or member of the general public from the Student Services Office. These crime statistics are also reported to the US Department of Education as part of the annual Campus Security Report.

#### **B. Notification to campus community of immediate threats or situations.**

When necessary, reports of alleged crimes that pose a threat to students and employees will be reported to the entire campus community on a timely basis. Electronic notices via campus e-mail will be used as appropriate, along with phone voice mail, mail box notices and other traditional methods of crime prevention. **An immediate threat of violence, such as a report of someone on campus with a weapon, will be shared with the campus community via NOTIFIND, which is a multi notification system using phone, e-mail, and text messages.** All faculty, staff and student employees are required to provide notification information to a central data base maintained by the North Dakota University system. All other students are strongly encouraged to provide phone (including cell) numbers and off campus e-mail addresses to be used in the event of a situation requiring immediate and prompt notice. The university has developed a process and procedure as outlined in

Policy M1902 – Emergency Notification System to assess any immediate threats of violence and has developed a protocol for initiating an emergency notification, using the NOTIFIND system. These procedures include:

Students are allowed to leave cell phones on during class to receive emergency notifications unless instructed otherwise by faculty. If a faculty member instructs students to turn off their cell phones, the faculty member must be able to receive emergency notifications by one of the following methods:

1. registered personal cell phone that is turned on
2. registered campus email when a computer or other electronic communication device is active
3. campus classroom intercom or phone
4. nearby office personnel instructed to notify faculty.

The emergency notification system is only for emergencies as defined in SBHE Policy 1902. An “emergency” means a situation that poses an immediate threat to the health or safety of someone in the institution or system community or significantly disrupts institution or system programs and activities. Mayville State University’s Emergency Management Team (EMT) is responsible for defining emergencies that warrant system use. The EMT is made up of the President, VP Academic Affairs, VP Student Affairs, VP Business Affairs, Public Relations Director, and the Webmaster. MSU will conduct ENS tests at least once each semester.

These emergency response, evacuation and notification procedures are publicized to the campus community on annual basis through e-mail distribution and are tested on an annual basis in a manner determined by the Emergency Management Team.

### **C. Notification to victims of campus crimes.**

The institution will, upon written request to the Vice President of Student Affairs, disclose to the alleged victim of any crime of violence, or a non forcible sex offense, the report of the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim of such crime or offense is deceased as a result of such crime or offense, the next of kin of the victim shall receive the disclosed information. This information shall be disclosed in written form within a reasonable time period after all appeals processes have been exhausted by the alleged perpetrator and after any appropriate criminal investigations have been completed.

## **IV. Fire Safety In Residence Halls**

### **A. Mayville State University facilities house approximately 225-275 students annually.**

These residence halls include a newly renovated building – Agassiz Hall – that meets all current fire safety codes, including an integrated fire alarm and sprinkler system. Berg and Birkelo Halls are older facilities that do not have sprinkler systems, but that do have individual room smoke alarms and building fire alarm systems. Because the community of Mayville does not have a full time, professional fire department, any building alarms or other reported fire incidents are not automatically transmitted to local fire department or emergency services. Any fire incident occurring within a residence hall is generally reported to a student or professional staff member within the residence hall, who will in turn, notifies appropriate university and local fire officials. In the event of an emergency fire incident, students are told to immediately activate the pull station and call 911 to report the fire to local officials.

The current MSU Residence Hall Handbook provides detailed information about practices and measures that ensure the safety of students residing in campus housing.

Highlights include:

1. Each residence hall room is equipped with a smoke detector which is periodically checked by hall staff.
2. Each building has a fire alarm system which is activated by ‘pull alarms’ in the event of a fire incident. In accordance with North Dakota state law, when the building alarm sounds, all residents are required to leave the building. Residents cannot re-enter a building until permitted to by hall staff.
3. The State Board of Higher Education mandates that at least one fire drill be held in each residence hall per term. One “announced” fire drill is conducted each semester. The “announced” fire drill is designed to give students an opportunity to evacuate the residence hall in a non-emergency situation. All residents must leave the building when the alarm sounds for the drill.
4. The use of toasters, microwaves, hotpots, or any other cooking appliances is prohibited in rooms. Cooking appliances can only be used in kitchenettes. Candles and other devices with open flames, as well as incense, are prohibited. Students who attach paper wrap to residence hall room doors must leave a 1 ft. border around the door free from paper.
5. There is a reward of \$500 for information leading to the conviction of any person charged with tampering with fire equipment or providing false reports to law or security officials requiring emergency response (North Dakota Century Code 12.2-1103, Subsection 2). Any person who willfully tampers with fire alarm equipment resulting in a false fire alarm is subject to criminal punishment.
6. Educational programs that promote fire safety are held on a regular basis within the residence halls and include presentations by university staff, as well as local fire and police professionals.

#### **B. Fire Safety in Family and Faculty/Staff Housing units.**

The university has an agreement with an external investment group for the use of a four unit apartment building by registered students with children and/or families. Two additional four bedroom buildings are utilized by faculty and staff employees of the university, an on occasion by registered students. These facilities are not owned by the university, but the university does assign students and faculty/staff to these units and supervises repairs and maintenance. The units are supplied with smoke alarms in each bed room, as well as fire extinguishers. There are no central fire alarms or sprinkler systems, but each resident is supplied with information regarding fire emergencies and contact information. The local fire department conducts an annual inspection of each unit and the university invites residents to fire prevention educational programs.

#### **C. Fire safety statistics reporting.**

Incidents are reviewed and reported on an annual basis, beginning with the 2009 report, as part of the Campus Crime and Security Survey. This includes data on the numbers and causes of any reported fires within a student housing or related facility, the number of injuries related to any reported fire incident, the number of deaths related to a fire incident, and the value of property damage caused by any reported fires. Information for the annual fire safety report is compiled from ‘Fire Logs’ that are maintained within each residence hall. Each residence hall director is responsible for gathering data about any fire incident, documenting such incidents in their respective fire log and reporting each incident to the Director of Student Life. That information is forwarded to the Vice President for Student Affairs who prepares the annual report. These ‘Fire Logs’ include information about any fire incidents that are either unintentional, intentional or of undetermined nature and include fires caused by: Cooking, smoking materials, open flames, electrical causes, heating equipment, hazardous products, machinery or natural causes.

Data for the most recent reporting years are included below:

### Mayville State University Annual Fire Safety Report

Year and Incident	Agassiz Hall		Berg Hall		Birkelo Hall		Family & Faculty Housing	
	2009	2010	2009	2010	2009	2010	2009	2010
Unintentional Fire	0	0	0	0	0	0	0	0
Intentional Fire	0	0	0	0	0	0	0	0
Undetermined Fire	0	0	0	0	0	0	0	0
Deaths related to Fire	0	0	0	0	0	0	0	0
Injuries related to Fire	0	0	0	0	0	0	0	0
Property damage related to Fire	0	0	0	0	0	0	0	0

#### D. Annual reporting to campus constituencies.

Each year (prior to October 1) every enrolled student and employed faculty/staff member receives a written notice that the Fire Safety procedures, statistics and documentation is available electronically at the MSU Website (<http://www.mayvillestate.edu/about-msu/Pages/ConsumerInformation.aspx>) or in printed format. Students or faculty/staff may request a printed version from the Student Services Office in Main 107. Likewise, printed copies of the policy are available, upon request, to any prospective student, parent or member of the general public from the Student Services Office.

### V. Missing Student Notification Policy

In compliance with the Higher Education Opportunity Act of 2008, Mayville State has established the following processes and procedures to deal with students who reside in campus housing and who may be identified as missing.

#### A. Procedures:

Students residing in campus owned or operated housing are 'checked in' at the beginning of each term or year when they enroll. Residence hall staff gather emergency contact information as part of this check in process and maintain that data for use in the event of an emergency involving the student. In addition, students are encouraged to enter family and emergency contact information into the university's Campus Connection data base. However, providing this emergency contact information is voluntary. Residence hall staff conducts regular 'room checks' for health and welfare purposes and if a student is not present for such a room check, follow up is conducted with roommates or friends of the student. Should a student be reported as missing by another student, by family, by faculty/staff or by residence hall staff, the following procedures will be followed:

1. Residence hall staff, including student staff, who have reason to believe that a student residing in a campus owned facility, has been missing for more than 24 hours should contact either of the following individuals:
  - Richard Smith, Director of Student Life: Campus Center 103, 701-788-4697.

- Ray Gerszewski, Vice President for Student Affairs: Main 107, 701-788-4770
  - Law enforcement personnel of the Traill County Sheriff's Department may also be contacted directly at 701-636-4510 if a student is suspected to have gone missing.
2. Upon receiving a report that a student may be missing, either of the above named individuals will attempt to reach family or others who are listed as emergency contacts to determine if there has been any communication with the student. Documentation of last contacts by teachers, staff, and other students with the missing student will also be attempted. A formal missing report will be filed with local law enforcement once it is determined that the student has been missing for at least 24 hours.
  3. The Vice President for Student Affairs is designated to be the official liaison between law enforcement, family and other individuals who have an interest in the missing student. Documentation of last class and campus work attendance will be gathered, as will information that might be gleaned from the university's notebook computer that has been assigned to said student; i.e. e-mail and internet access. This information will be compiled and filed with local law enforcement.

**B. Other Policy Provisions:**

1. Any student residing in campus housing has the option of registering a confidential contact person who is to be notified in the event that the student is reported missing. Only authorized campus officials (Vice President for Student Affairs and Director of Student Life) and law enforcement officers in furtherance of a missing person investigation may have access to that information. This confidential contact may/may not be the same emergency contact individual that the student has identified as part of the "Check In" or Campus Connection processes identified above. A request for this confidential contact should be submitted directly by the student to either the Vice President for Student Affairs or the Director of Student Life.
2. If a student is reported as missing, law enforcement will be notified even if a student has not registered a contact person.
3. Parents and legal guardians of any student younger than 18 who is reported as missing will be notified immediately.

**C. Annual reporting to campus constituencies.**

Each year (prior to October 1) every enrolled student and employed faculty/staff member receives a written notice that the Missing Student Notification Policy and Procedures are available electronically at the MSU Website (<http://www.mayvillestate.edu/about-msu/Pages/ConsumerInformation.aspx>) or in printed format. Students or faculty/staff may request a printed version from the Student Services Office in Main 107. Likewise, printed copies of the policy are available, upon request, to any prospective student, parent or member of the general public from the Student Services Office.