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# 2021 Annual Campus Security and Fire Safety Report

Safety and security information for the University of Nebraska-Lincoln, including crime & fire statistics for the 2020 calendar year, and the information required by the *Drug-Free Schools and Communities Act of 1989*. All data is submitted to the U.S. Department of Education according to law.



*The University of Nebraska-Lincoln does not discriminate based on race, color, ethnicity, national origin, sex, pregnancy, sexual orientation, gender identity, religion, disability, age, genetic information, veteran status, marital status and/or political affiliation in its programs, activities, or employment.*

## A Message from Chief Hassan Ramzah



Dear Campus Community Member,

The University of Nebraska-Lincoln Police Department (UNLPD) is committed to providing a safe and secure community for students, faculty, staff, and visitors on campus to support the three university missions of teaching, research, and service. The department is comprised of state certified police officers, security officers, public safety telecommunicators, and civilian support staff providing law enforcement and security services to the University of Nebraska-Lincoln campus. This report represents our ongoing effort to inform you of the safety services programs and resources available to the campus community to help maintain a safe and secure environment.

The University of Nebraska-Lincoln Annual Campus Security and Fire Safety Report is published in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Code of Federal Regulations (CFR) as required of each institution of higher education in the United States participating in federal student aid programs.

This report includes campus crime, arrests, and referral statistics reported to UNLPD, campus security authorities (CSAs), and local law enforcement agencies surrounding University of Nebraska-Lincoln campuses and off-campus locations. In addition to campus crime statistics, the report also includes university policies and procedures concerning alcohol, drugs, sexual assault, and general safety on the University of Nebraska-Lincoln campus.

Your safety is a priority, and UNLPD is committed to providing excellence in public safety while promoting an inclusive campus environment. Please take a few moments to review the important information in this report, which describes the university's efforts in the area of campus safety and security. Also, please visit the UNLPD website at <https://police.unl.edu/> for additional information about our services and the department.

I welcome your concerns, suggestions, and ideas on working together to make our campus the safest place to learn, work, and live.

Sincerely,

Hassan Ramzah, Assistant Vice Chancellor and Chief of Police  
University of Nebraska-Lincoln Police Department

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## Annual Security and Fire Safety Report and Clery Act Overview

The University of Nebraska-Lincoln Police Department (UNLPD) has overall responsibility for the preparation and distribution of the University's *Annual Campus Security and Fire Safety Report* (ASR), which is reviewed and updated annually as one cohesive document per the requirements of the federal law known as the Clery Act, outlined below. To ensure the ASR is accurate and comprehensive, the UNLPD uses its records and sends out formal requests for crime statistics and other necessary information to Campus Security Authorities (see description below) and any law enforcement agencies that have jurisdiction over non-campus property. While statistical requests are made, outside agencies are not required to provide crime statistics and so not all do, and some data is provided in a manner that does not provide adequate information for a statistical determination; all viable statistics that are provided are included in the crime numbers offered later in this report. The data is compiled and reviewed to ensure that no duplication occurs and incidents are appropriately categorized. The UNLPD maintains all records concerning the completion of the ASR (crime reports, daily incident summaries, referrals for disciplinary action, and copies of timely warnings). The ASR is completed and posted by October 1st of each year. The ASR and other crime prevention, safety, and reporting information can be found on the UNLPD website: <http://police.unl.edu>.

The UNLPD is also responsible for uploading the applicable 3-year statistics regarding crime and fires, as found in the ASR, to the Department of Education's website (<http://ope.ed.gov/security/>; click on **"Get data for one institution/campus"** and search for "University of Nebraska") by October 1st of each year.

The University understands the importance of the information provided in its *Annual Campus Security and Fire Safety Report* and ensures that its existence and location, and that a paper copy will be provided upon request is adequately publicized. A mass email is sent to all students and employees each September to notify them that the newest version of the Annual Campus Security and Fire Safety Report is available and the specific website address where the report is located. Its release is also promoted via social media and the University's daily e-news, Nebraska Today. A reminder in Nebraska Today may also occur in the spring. Prospective students and those coming in throughout the year are notified of the report via a statement listed within the enrollment material on the Admission's website (all students must register through this one site); prospective employees are notified through a statement on the Human Resources application website (all job applicants must apply via the website).

### The Clery Act

The ***Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f))*** is the landmark federal law, originally known as the Campus Security Act, that requires colleges and universities across the United States to disclose information about crime on and around their campuses. The "Clery Act" is named in memory of 19-year-old Lehigh University freshman Jeanne Ann Clery (pictured right), who was raped and murdered while asleep in her residence hall room on April 5th, 1986. The law is linked to an institution's participation in federal student financial aid programs, and it applies to most higher education institutions, both public and private. The Clery Act is enforced by the United States Department of Education.



Jeanne Clery

Among other things, the Clery Act requires colleges and universities to:

**Publish an Annual Security Report (ASR) by October 1st of each year, documenting three calendar years of select campus crime statistics (crime types noted below), including security policies and procedures and information on the basic rights guaranteed to victims of sexual assault, domestic violence, dating violence, and stalking.** The law requires that schools make the report available to all current students and employees, and prospective students and employees must be notified of its existence and given a copy upon request. Schools may comply with this requirement via the internet if required recipients are notified and provided exact information regarding the on-line location of the report.

- **Criminal Homicide**
  - Murder & Non-negligent Manslaughter
  - Manslaughter by Negligence
- **Sex Offenses**
  - Rape
  - Fondling
  - Incest
  - Statutory Rape
- **Robbery**
- **Aggravated Assault**
- **Burglary**
- **Motor Vehicle Theft**
- **Arson**
- **Domestic Violence**
- **Dating Violence**
- **Stalking**

**Hate Crimes** — Must be reported by category of prejudice, including race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, and/or disability. In addition to the other crimes, if the crime committed is classified as a hate crime, statistics are required for the following four crime categories:

- **Larceny/Theft**
- **Simple Assault**
- **Intimidation**
- **Destruction/Damage/Vandalism of Property**

**Arrests/Referrals**— Institutions are required to report statistics for the following categories of arrests, or referrals for campus disciplinary action if an arrest was not made:

- **Illegal Weapons Possession**
- **Liquor Law Violations**
- **Drug Law Violations**

**Maintain a public crime log** – Institutions with a police or security department are required to maintain a public crime log documenting the "nature, date, time, and general location of each crime" and its disposition, if known. Incidents must be entered into the log within two business days. The log must be accessible to the public during regular business hours, remain open for sixty (60) days, and, subsequently, made available within two business days upon request.

**Disclose and provide to the U.S. Department of Education crime statistics for incidents that occur on campus, in unobstructed public areas immediately adjacent to or running through the campus, and at certain non-campus facilities, including Fraternity and Sorority Life Chapters and UNL property throughout the country** – The statistics must be gathered from campus police or security, local law enforcement and other school officials who have "significant responsibility for student and campus activities." The Clery Act requires reporting of the following crimes and law violations:

**Issue timely warnings about Clery Act crimes that pose a serious or ongoing threat to students and employees** – Institutions must provide timely warnings in a manner likely to reach all members of the campus community. Timely warnings are limited to those crimes and incidents an institution must report and include in its ASR. There are differences between what constitutes a timely warning and an emergency notification; however, both systems are in place to safeguard students and campus employees.

## Law Enforcement at the University

**Devise an emergency response, notification, and testing policy** – Institutions are required to inform the campus community about a “significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.” An emergency response expands the definition of timely warning as it includes both Clery Act crimes and other types of emergencies (i.e., a fire or infectious disease outbreak). Colleges and universities with and without on-campus residential facilities must have emergency response and evacuation procedures in place. Institutions are mandated to disclose a summary of these procedures in their ASR. Additionally, compliance requires one test of the emergency response procedures annually and policies for publicizing those procedures in conjunction with the annual test.

**Compile and report fire data to the federal government and publish an annual fire safety report** – Similar to the ASR and the current crime log, institutions with on-campus housing must report fires that occur in on-campus housing, generate both an annual fire report and maintain a fire log that is accessible to the public. If specifically identified as such, the fire report can be combined with the annual crime report, and the fire log can be combined with the crime log (the University of Nebraska-Lincoln combines the reports and logs).

**Enact policies and procedures to handle missing students' reports.** This requirement is intended to minimize delays and confusion during the initial stages of a missing student investigation. Institutions must designate one or more positions or organizations to which reports of a student living in on-campus housing can be filed if it's believed that they have been missing for 24 hours.

**The crime and fire statistics for the University of Nebraska-Lincoln are provided later in the *Annual Campus Security and Fire Safety Report*.**

The UNLPD, which has over thirty armed officers having full police and arrest powers, is in charge of coordinating all campus safety and security measures. UNLPD officers enforce University regulations and laws of the State of Nebraska on the University of Nebraska-Lincoln campus. These men and women complete certification courses at the State Law Enforcement Training Center and are commissioned by the State of Nebraska as Special Deputy Sheriffs. They undergo continuous training to upgrade and maintain their professional skills as law enforcement officers. The UNLPD also includes officers who have received trauma-informed training to handle sexual assault, domestic violence, and stalking-related incidents in the most appropriate manner. Officers of the UNLPD conduct foot, bicycle, and motorized patrols of campus 24 hours a day, each day of the year. Additionally, the UNLPD will assist anyone who asks for help in notifying the appropriate authorities for offenses committed in other jurisdictions. While the UNLPD has the authority to enforce state laws anywhere, its primary jurisdiction is University-owned and associated property.

The University of Nebraska-Lincoln Police Department is the primary agency for reporting and investigating all crimes that occur on University property and will provide all necessary follow-up work to bring each incident to a final disposition. All instances of criminal or suspicious acts and emergencies occurring on the campus or any University facilities should immediately be reported to the UNLPD, regardless of how seemingly insignificant the incident. The UNLPD can be contacted by telephone, in person, email, or text messaging.

In all instances of criminal activity in the UNLPD's jurisdiction, UNLPD officers work to determine the exact nature of the reported crime and the perpetrator(s) for the purposes of developing a viable case to be forwarded to either the Lancaster County Attorney's Office or the City of Lincoln Attorney's Office. UNLPD officers also prepare and submit the appropriate reports for use by University of Nebraska-Lincoln authorities, federal prosecutors, and other law enforcement agencies as applicable.

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| <p><b>Emergency:</b> If it is an emergency, simply dial 911.</p> <p><b>Phone:</b> Contact UNLPD at 402-472-2222 (DIAL 2 for BLUE) or 2-2222 from a campus phone.</p> <p><b>Email:</b> <a href="mailto:unl.police@unl.edu">unl.police@unl.edu</a></p> | <p><b>In person:</b> Stop in at the station, or if see an UNLPD officer, get their attention and they will assist you.</p> <p><b>Text:</b> Text messages can be sent to Police at 402-472-0800.</p> |
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Officers will respond as quickly as possible to any request for assistance. Upon receipt of a call, UNLPD officers will be dispatched. Response time is based on current activity load and the urgency of the call; crimes in progress, life safety situations, and medical emergencies have a higher priority than other types of calls. A UNLPD officer will meet with you to gather information and prepare an official report. Investigations are typically handled by the original officer, although additional investigators can provide assistance. The initial officer will re-contact the reporting party to provide Updates on the case. Involved persons should feel free to contact an officer should they have questions or additional information about the case.

The UNLPD maintains a close working relationship with local, state and federal law enforcement agencies, which include the Lincoln Police Department, Lancaster County Sheriff's Department, Nebraska State Patrol, and the Federal Bureau of Investigation, and has signed memorandums of understandings with the three local agencies to share resources. Additionally, the UNLPD shares law enforcement information with police agencies nationwide through memberships in a wide network of organizations, utilizing information for criminal prosecutions and crime prevention techniques. Every month, the UNLPD provides its Uniform Crime Report to the Nebraska State Patrol as required for the inclusion of crime statistics published by the Federal Bureau of Investigation.

The UNLPD also employs full-time Community Service Officers (CSOs) whose primary purpose is to provide security in the residence halls. CSOs are not armed and do not have arrest powers (non-commissioned); however, they undergo training in security, life safety, and handling situations with which they may be called to respond. CSOs are assigned to residence halls during the evening and overnight hours, patrolling the buildings and surrounding areas, maintaining constant radio contact with the UNLPD communications center, and requesting officer assistance when necessary.

University-recognized student organizations that own or control off-campus locations or housing facilities are subject to the jurisdiction of the University of Nebraska Office of Fraternity and Sorority Life, the Vice Chancellor for Student Affairs, the UNLPD, and if not part of the contiguous campus, the Lincoln Police Department (LPD); some are also under the jurisdiction of University Housing (see later in the report). Criminal activity at these locations is monitored and recorded by either agency as appropriate; incidents will be addressed as necessary by the applicable agency. In addition, the UNLPD's dispatch center is integrated with the city of Lincoln's dispatch system, so the UNLPD will receive notification of incidents occurring at these locations, even if the LPD responds.

To be fully engaged with students and the rest of the campus community, the UNLPD readily uses social media to provide important information and communicate with those it protects. We encourage everyone to follow the Department on [Facebook](#), [Twitter](#) and [Instagram](#).

## Additional UNLPD Responsibilities and Resources

**Crime Log:** The UNLPD maintains a Daily Crime and Fire Log. The log provides online information regarding any crime and/or fire that was reported to the department and: occurred on campus, in/on a non-campus building or property, or on public property within the established jurisdiction of the UNLPD. This log includes the nature, date and time (for both when the incident occurred and when it was reported), general location of each incident, the disposition of the complaint (if known), and the estimated loss amounts. The log **does not** include individual names or specific locations, such as residence hall room numbers. The log is automatically Updated as reports are entered into the UNLPD's electronic records system. If there are any technical issues, where the log cannot be maintained electronically, it will be available in hard-copy and located in Dispatch at the UNLPD headquarters, 17<sup>th</sup> and R, where it can be viewed during normal business hours (8am-5 pm). Staff and students are sent direct emails informing them of the existence of the crime/fire log and its location; it is also publicized through various forms of social media. The log is available at: <https://scsapps.unl.edu/policerreports/default.aspx>

**Accreditation:** In 2012, the University of Nebraska-Lincoln Police Department voluntarily elected to enter the law enforcement accreditation process. Accreditation requires an extensive commitment by all department personnel to the pursuit of excellence, as recognized by the Commission on Accreditation for Law Enforcement Agencies Incorporated (CALEA), an independent, nonprofit organization. Gaining CALEA accreditation requires verification of full compliance with all CALEA standards through documentation and on-site reviews by a CALEA assessment team. These standards, which represent "best practices," cover a wide range of initiatives and are constantly evaluated and amended by CALEA's commissioners, who are all public safety professionals, to ensure applicability to the top current law enforcement procedures and trends. On March 21, 2015, the UNLPD was awarded its initial accreditation, becoming one of only a small number of university police departments nationally accredited, and received re-accreditation on March 24, 2018. This accreditation represents the UNLPD's professionalism and the ways in which its vigilant prevention, enforcement and community presence measure up to CALEA's standards in the performance of its duties. To learn more, visit the [CALEA website](#).



**Security Cameras:** The UNLPD oversee the extensive system of CCTV (closed circuit television system/security cameras) used by the University for the purpose of safety, security and facilities maintenance. Cameras are located in many areas throughout campus including parking facilities, public areas of housing units, and primary pedestrian areas. Cameras are typically purchased by University departments through the UNLPD for the monitoring of their specific operations, or by the UNLPD directly for high traffic, public areas. A campus camera standard is in place and helps ensure consistency in the use of this system, allowing all cameras to be available for employment in emergency situations. The UNLPD is able to view all cameras included in this system whenever necessary. Camera owners and the UNLPD are also able to conduct random real time monitoring as needed, and recordings are used to gather information through reviews of historical images. While cameras are not continuously monitored, many are triggered by motion and so will record any activity that occurs. The University's CCTV policy can be found at: <https://bf.unl.edu/policies/use-security-cameras>.

**GIS:** The UNLPD utilizes an extensive Geographical Information System (GIS) application to analyze incidents occurring on campus and to assemble data and other information from numerous databases on campus. This information includes detailed floor plans, classroom and building use, and utility infrastructure which allows centralized coordination of information.

This aids departments in managing their facilities and tracks police and medical calls to identify trends and analyze crime. It also allows the UNLPD to make the best use of its resources. This system also has a valuable use on Husker football game days. Police and medical calls are tracked in real time from several hours before and after the game. Using this spatially displayed information, the UNLPD is able to re-deploy officers, security staff and medical staff to those areas of the stadium with a higher incidence of activity. With many years of data, preparing for the security and safety of these games is made easier.

**Building Access:** The UNLPD houses the Building Access Department. The Building Access Associates are responsible for card access additions/revocations for personnel, adjusting electronic door schedules, monitoring alarmed areas, and assisting the University in its access control needs. Like any good security measures, this process allows access to only individuals who have a reason to be in a space. Electronic card readers or number pad entries are installed on all building exterior doors and are scheduled to automatically prevent public entry once business hours have past. See later in the report for specific information on access to University buildings.



### Threat Assessment

The University of Nebraska is very proactive in regards to the handling of threatening situations on campus. The University of Nebraska Threat Management and Protection Program (TMAP) is managed by the UNLPD. Components of the program include vulnerability assessments of facilities, use of GIS for crime mapping and event planning, and threat assessments.

Threat assessments of situations and/or individuals are conducted to assess the likelihood of escalated violence as well as identifying measures that can be taken to mitigate the risks. These situations are generally identified as those which have caused harm or have the potential to cause harm affecting life safety, and/or serious damage to University property or operations. University personnel and resources are used to aid in identifying these situations, are utilized to assess the totality of the situation, and to provide appropriate interventions to lessen the risk of escalation. Threat assessments may be conducted on troubling situations which occur on University owned or controlled property or which involve University students, faculty and staff. The UNLPD conducts the threat assessments, as well as coordinates programs or interventions, with the involved persons or groups at the University of Nebraska.

The Threat Assessment Partnership is a **Process** that is:

- Campus safety oriented
- Behavior based
- Risk prevention and management focused

Its **Objective** is to:

- Expedite the reporting of troubling situations
- Focus upon prevention as well as a calculated response to threatening situations
- When possible use interventions that promote and emphasize dignity and respect
- Promote open and safe campus environment

Its **Focus** is on:

- Troubling behavior and situations, rather than troubled persons
- Troubling behaviors are identified as:
  - Causing harm or potential to cause harm, or
  - Threat to life safety, or
  - Real or potentially serious damage to University property or operations
- Troubling situations may warrant a threat assessment when situation involve:
  - Property owned or controlled by University
  - ♦ Students, faculty, and/or staff

We all have the power to act if there is ever a threat to safety on campus. People can be an active member of the Threat Assessment Partnership by simply being aware and willing to report. All faculty, staff, and students should call one number: **402-472-2222**, if anyone, at any time, is concerned that someone at the University is exhibiting troubling or threatening behavior. By calling attention to these types of behaviors we can help people who are troubled before they could harm themselves or others. You may contact the Threat Assessment Group with any questions or concerns directly via email at:

[UNLPDThreatAssessment@unl.edu](mailto:UNLPDThreatAssessment@unl.edu).

You can read more about the [Threat Assessment Partnership in this PDF document](#).

## Emergency Management and Preparedness

The University of Nebraska-Lincoln Police Department coordinates emergency management planning for the University of Nebraska-Lincoln, with departments throughout campus contributing to an overall emergency operations plan. This plan lists inventories, staffing requirements, procedures, and policies used to provide guidance for immediate response and the ensuing recovery process in the event of an emergency. The University is continually involved in preparing guidelines for continuity of operations in the event of an emergency, which requires a response of longer duration. The University of Nebraska-Lincoln follows the National Incident Command System regarding preparing and managing emergency events.

The UNLPD is responsible for handling all public safety emergencies, from the declaration of an emergency to the campus community's notification to the mobilization of personnel and resources to combat the threat. The Department has an established emergency mobilization plan that includes the notification of appropriate authorities, the use of designated assembly areas and command posts, communications (including failure), transportation during the emergency, and the after-action procedures that will take place. The plan is continually updated in coordination with other area emergency services. The Department participates in annual preparedness exercises, conducted in conjunction with other emergency services and departments when possible.

Preparedness is seen as an essential part of campus safety. In August of 2014, the National Weather Service awarded the University of Nebraska-Lincoln with StormReady certification. The certification came after a comprehensive year-long review of the University's processes and procedures. To earn the designation, the University had to meet StormReady guidelines for a community between 15,000 and 40,000 people. These guidelines include establishing a 24-hour warning alert system; setting up four ways for the University to receive NWS warnings and alerts; issuing alert notices to campus via three methods; monitoring hydro-meteorological data from three sources; offering three annual weather safety talks; creating hazardous weather operations plans and holding annual visits with NWS officials. The University received recertification in 2017.

**Emergency Notifications:** The University understands the importance of being able to immediately notify students and staff of any confirmed emergency that may arise on campus. The UNLPD is responsible for determining when a situation warrants an emergency notification, initiating the campus emergency notification system, and providing any follow-up information as necessary. In the event of any threatening situation, the UNLPD will, **without delay** and taking into account the safety of the campus community, immediately determine the content of and issue alert notifications to the campus community, unless it has been determined that issuing such an alert will, in the professional judgment of the UNLPD's responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. Any notifications are distributed through the UNL Alert system, the name of Nebraska's emergency notification system. The system automatically includes the email address of all current students and employees but requires individuals wishing to receive alerts via text message to sign up using their cell number (this is highly encouraged, as it provides a more immediate notification); individuals also have the option of signing up a secondary email address. If anyone does not wish to receive emergency alert emails automatically, they may choose to have their email address removed from the system. More information about UNL Alert, as well as registration instructions, can be found at: [emergency.unl.edu](https://emergency.unl.edu).

**UNL Alert** is comprised of a variety of methods by which the University will notify students, faculty and staff in the event of an active or imminent emergency, including:

To ensure emergency alerts immediately reach as many people as possible who may be affected, the University employs Alertus, which automatically posts alerts on select campus computers. When an alert is issued, a message pops up on computers and indicates the alert and provides the applicable message. Once read, the user simply clicks and the message disappears. In cases where an alert appears on a professor's computer during class, they have the opportunity to inform the class of the incident, depending on its severity, so that everyone can be aware.

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| <ul style="list-style-type: none"> <li>• Text messages (SMS) to cell phones</li> <li>• Email</li> <li>• Digital signage</li> <li>• University website</li> <li>• Facebook</li> </ul> | <ul style="list-style-type: none"> <li>• Twitter;</li> <li>• Computer screen pop-ups on staff computers and general purpose classrooms (Alertus);</li> <li>• University communications.</li> </ul> |
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For potentially dangerous incidents, the on-duty UNL PD supervisor will be responsible for determining whether or not the situation poses an immediate threat to the health or safety of the campus community and if students and staff should be alerted. Prior to issuing an emergency alert, it will be the responsibility of the supervisor to consult with other responsible authorities (i.e. superiors, other officers, other law enforcement agencies), as necessary, to confirm the emergency and determine if the issuance of the alert will compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. It will also be the supervisor's responsibility to determine the content of the alert.



To determine whether or not the situation is an emergency, the supervisor will take into account issues such as the nature of the threat, if the threat will be on-going, and the number of people that are affected. When deciding the content of the emergency notification, the supervisor will determine how much information is warranted at the current time and what measures will most likely be taken in the future (i.e. will more alerts be issued); the content will be developed based on the situation, type of incident, and the amount of information known at the time. While the same general language may be used each time, each alert will be tailored to address the current situation. When a tornado warning that includes Lincoln is issued by the National Weather Service (NWS), a supervisor or dispatcher is authorized to distribute a UNL Alert message; the alert will use the language provided by the NWS.

Examples of potential emergency situations include, but are not limited to:

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| <ul style="list-style-type: none"> <li>• Tornadoes</li> <li>• Fires</li> <li>• Chemical Spills/hazards</li> <li>• Act of violence with a continuing threat to campus</li> <li>• Weather closings</li> </ul> |
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In instances where sufficient time exists (such as an impending winter storm), the applicable UNLPD sworn supervisor may work with the Vice Chancellor of Business and Finance in the issuance of the UNL Alert message. The UNLPD may also work with University Communications regarding the information in the alert and the language on the University's website. In any emergency situation that requires the dissemination of information to the larger community, Communications will be largely responsible for determining the amount of information provided and those sources to which the information will be given.

Once it has been determined that an emergency notification is needed, the UNLPD supervisor will authorize a UNLPD dispatcher to issue a UNL Alert to the campus community. When an alert is issued, it automatically goes to everyone currently in the system and out through the other notification methods identified above. Update notifications will be distributed whenever additional and pertinent information is received, such as changes in location of the original threat or descriptions of persons responsible for criminal acts. In all cases except weather-related issues, the supervisor that initiated the emergency warning will authorize the issuance an "all clear" or final message once it has been determined that the emergency or threat is over.

Notifications may occur through the use of UNL Alert, the University's mass notification service, and/or through other communication channels such as local media (whatever is determined to be appropriate for the emergency). The University's mass notification service allows for notification through multiple means. The University will use the following emergency website to post information as it becomes available: [emergency.unl.edu](https://emergency.unl.edu).

**Timely Warnings:** The University wants to ensure that all students and staff are also aware of any issues that may pose an ongoing risk to their safety (i.e. rash of a specific crime), and so will issue Timely Warnings (TW) whenever necessary. The UNLPD has the responsibility of determining when a TW is warranted, and then creating and issuing the warning to the campus community.

The UNLPD's shift supervisors continuously review all incoming reports taken by officers, as well as receive and review information from other law enforcement agencies or campus security authorities; it is up to the supervisor to determine those incidents that represent a serious and continuing threat to the campus community. Once pertinent information is received and a threat is determined, the supervisor will create a draft of the proposed TW and provide it to a captain. The warning will include information on the incident that triggered the warning and methods to help prevent similar future crimes, however, it will not include the names of victims and/or specific locations (i.e. room numbers). It may also include a suspect description, but only when there is sufficient detail that would reasonably help identify a specific individual or group (e.g., some combination of gender, race, clothing, height, body type, build, accent, tattoos, hair color, and facial hair). After review, the draft warning will generally be reviewed by University Communications for a final edit. Once approved, the issuing supervisor or captain will work with Communications to coordinate further campus notices and ensure the approved version of the warning is placed on the UNLPD website, released through applicable media, and any applicable facilities notified. If deemed necessary due to the seriousness of the reported incident, the on-duty shift supervisor has full authority to issue the TW without prior consultation with the captain and/or University officials; ***TWs will be immediately issued when warranted and not unduly delayed.***



To ensure that TWs are reasonably likely to reach the entire campus community, a notification shall be distributed to all students, staff, and employees via mass email. The email will indicate that a TW has been issued and provide a link to the actual TW bulletin, which will be posted on the UNLPD website. In addition, the TW may be provided via the following, as necessary:

- Notifications to recognized housing facilities;
- Notification to similar type/near-by campus facilities;
- Social media releases.

Issued Timely Warnings will remain on the UNLPD website for a maximum of thirty (30) days but can be removed earlier if the case is satisfactorily resolved. The UNLPD will be ultimately responsible for determining when the threat is over and retaining copies of issued TWs. Archived TWs can be viewed on the UNLPD's website at: <https://police.unl.edu/safety-reports-and-statistics#timely-warning>

More information on UNLAlerts and TWs can be found on the UNLPD's website.

The UNLPD has discussed the Clery Act and Timely Warnings with the Lincoln Police Department (LPD) to ensure that the LPD understands the importance of providing pertinent information on potential threats to the UNLPD on an immediate basis. Furthermore, the UNLPD's dispatch center is directly linked to the LPD's dispatch system. If the LPD receives calls regarding serious situations in the Lincoln community, the UNLPD may be informed simultaneously in order to issue appropriate alerts as necessary for situations that occur near campus.

**Emergency Preparedness Training and System Testing:** As part of its ongoing emergency preparedness program, the University of Nebraska, via the UNLPD, conducts tests of the UNL Alert emergency notification system (at least once each semester) and tracks the success rates of issued alerts. The tests are focused on text messaging, digital signage, social media, website, and system's email capabilities. The system also allows for the tracking of results for each actual alert sent, and this information is reviewed for each incident. The data for alerts shows that the system has a notification success rate of 98% or better and that most failures are not a result of the system (i.e. those signing up incorrectly entered their information, phones were busy, etc.).

The University also conducts annual tests of its various evacuation procedures. The tests include tornado and fire drills and tabletop or other exercises that relate to specific scenarios. Any tests will be announced, as the University does not generally conduct unannounced tests. For all tests/drills, the pertinent authorities in the applicable buildings are informed of the drill and required to explain the situation to those affected by the drill (i.e. staff and students). The University's Emergency Management Director (EMD) continually works with campus buildings to designate a responsible person for the facility's emergency management and evacuation plan. This designee will be responsible for maintaining an appropriate evacuation plan, and ensuring that at least annually, the building goes through a drill, exercise, and training to make sure that everyone is aware of how to handle an emergency evacuation, or if applicable, a shelter-in-place situation. While the University's drills will not include the entire campus all at once, the system in place will make sure that each facility participates in an exercise.



In addition to fire drills, the University's residence halls participate in a tornado drill each March as part of Severe Weather Awareness Month. The night before the drill, Residence Directors (RD) will read a script that announces the coming test, goes over what will take place, identifies the evacuation location and how to get there, and explains what to do in regards to an actual tornado warning. On the day of the test, once the tornado drill begins, the RD will read a script that identifies the drill and instructs the residents where to go and how to get there. After the drill, the RD asks if there are any questions that arose as a result of the drill.

A typical table top exercise regarding tornados would involve Building Directors from various campus buildings and be conducted by the EMD. The exercise begins by reviewing the current plans for handling tornado warnings. At a set time, the siren will sound and the directors will discuss the procedures they would follow at that point. There will then be a discussion concerning what the directors would do in the event of an actual tornado hitting campus and how they would handle the situation. The EMD wants to ensure that the directors are adequately able to relay all pertinent information to the Emergency Operations Center in the event of a real emergency. The purpose of the exercise is to determine if everyone is on the same page, or if there is confusion regarding campus policy and procedures. The information obtained through the exercise allows the University to provide training or take other necessary measures to improve the handling of emergencies.

For each drill and test that takes place, the University personnel that planned and conducted the drill is responsible for its documentation, including the building(s) that were part of the test, the time (beginning and ending) and date, a description of the test and the test's results. The test review information will include any issues found as part of the test. This allows the University to review its processes and procedure regarding emergencies and make improvements as needed. As noted, tests are almost always announced, and in the rare case where a test would be unannounced, it would be noted on the review form.

While the University generally does not publicize its tests (outside of tornado drills) or emergency response and evacuation procedures to the entire campus community when conducting drills/tests, it does ensure that all Building Directors, Residence Directors and other necessary staff members are well aware of what must be done in an emergency situation, and trained on changes when necessary. These individuals are provided emergency plans for their building, and the plans are enacted when it is involved in any test. In addition, all residents in campus housing are thoroughly instructed on emergency procedures through meetings, and evacuation information is posted on doors and in buildings so that it is readily available. Furthermore, all students and staff receive notification that the annual security and fire report contains pertinent information. The University will work to ensure that everyone is aware of how to evacuate facilities and handle any emergency situation.



## Crime and Incident Reporting

**"Is This an Emergency?"** is an important factor in determining what should be reported, but it is not the only factor; don't downplay the importance of your call.

Here are points to immediately consider when reporting a crime:

- Is anyone's life or safety threatened?
- Does anyone need medical assistance or an ambulance?
- Is the suspect(s) still there?

Reports of crimes in progress, or those involving life-threatening circumstances, receive the highest priority response by the UNLPD. If the crime is still in progress, do what you can to ensure your own safety first: if outside, get to a public area (e.g. an open store, a restaurant or other public location); if at home, in a residence hall or apartment, go to a safe area of the building or go outside.

The University strongly encourages accurate and prompt reporting of all crimes or concerns to the UNLPD. The crime may, and should, be reported to local law enforcement agencies (Lincoln Police Department, Lancaster County Sheriff and/or Nebraska State Patrol) if the incident occurred off campus. If unable to make the report, it is desired that someone else (witness, family member, etc.) who is aware of the incident does the reporting to ensure that the police are aware of the situation. Law enforcement will provide safety planning and should be notified, even if the incident is reported to other entities, internal or external, to the University. Victims and witnesses **have the right to report any crime to law enforcement.**

When you call the UNLPD to report a crime, the dispatcher will ask a series of structured questions and immediately send officers to the location. Listen carefully to each question and try to answer it as best as you can. Do not hang up until the dispatcher tells you to do so (you may be put on hold while the dispatcher contacts emergency responders). Typical information for which the dispatcher may ask includes:

- Who are you? What phone number are you calling from?
- Where did the incident occur? Provide building and room area.
- How long ago did the incident occur? Is it still in progress?
- Give a brief description of what occurred.
- Did the suspect(s) have any weapons?
- Where and when was the suspect last seen?
- Which direction was the suspect headed?
- Was the suspect on foot or in a car? Provide vehicle description, color, make, model and license plate if applicable.

- What did the suspect look like:
  - Gender
  - Race
  - Age
  - Height and Weight
  - Hair Color and Length
  - Clothing
  - Glasses/Facial Hair
  - Was the suspect carrying anything?

While the UNLPD should always be the first point of contact, it is not the only place where an incident may be reported. Crimes may also be reported to individuals within the University, defined as Campus Security Authorities (CSAs). In addition to employees who serve in a security role, these are individuals within the University that have significant responsibility for students outside of the classroom/office, meaning their interactions extend beyond simply being a professor or a clerical employee. UNL includes anyone who has a secondary level of contact with students, as there is a greater chance that the student may disclose a crime to this individual due to this personal relationship. Examples of CSAs include:

- A dean of students who oversees student housing, a student center or student extracurricular activities;
- A director of athletics or a team coach (head coach down to graduate assistant);
- A faculty advisor to a student group/academic advisor;
- A student resident advisor or assistant;
- A coordinator of Fraternity and Sorority affairs;
- Victim advocates or others who are responsible for providing victims with advocacy services;
- A nurse/physician in a campus health center and the director of the center.



The role of the CSAs is to be there for students as someone to whom they can report crimes, look to for guidance if they have been victims of a crime, or ask if they need advice as to whether or not they should report an incident. CSAs are **not** responsible for taking any action regarding suspected perpetrators, nor are they to make any judgments as to whether or not a crime took place or try convince victims of a crime to contact the police if no police involvement is desired; CSAs are simply available as a resource. It is important to be aware that the Clery Act requires universities to disclose “statistics concerning the occurrence of certain criminal offenses reported to local law enforcement agencies or any official of the institution who is the CSA,” which means that CSAs are required to relay the type of crime reported and its location to the UNLPD for statistical purposes and to determine if there is an ongoing threat to the campus community. This does **not** mean that law enforcement must be involved or charges filed, as this is up to the victim, and **no** names will ever be provided by the CSA without prior approval of the reporting party. Crimes may be reported to any UNL CSA. A list of current University CSAs is available at: <https://police.unl.edu/campus-security-authorities>. To ensure CSAs are aware and adequately understand their responsibilities, they are informed of their duties and provided with in-depth training material (this information is always available on the UNLPD website).

The University of Nebraska staff also includes professional counselors. It is understood that per their role, they appear to be CSAs; however, when acting in an official capacity as a counselor to a student or employee, they are not required to have the victim report the crime, nor are they required to report the crime themselves. If a counselor feels it is appropriate, they may discuss the procedures for reporting the crime with the victim, and inform the victim that they can report the crime on behalf of the victim on a confidential basis, simply so that the incident type can be included in the University's Clery statistics, if desired (the University does not have a policy that specifically asks or requires counselors to report crimes).

The University will investigate all allegations and encourage reporting parties to provide as much information as possible to conduct a thorough investigation. The University understands that people may be concerned about their name becoming public and will protect the parties' privacy and the confidentiality of the information to the extent possible under the law. The victim/reporter should understand that the University is required to balance confidentiality with the safety of the campus. In cases of a police investigation, officers will discuss with the reporting party that information which is a public record or confidential and the possibility of media coverage. Any personally identifiable information will be handled carefully and released to other University officials (such as law enforcement, IEC/Title IX, Student Affairs, etc.) on a strictly need-to-know basis, including those responsible for providing necessary accommodations or protective measures. The University has an obligation to document allegations of crimes and include them in its annual security report; however, any publicly available records, including Clery Act reports and disclosures, will not contain a victim's personally identifying information (statistics only; names are never included). Factors considered by the University in determining whether to disclose a report, a complaint, or the identity of the reporting party to the accused include the seriousness of the alleged conduct; the reporter's age; other complaints made about the same individual; and the accused's rights to receive information about the allegations. In addition, the records kept during any University judicial hearing remain strictly confidential and cannot be used in a manner that violates the privacy rights of any student, employee, or another person. Reports can be made anonymously; however, this may seriously hamper the investigation.

The University urges all of its students, CSAs, and other employees to immediately report any crimes or suspicious activities so that the appropriate steps may be taken to ensure everyone's safety. If a victim is unable to report a crime themselves, they are encouraged to have someone else report on their behalf, whether to the UNLPD, a CSA, or another law enforcement agency. Accurate and prompt reporting of incidents helps make the campus a safer place and maintain accurate records for a crime on campus. **Regardless of how a report is made, the University wants to ensure that all incidents are reported accurately and promptly.**

Not everyone may want to report crimes and/or press charges. It is the right of victims, no matter what the crime, to not report the crime to the UNLPD, a CSA, or any other authority if this is their wish. However, it is important for the safety of the campus and the community as a whole that any crime is reported so that appropriate measures can be taken (timely warnings, more police patrols, etc.). In addition, reporting helps ensure that the statistics publicized by the University are accurate. The University allows victims and witnesses to provide crime information on a voluntary, confidential basis.

## Reporting Threats and Potential Threats



The University and the UNLPD urge anyone to report troubling or threatening behavior as soon as possible. The UNLPD coordinates a campus-wide threat assessment unit (see later in report) to identify situations with potential of violence, significant harm to university property or disruptions to any university activities. This may include threats, stalking or other safety situations occurring to any university-affiliated persons whether on or off campus, demonstrations or protests, or acts of violence. Early warning or communication to the UNLPD is important to prevent situations from escalating. With your help we can continue to have a safe campus. Immediately report any of the following to the UNLPD:

### Non-emergency Incident Reporting

- Anything that raises suspicion or concern.
- Sighting or suspicion of firearms or other dangerous weapons.
- Harassing, following, or stalking behavior.
- Contact (letter, email, phone call, voicemail, face-to-face visit, or social media) that makes negative/hostile reference to a faculty, staff or student.
- Contacts that make any negative reference to a person's safety or security.
- Open displays of agitation and disruptive behavior toward faculty, staff, a student, or within facilities, regardless of whether a threat is made.
- Subjects either engaging dangerous contact behavior or making reference to faculty, staff or students, while engaging in problematic or unusual behavior.
- Individuals who are stopped or observed within unauthorized areas or demonstrating suspicious behavior suggestive of surveillance, such as:
  - Photography or video of high-profile structures/procedures (e.g. stadium, research facility).
  - Interest in security measures or personnel, entry points, access controls, or perimeter.
  - Observing emergency reaction drills or procedures.
  - Discreet use of still cameras, video recorders or note taking at non-tourist locations
  - Use of multiple identifications.
  - Person(s) searching trash containers or placing unusual items in trash containers.
  - Unknown persons trying to gain access to facilities.
  - Unknown persons or occupied vehicles loitering near a facility for an extended period.

**UNL Report** - In order to aid in making the University a place where everyone feels welcome and safe, the University of Nebraska has established the UNL Report System that allows individuals to report anonymously any campus incident they feel needs to be elevated or addressed by the University. It is important to note that reports submitted via this method may not receive an immediate response.

Applicable incidents include those involving personal safety and security, academic issues, bias or inappropriate behavior, discrimination, sexual misconduct, violation of University policy, workplace issues or concerns, as well as other type of incidents that may warrant further attention. The UNL Report System is also a mechanism for reporting acts of kindness, so that those involved can receive credit for their actions. It is important to report actual crimes directly to the UNLPD as opposed to using UNL Report. While anonymous reporting is an option, individuals should be aware that if they wish to remain anonymous, follow-up by University authorities is severely limited. Therefore, some form of contact information is beneficial. For more details or to report an incident, go to: <http://go.unl.edu/dsu>.

### The Office of Institutional Equity and Compliance

The Office of Institutional Equity and Compliance (IEC) is another place that certain incidents involving harassment and/or discrimination can be reported. IEC provides leadership and support to the campus community. It serves as the Civil Rights office for the campus and handles all matters that involve any form of discrimination and/or harassment based upon a protected status and any form of sexual misconduct. The University's Title IX Coordinator is housed within IEC (see later in report for specific information on reporting incidents to Title IX and the ensuing actions that can/will be taken). IEC oversees ensuring compliance and addressing complaints relating to each of the following laws and regulations:

- **Title VI of the Civil Rights Act of 1964** - Covers incidents relating to Race, Color, & National Origin
- **Title VII of the Civil Rights Act of 1964 (Employment)** - Covers incidents relating to:
  - Race, Color, Religion, Sex, or National Origin
  - Pregnancy, Childbirth, or Related Medical Conditions
  - Sexual Orientation, Gender Identity
- **Title IX of the Education Amendments of 1972** - Covers incidents involving Sex, Gender, Gender Identity, Sexual Orientation, Pregnancy, Parenting
- **Americans with Disabilities Act of 1990/2008** - Covers incidents relating to someone with disabilities
- **Section 504 of the Rehabilitation Act of 1973** - Covers incidents relating to someone with disabilities
- **Section 508 of the Rehabilitation Act of 1973** - Covers incidents relating to someone with disabilities
- **Age Discrimination in Employment Act of 1967** - Covers incidents of discrimination/harassment involving someone's age
- **Fair Housing Act of 1968** - Covers incidents of discrimination for housing based on Race, Religion, National Origin or Sex
- **Family Medical Leave Act of 1993** - Covers incidents involving an employee and issues with job-protected and unpaid leave for qualified medical and family reasons
- **Vietnam Era Veterans' Readjustment Assistance Act of 1974** - Covers incidents involving discrimination in employment against protected veterans (also requires employers take affirmative action to recruit, hire, promote, and retain these individuals)
- **Genetic Information Non-discrimination Act of 2008** - Covers incidents involving discrimination based on an individual's Genetic Information in both health insurance (Title I) and employment (Title II)
- **Nebraska Constitution Article I-30 (2008)** - Covers incidents of discrimination against, or granting of preferential treatment to, any individual or group on the basis of Race, Sex, Color, Ethnicity, or National Origin in the operation of public employment, public education, or public contracting by a state agency (includes the University of Nebraska)

IEC is also responsible for training various members on the campus community on these laws and how to ensure compliance when performing their duties in an effort to prevent incidents from occurring. IEC maintains training material and sign-up information for in-person training on their website (see below). The end goal is to make the University a warm and welcoming place for everyone.

If you feel as though you, or someone you know, has been discriminated against and/or harassed in violation of the above laws and regulations, you are encouraged to reach out to the Office of Institutional Equity and Compliance so that the issue can be addressed properly. For more information on IEC and/or resources, please go to: <https://www.unl.edu/equity/>.

Office of Institutional Equity and Compliance  
128 Canfield Administration Bldg.  
Lincoln, NE 68588-0437  
Phone: (402) 472-3417  
Fax: (402) 472-9440  
Email: [equity2@unl.edu](mailto:equity2@unl.edu)

### **Important Information for Crime Victims**

Immediately call the UNLPD or 911 to report the crime. The report should be made from the location where the crime occurred or at safe location. Even if the report is made at a later date, the UNLPD should be the first point of contact. Officers will work with University officials to ensure that all necessary steps are taken to protect the victim and the campus community, investigate the crime, and take punitive measures as needed.

If the crime occurred off campus, you may still call the UNLPD, and upon request, the UNLPD will notify the appropriate agency, or you can contact any local law enforcement agency directly. If you choose to call the UNLPD, an officer will contact you at the scene of the crime, the hospital, or at another location. If you choose to file a report of the incident, below are some important things to know.

If you desire to press charges, the UNLPD officer will continue to work with you until the case comes to its completion, or police intervention is no longer desired; upon request, the officer will help you report the incident to any other University officials as appropriate.

You may also choose to proceed through the University's formal discipline process in addition to, or in lieu of, pressing criminal charges against the perpetrator. You should contact the appropriate office(s), described in this report, and make clear your desire to have the incident addressed through the disciplinary process and action taken against the perpetrator. As noted, if you report to the UNLPD, the officer can help you with these steps.

#### **Note Regarding Evidence for Sexual Misconduct Incidents:**

- For sexual assaults and incidents of dating or domestic violence, it is very important that the victim not bathe, douche, change clothes, or apply medication in order to preserve evidence that can be used as proof of the criminal offense and aid in the acquiring of protection orders and/or in prosecution.
- In cases of stalking, victims should preserve as much evidence as possible to provide to the police. This would include things such as texts, phone messages, letters and any other material that can be used as evidence of stalking when pursuing criminal action and/or protection orders.

- \* **Lincoln Police Department:** 575 S. 10th St., Lincoln, Nebraska 68508, (402) 441-6000
- \* **Lancaster County Sheriff:** 575 S. 10th St., Lincoln, Nebraska 68508, (402) 441-6500
- \* **Nebraska State Patrol:** 1600 Hwy. 2, Lincoln, Nebraska 68509, (402) 471-4545

- Remember that **you are the victim** and you will be treated with respect by an officer who has received training in dealing with survivors of sexual misconduct.
- The officer can help you get in contact with a University advocate to offer support and guidance.
- You do have control over decisions in how the incident is handled.
- You may request that charges be pursued against the suspect and an investigation take place.
- You may ask that University disciplinary action be initiated against the suspect.
- You may ask the officer to contact the suspect about the incident, but not request an investigation.
- You may request the officers not to contact the suspect about the incident and simply have the officer complete a report to document the situation (an investigation can be started at a later date).
- You may report situations anonymously, however, be aware that this will preclude any follow-up and limit the actions that can be taken to address the situation.
- You may report situations confidentially. In this instance, your identity will be limited to the extent allowed by law.

If necessary, seek medical attention in an emergency room or from a medical provider. For sexual offenses, it is important to seek medical attention from a facility that performs legal sexual assault examinations (all 3 ERs listed below perform these exams).

#### Local Hospital Emergency Rooms

- Bryan Health West: 2300 S. 16th St. (402) 481-5142
- Bryan Health East: 1600 S. 48th St. (402) 481-3142
- CHI Health: 555 S. 70th St. (402) 486-7142

Seek immediate support and assistance from someone who can help.

#### Non-Emergency Care

- University Health Center: 550 N. 19th St., (402) 472-5000, website: [health.unl.edu](http://health.unl.edu), email: [uhc@unl.edu](mailto:uhc@unl.edu)
  - Medical professionals are available by appointment Monday & Thursday 8 am – 7 pm, Tuesday & Wednesday 8 am – 6 pm, Friday 8 am – 5 pm, and Saturday 9 am – 12:30 pm (**Be aware hours may differ due to COVID-19 pandemic; check UHC's website**)
  - Call 402-472-5000 after hours and follow the prompts to be connected with a nurse or counselor for urgent concerns.
- Heartland Urgent Care (Monday – Saturday 8 am to 8 pm; Sunday 10 am to 6 pm):  
965 South 27<sup>th</sup> St., Suite D (402) 477-3505

## Campus and Community Resources

### Confidential Resources

- CARE at UNL: Center for Advocacy, Response and Education, housed in Nebraska City Union 345. Services are available during university business hours, Monday through Friday between 8 am and 5 pm. Meetings can be scheduled by calling (402) 472-3553 or emailing [victimadvocate@unl.edu](mailto:victimadvocate@unl.edu). CARE Advocates are a **confidential** resource on campus. See next page for specific information on the CARE Advocates.
- Women's Center: 340 Nebraska Union, (402) 472-2597, email - [womenscenter@unl.edu](mailto:womenscenter@unl.edu) (Assistant Director - Stephanie Alderson, (402) 472-8026, [salderson2@unl.edu](mailto:salderson2@unl.edu)), website - [womens-center.unl.edu](http://womens-center.unl.edu)
- LGBTQA+ Resource Center: NE Union 346, (402) 472-1652, email - [lgbtqa@unl.edu](mailto:lgbtqa@unl.edu) (Assistant Director - JD McCown, (402) 472-1752, [jd.mccown@unl.edu](mailto:jd.mccown@unl.edu)), website - [lgbtqa.unl.edu/welcome](http://lgbtqa.unl.edu/welcome)
- University Health Center 550 N. 19th St., (402) 472-5000, website: [health.unl.edu](http://health.unl.edu), email: [uhc@unl.edu](mailto:uhc@unl.edu)
- Counseling and Psychological Services (CAPS): 550 N. 19th St. (402) 472-7450, website: <https://caps.unl.edu/>
- Employee Assistance Program: 501 Building Room 128, (402) 472-3107 or (888) 445-9881, website - [hr.unl.edu/eap](http://hr.unl.edu/eap)

### Non-Confidential Resources

- International Student and Scholar Office: 1100 Seaton Hall Ste. 201, (402) 472-0324 or (402) 472-5136 (Consultation line)
- University Housing (24/7): Contact Residence Hall Director
- Office of Student Conduct & Community Standards: 232 Canfield, (402) 472-2021, [studentconduct@unl.edu](mailto:studentconduct@unl.edu)
- Office of Fraternity and Sorority Life: NE Union 222, (402) 472-2582 or (888) 547-1029 (Director - Leigh Thiedeman, [lthiedeman2@unl.edu](mailto:lthiedeman2@unl.edu)), website - <https://www.unl.edu/greek/>
- Scholarships & Financial Aid: 12 Canfield, (402) 472-2030, [financialaid@unl.edu](mailto:financialaid@unl.edu)
- Services for Students With Disabilities: 117 Louise Pound Hall, (402) 472-3787, website - [unl.edu/ssd/home](http://unl.edu/ssd/home)
- Human Resources: 407 Canfield, (402) 472-3105, website - [hr.unl.edu](http://hr.unl.edu)
- Husker Hub - Student Services Center: 102 Canfield, (402) 472-2030, [huskerhub@unl.edu](mailto:huskerhub@unl.edu), website - <https://huskerhub.unl.edu/>
- Big Red Resilience and Well-being: 127 University Health Center, 550 N. 19th St., [resilience@unl.edu](mailto:resilience@unl.edu), website: <https://resilience.unl.edu/home>

### Community Resources

- Voices of Hope 24-Hour Crisis Line at (402) 475-7273 (7 days a week), [info@voicesofhopelincoln.org](mailto:info@voicesofhopelincoln.org)
- Friendship Home: (402) 437-9302 (emergency), [info@friendshiphome.org](mailto:info@friendshiphome.org)
- Nebraska Coalition to End Sexual and Domestic Violence Website: [www.nebraskacoalition.org](http://www.nebraskacoalition.org)
- Lincoln Crisis Pregnancy Center: 111 Piazza Terrace, (402) 483-4247
- Planned Parenthood: 5631 S. 48<sup>th</sup> Street Ste. 100, (877) 811-7526
- Private Physician

### National Websites

- Office for Victims of Crime's Directory of Crime Victim Services: <https://ovc.ojp.gov/directory-crime-victim-services>
- National Center for Victims of Crime: <https://victimsofcrime.org/>
- NW Network of Bi, Trans, Lesbian and Gay Survivors of Abuse: <https://www.nwnetwork.org/>
- Crime Survivors Resource Center: <https://crimesurvivors.org/>

## Center for Advocacy, Response & Education (CARE)

CARE Advocates are a confidential, supportive resource for victims/survivors of interpersonal violence and other crimes. They provide advocacy and support for students, faculty and staff who have experienced sexual assault, domestic/dating violence, stalking, and/or sexual harassment. CARE Advocates are here to help individuals navigate campus and community resources. With an advocate, individuals will be able to tell their story confidentially, and they will be supported in their decision to report or not to report to police, IEC/Title IX or neither—the **choice is theirs**.

**Mission** - The Center for Advocacy, Response & Education (CARE) believes in the strength and resilience of individuals and communities impacted by sexual/relationship violence. Our focus is supporting survivors and offering educational opportunities for the campus community. We offer a safe, inclusive, survivor-centered space while providing confidential support focused on individual needs and concerns.

**Vision** - CARE envisions a campus where:

- Sexual assault, relationship violence, stalking, and sexual harassment is not accepted.
- Victims and Survivors receive the advocacy, compassion, and support they deserve.
- Our campus community challenges the practices and policies of our institution regarding sexual and relationship misconduct.
- Education surrounding sexual and relationship violence is a part of every Huskers' experience.
- The campus community is trained in how to support survivors with empathy and compassion as well as provided available resources and referrals.
- Prevention is everyone's responsibility.

What to expect when meeting with a CARE Advocate:

- You will be believed, supported, and respected. CARE Advocates work with university community members who have been impacted by sexual and relationship violence, stalking and sexual harassment.
- You will lead the conversation and will control all choices. Advocates provide information-based guidance allowing each individual to make choices best for them.

CARE Advocates focus on your individual needs and provide a variety of support services, including:

- A safe space for you to process your feelings and reactions
- Safety planning
- Access to temporary safe housing on campus
- Assistance navigating reporting options (on and off campus)
- Accompaniment and coordination for interviews and appointments
- Connection to supportive measures including academic and housing modifications
- Referrals to campus and community resources

### Making an Appointment with a CARE Advocate

CARE Advocates will work with you to find a time that is best suited to fit your schedule. Please call or email us during the hours of 8 a.m. to 5 p.m., Monday through Friday, to set up an appointment.

Phone: (402) 472-3553

Email: [victimadvocate@unl.edu](mailto:victimadvocate@unl.edu)

Fear of retaliation should never be an obstacle to reporting an incident of crime, discrimination, harassment or sexual misconduct. Any individual who believes they have been subjected to misconduct is encouraged to report, and has the right to seek support and utilize available resources without fear of retaliation. Retaliation for reporting concerns or violations of policy is prohibited by the University. In addition, the University prohibits retaliatory conduct taken against any person who reports concerns, files a police report, or files a complaint. Retaliation is also prohibited against anyone who participates in an investigation as a witness. Retaliation is a separate violation of University policy, and if retaliation is determined to have taken place, the appropriate steps will be taken, up to and including expulsion, termination and/or criminal action. The victim and others contacted during the course of a sexual misconduct investigation will be notified of this policy. If you believe you have been subjected to retaliation for filing a complaint, please contact the [Office of Institutional Equity and Compliance](#).

In total, there are many avenues those subjected to crimes or other misconduct can take in terms of handling the incident. A report could be made to law enforcement (UNLPD, LPD, etc.) and a criminal charge pursued per a law enforcement investigation and filing by the County Attorney. A report could be made to a Campus Security Authority, a complaint of sexual misconduct could be filed with the University, and/or an administrative complaint can be made to the United States Department of Education, Office of Civil Rights (OCR). An individual has a right to choose all, or just some of the actions. They may also choose not to make a report or take further action; each option is totally their decision.

#### Specific Information for Sexual Misconduct Incidents

Any University of Nebraska student or employee who has been sexually assaulted (including date or acquaintance rape), or a victim of dating/domestic violence or stalking is strongly encouraged to contact the UNLPD and report the incident as soon as possible. Victims also have the right to report the incident to a University campus security authority (CSA), instead of the UNLPD or other law enforcement agency. Any person that is the victim of one of these crimes is first and foremost encouraged to contact someone with whom they feel the most comfortable (friend, family member, professor, etc.). If the initial report is not to the UNLPD or a CSA, the victim or the contacted person is strongly encouraged to report the incident one of the above-listed resources as soon as they are able (preferably directly to the UNLPD). It is important for students or employees that have been victims of a sexual offense, dating violence, domestic violence or stalking to be aware that any University personnel, CSA's or other University official/employee, will assist them in notifying the appropriate law enforcement agency whenever this assistance is requested, and that they have the right to decline the notification of law enforcement if so desired.

Anyone who has been subjected to sexual misconduct is strongly encouraged to contact, or be directed to, the University's CARE Advocate as this resource can offer support and advocate for the victim as they move through the reporting process. They can also explain the various avenues that can be taken by victim and the potential outcomes. The most important part is that the Advocates can help the victim deal with what has occurred to them, whether or not the victim desires to report to anyone else.

Whenever an incident of sexual misconduct is reported to an on-campus advocate, Title IX Coordinator or a UNLPD officer, regardless of whether the offense occurred on or off campus, the individual will be provided with written notification of existing counseling, health, mental health, victim advocacy, visa and immigration assistance, student financial aid and other available services, both within the University and the community. The information will also provide available options and assistance in requesting changes to academic, living, transportation and/or working situations, as well as obtaining protective measures, along with an explanation of the person's rights and options. The report you are reading, found on the UNLPD's website, is an excellent resource for identifying the wide array of victim services within University of Nebraska and the Lincoln community, along with their contact information.

The following provides information on the actions that will take place upon the receipt of a report of sexual misconduct by the potential recipient of that report (as applicable per the situation). Remember, an incident can be reported to one or more offices.

**CARE Advocates or service providers will:**

- Maintain the contacts as strictly confidential.
- Provide crisis intervention and advocacy, in some cases including assisting victims in seeking restraining orders.
- Assist and support the victim/survivor in contacting police and/or reporting to other University offices, if the victim consents.
- Assist the victim in obtaining medical assistance and counseling, changing academic programs or hous-

**Counseling and health care services will:**

- Maintain the contacts as strictly confidential.
- Encourage, assist (as needed) and support the victim in reporting the incident to the police.
- Provide appropriate counseling and medical services.

**The University of Nebraska-Lincoln Police Department will:**

- Contact the University Victim Assistance Program.
- Investigate and gather evidence or recommend processes for obtaining and preserving evidence.
- Refer for prosecution when warranted (choice to actually file charges lies with the city/county attorney).
- Obtain a statement to accurately document what occurred.
- Inform the victim of the criminal justice process.
- Provide safety planning for the victim.
- Provide the victim with Updates as the investigation progresses.

**Housing/Residential Life Offices will:**

- Contact, or encourage contact with, the University's CARE Advocates, and assist in obtaining medical care if needed.
- Report the incident to the police, and assist in making the report if requested by the victim. Housing/Residential Life may be obligated to report to the police the fact that an assault was reported, but the name of the victim will only be provided with the victim's consent, except in extenuating circumstances.
- Report to the office of Institutional Equity and Compliance and UNLPD.

**Title IX Coordinator will:**

- Offer to contact a CARE Advocate (will contact upon request).
- Explain reporting and resource options.
- Provide supportive measures as needed.
- Encourage the victim to report the incident to the police, and assist in making the report if requested by the victim. Title IX may be obligated to report to the police the fact that an assault was reported, but the name of the victim will only be provided with the victim's consent, except in extenuating circumstances.
- Investigate and provide a report of the findings to the applicable UNL authorities for action.
- For more information please see later in this report, or visit: <http://www.unl.edu/equity/title-ix>

**Student Affairs will:**

- Assist the victim in contacting a CARE Advocate if desired.
- Encourage the victim to report the incident to the police, and will assist in making the report if requested by the victim. Student Affairs may be obligated to report to the police the fact that an assault was reported, but the name of the victim will only be provided with the victim's consent, except in extenuating circumstances.
- Report to the Title IX Coordinator.

**Title IX at the University of Nebraska-Lincoln**

The University of Nebraska-Lincoln has established procedures and policies to investigate complaints and address identified concerns. UNL has a designated a Title IX Coordinator to ensure the institution's compliance with Title IX. Title IX of the Education Amendments Act of 1972 is a federal law that states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." Title IX prohibits discrimination based on sex in education programs and activities in federally funded schools. Title IX protects all students, employees, and other persons from all forms of sex discrimination.

The University of Nebraska-Lincoln adheres to all federal, state, and local civil rights laws prohibiting discrimination in employment and education. The University of Nebraska does not discriminate based on race, color, ethnicity, national origin, sex, pregnancy, sexual orientation, gender identity, religion, disability, age, genetic information, veteran status, marital status, and/or political affiliation in its programs, activities, or employment. As a recipient of federal financial assistance for education activities, the university is required by Title IX of the Education Amendments of 1972 to ensure that all of its education programs and activities do not discriminate on the basis of sex or gender. The university also prohibits retaliation against any person opposing discrimination or participating in any discrimination investigation or complaint process internal or external to the institution. Sexual harassment, sexual assault, dating and domestic violence, and stalking are forms of sex discrimination, which are prohibited under Title IX and by the university's policy. Any member of the campus community, guest, or visitor who acts to deny, deprive, or limit the educational, employment, residential, or social access, opportunities and/or benefits of any member of the university community on the basis of sex is in violation of the Sexual Misconduct Policy and Nondiscrimination Policy. Any person may report sex discrimination (whether or not the person reporting is the person alleged to have experienced the conduct), in person, by mail, by telephone, by video, or by email, using the contact information listed for the Title IX Coordinator (below). A report may be made at any time (including during non-business hours) by:

Questions regarding Title IX, including its application and/or concerns about noncompliance, should be directed to the Title IX Coordinator. For a complete copy of the policy or for more information, please visit [www.unl.edu/equity](http://www.unl.edu/equity) or contact the Title IX Coordinator. Individuals who believe they have experienced sex discrimination, harassment, and/or retaliation in violation of university's policy should contact the following:

- Email: [titleixcoordinator@unl.edu](mailto:titleixcoordinator@unl.edu)
- Voicemail: (402) 472-3417
- UNL Report System: <https://go.unl.edu/unlreport>
- Calling University Police: 911 or (402) 472-2222
- Online Sexual Misconduct Report Form: <https://go.unl.edu/sexualmisconductreportingform>

The Title IX Coordinator is responsible for the following duties and activities:

- Ensuring UNL complies with Title IX and other related laws.
- Creation and application of university policies and procedures related to Title IX
- Coordination of implementation and administration of complaint procedures and investigations.
- Working to create a safe learning and working campus environment.

Meagan Counley, **Title IX Coordinator**

128 Canfield Administration Building

Lincoln, NE 68588-0437

(402) 472-3417

[mcounley2@unl.edu](mailto:mcounley2@unl.edu) (use [titleixcoordinator@unl.edu](mailto:titleixcoordinator@unl.edu) to report incidents via email.)

[Meagan's Bio](#)

## UNL Policy and Programming Regarding Sexual Misconduct

The University of Nebraska-Lincoln desires to provide a safe and secure learning, living and working environment for all students and staff. The University understands the impact of sexual misconduct and the lasting effects. The University **strictly prohibits** any form of sexual misconduct: dating violence, domestic violence, sexual assault and/or stalking. All received complaints of these incidents will be thoroughly investigated and those found responsible dealt with as necessary, whether criminally charged, handled through the University's judicial process, or both. It is the goal of the University of Nebraska to eliminate these crimes from its campus. Below are definitions applicable to sexual violence per Nebraska State Statutes; the statutes can be viewed as written at: <http://nebraskalegislature.gov/laws/laws.php> (see University policies later in this report for the specific definitions used in the application of the University's disciplinary process)

### Definitions for Sexual Misconduct Incidents

#### Consent to Sexual Activity (R.R.S. Neb. §28-318)

"Consent" means agreement, approval, or permission as to some act or purpose, given voluntarily by a competent person.

1. "Without consent" means:

- a. The person was compelled to submit due to the use of force or threat of force or coercion; or
- b. The person expressed a lack of consent through words; or
- c. The person expressed a lack of consent through conduct; or
- d. 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.

2. The person need only resist, either verbally or physically, so as to make the person's refusal to consent genuine and real and so as to reasonably make known to the actor the person's refusal to consent; and

3. A person need not resist verbally or physically where it would be useless or futile to do so.

In the above text, the word "person" means the individual against whom a wrongful act was allegedly committed, and the word "actor" is the individual alleged to have committed a wrongful act. When the actor knew or should have known that a person was mentally or physically incapable of resisting or understanding the nature of their conduct, there is no consent.

Important Note: A person may be incapacitated\* due to intoxication, mental illness or deficiency or by physical illness or disability to the extent that personal decision-making is impossible. Surprise may also prevent resistance, as where a person is grabbed from behind.

There are some persons who the law presumes are incapable of consenting to sexual contact or penetration by an actor by reason of their age. Under Nebraska law an actor nineteen years of age or older may not subject a person under the age of sixteen years of age to sexual penetration, or a person under fifteen years of age to sexual contact.

*\*It is important to note that **incapacitated** does not mean that one or more of the parties involved had been drinking or were drunk. Rather, it means that one of the parties was **unable** to make a rational decision about their actions due to intoxication. In Title IX investigations, the investigator will analyze whether the individuals involved had the capacity to make rational decisions at the time of the sexual activity.*

### **Sexual Assault (R.R.S. Neb. §28-318 through 320)**

Sexual penetration and/or sexual contact without the consent of the victim, regardless of either person's gender, including situations where coercion, force or the threat of force was used; situations where the perpetrator knew or should have known that the victim was mentally or physically incapable of resisting or evaluating the nature of his/her conduct (i.e. mentally challenged, disabled, drunk, etc.); or where the perpetrator is nineteen years of age or older and the victim is at least twelve but younger than sixteen. A victim must simply provide enough verbal or physical resistance to make the perpetrator aware of the lack of consent; victims do not have to show continued resistance when they feel as though further resistance would be futile. The following definitions apply:

1. Force or threat of force: The use of physical force which overcomes the victim's resistance; or the threat of physical force, expressed or implied, against the victim or a third person, where the threat places the victim in fear of their own death or serious personal injury, or that of a third person, and the victim reasonably believes that the perpetrator has the present or future ability to follow through with the threat.
2. Intimate parts: The genital area, groin, inner thighs, buttocks, or breasts.
3. Serious personal injury: Great bodily injury or disfigurement, extreme mental anguish or mental trauma, pregnancy, disease, or loss or impairment of a sexual or reproductive organ.
4. Sexual contact: The intentional touching of the victim's sexual or intimate parts, or the intentional touching of the victim's clothing covering the immediate area of the victim's sexual or intimate parts. Sexual contact also means the touching, by the victim, of the perpetrator's sexual or intimate parts or the clothing covering the immediate area of the perpetrator's sexual or intimate parts, when this touching is intentionally caused by the perpetrator. Sexual contact includes only that conduct which can be reasonably construed as being for the purpose of sexual arousal or gratification of either party.
5. Sexual penetration: Sexual intercourse in its ordinary meaning, cunnilingus, fellatio and anal intercourse. It also includes the intrusion, however slight, of any part of the perpetrator's or victim's body, or any object manipulated by the perpetrator, into the genital or anal openings of the victim's body. Sexual penetration **does not** require emission of semen.

**Dating Violence (R.R.S. Neb. §79-2.140)**

A pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal, or emotional abuse, to control his or her dating partner. Dating partner means any person, regardless of gender, involved in an intimate relationship with another person primarily characterized by the expectation of affectionate/sexual involvement, whether casual (e.g. "friends with benefits"), serious, or long-term. It is based on a consideration of length of relationship, type of relationship and the frequency of interaction between those involved in the relationship.

**Domestic Violence (R.R.S. Neb. §28-323)**

A person intentionally and knowingly causes bodily injury to his/her intimate partner; threatens an intimate partner with imminent bodily injury; or threatens an intimate partner in a menacing manner. Intimate partner, regardless of gender, means a spouse; a former spouse; persons who have a child in common, whether or not they have been married or lived together at any time; and persons who are or were involved in a serious dating relationship. Serious dating relationship means frequent, intimate associations primarily characterized by the expectation of affectionate or sexual involvement, but does not include a casual relationship or an ordinary association between persons in a business or social context. It also includes persons protected from another person's acts under NE domestic/family violence

**Stalking (R.R.S. Neb. § 28-311.03)**

Engaging in a course of willful harassment of another person, regardless of gender, or the family or household member of that person, with the intent to injure, terrify, threaten, or intimidate, or that would cause a reasonable person to fear for his/her safety or the safety of others, and cause a person substantial emotional distress. Actions include, but are not limited to, deliberately following, detaining, contacting, or harassing the person(s), or imposing any restraints on their personal liberty.

1. Harass: To engage in a knowing and willful course of conduct directed at a specific person that seriously terrifies, threatens, or intimidates the person and which serves no legitimate purpose.
2. Course of conduct: A pattern of conduct composed of a series of acts over a period of time, however short, indicating a continuity of purpose, including a series of acts of following, detaining, restraining the personal liberty of, or physically stalking the person or telephoning, texting, contacting, or otherwise communicating with the person.
3. Family or household member: Regardless of gender, a spouse or former spouse of the victim, children of the victim, a person presently residing with the victim or who has resided with the victim in the past, a person who had a child in common with the victim, other persons related to the victim by a blood relationship or marriage, or any person presently (or in the past) involved in a dating relationship with the victim.

**University Response to Reports of Sexual Misconduct**

The University shall take the appropriate measures to immediately address sexual misconduct whenever it is reported. In doing so, it shall provide equal consideration to both the victim and the accused during any disciplinary proceeding and make decisions founded on what has been justly determined based upon the facts presented during the investigation. All proceedings will be transparent to both the accuser and the accused, and shall include a prompt, fair and impartial process from the initial investigation to the final result. The University relies on a fact-gathering investigation to offer information at disciplinary hearings for sexual misconduct. If the institution and the parties determine that a particular allegation could be resolved using informal methods, such as mediation or shuttle negotiations, they may occur any time after a complaint has been filed. The parties are afforded an equal right to appeal the outcome of a disciplinary hearing. The following information can be found in [Executive Memorandum No. 38](#) (specific section and page will be noted as applicable).

## Disciplinary Process

The general steps of the University's disciplinary process for sexual misconduct incidents follow this sequence (see later in report for specific information):

1. Formal Complaint
2. Notice of Allegations to the Parties
3. Investigation (up to 90 University days)
4. Review of gathered evidence (10 University days)
5. Investigative Report (Review by Parties at least 10 University days before hearing)
6. Pre-hearing Conference (at least 2 days prior to hearing)
7. Disciplinary Hearing (within 1 month of the Investigative Report being completed)
8. Appeal if any (Appeal must be filed within 7 University days of hearing decision delivery & 14 University days for appellate review)

**Executive Memorandum 38: Section J (p. 21)**

In all University disciplinary proceedings regarding sexual misconduct, the process will rely on the "preponderance of the evidence" standard, meaning the greater weight of the evidence presented regarding the alleged misconduct. Greater weight of the evidence is not determined by the number of witnesses who testify concerning a disputed fact, but is the *amount of evidence which on the whole, and when fairly and impartially considered, provides an impression that the misconduct more likely to have taken place than not*. If the evidence concerning a disputed fact is evenly balanced, or if it leans in favor of the accused, then the University will have failed to meet the required burden of proof (**Executive Memorandum 38: Section C.15 (p. 6); Section J.7.d.xviii (p. 33)**).

## Sanctions

If a Respondent or student organization is found to be responsible for a violation of the Sexual Misconduct Policy, the University's response may involve requirements designed to educate the student or employee about the risks of the conduct, to assist the student in refraining from the conduct in the future, or to protect others. The University's response may also involve sanctions to the student or the student organization for engaging in the conduct and to deter the student or student organization from engaging in the conduct in the future. If the Hearing Board determines the Respondent is responsible for a violation of the Sexual Misconduct Policy, it may consider the Respondent's academic and disciplinary history in determining the appropriate sanction.

Responsive action is intended to eliminate prohibited conduct, prevent its recurrence, and promote accountability while supporting the University's educational mission and legal obligations. Responsive action may include disciplinary, rehabilitative (including educational), restorative, and monitoring components. The University's decision-makers may sanction a Respondent found in violation of the sexual misconduct policy based on their discretion employing a series of factors to guide that discretion.

The following factors among others, may be considered in determining the appropriate disciplinary sanctions or other responsive actions to address a decision of responsibility for prohibited conduct:

- The severity, persistence, or pervasiveness of the prohibited conduct;
- The nature of the prohibited conduct;
- Whether the prohibited conduct threatened physical safety;
- Any incidents of prior misconduct by a Respondent, including the Respondent's disciplinary history, at the University or elsewhere;
- The impact of the prohibited conduct on other members of the University community;
- An assessment of a Respondent's potential for development, including whether the Respondent has accepted responsibility for the prohibited conduct;
- The maintenance of a safe, nondiscriminatory, and respectful work and learning environment; and
- Any other mitigating, aggravating, or compelling factors.

Be aware that sanctions may be imposed in combination with one another. The following is a list of possible sanctions for students and employees:

#### **Student Sanctions**

- Written Warning
- Probation
- Expulsion from Housing
- Suspension from Housing
- Mandatory Relocation
- Loss of Privileges
- Restitution
- Community Service
- Educational Programs, Assignments or Behavioral Evaluation
- Employment Restrictions
- Revocation of Admission or Degree
- Withholding a Degree
- No Contact Directive
- Loss of Status as Registered Student Organization
- University Suspension
- University Expulsion

#### **Employee Sanctions**

- Coaching or education
- Mentoring;
- Verbal warning
- Written warning
- Changes to work duties or location
- Probation or transfer of position
- Completion of mandatory conditions
- Suspension without pay
- Nonrenewal or non-reappointment
- Loss of rank or position
- Denial of salary increase
- Activity termination
- Demotion in rank or pay
- Termination of employment
- Ban on University re-employment

**Executive Memorandum 38: Section K (p. 39-44)**

## Supportive Measures

The University will provide supportive measures (formerly called protective measures) to the parties to enable equal access to the University's educational activities and programs. Supportive measures are non-punitive, individualized services that are offered as appropriate and reasonably available. The University will maintain as confidential any supportive measures provided to the Complainant or the Respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures. Any supportive measures offered to either party cannot punish, discipline, or unreasonably burden the other party. The measures the University may provide include:

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>• Transfer or reassignment within University Housing</li> <li>• Assistance with relocation within University Housing</li> <li>• Mutual restrictions on contact (No Contact)</li> <li>• Canceling and refunding a University Housing Contract</li> <li>• Course-related adjustments</li> <li>• Endorsing/authorizing grade change</li> <li>• Transferring between class sections</li> </ul> | <ul style="list-style-type: none"> <li>• Endorsing/authorizing withdrawal after deadline</li> <li>• Alternative course completion options</li> <li>• Course completion through distance or correspondence</li> <li>• Increasing security mechanisms at a location</li> <li>• Modifying work conditions</li> <li>• Free mental health counseling</li> </ul> |
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**Executive Memorandum 38: Section H (p. 17-18)**

## Case Resolution Timelines

Though the University strives to resolve all cases in a prompt and timely manner, the timeline varies based on the circumstances of the case. Additionally, the timeline for a case may be affected by breaks in the academic calendar; absence of a party, a party's advisor, or a witness; (including due to leave of absence); concurrent law enforcement activity; the need for language assistance; accommodation of disabilities; scope of the investigation; and unforeseen or exigent circumstances. The parties will be periodically updated on the status of their case. In cases where there is a simultaneous law enforcement investigation, the University may need to temporarily delay its investigation while law enforcement gathers evidence. However, the University investigation will generally proceed with its investigation and resolution of a complaint during any law enforcement investigation. The University will strive to conduct investigations of the allegations within ninety (90) University Days of receipt of the Formal Complaint. If the investigation will take a longer amount of time to complete, both parties must be informed in writing of the extension of the timeline. While the University will attempt to accommodate the schedules of parties and witnesses throughout the grievance process in order to provide parties with a meaningful opportunity to exercise the rights granted to parties under the Policy and Procedures, it is the University's obligation to meet its own designated time frames, and the grievance process can proceed to conclusion even in the absence of a party or witness (**Executive Memorandum 38: Section J.6.f (p. 29)**).

## Disciplinary Process for Sexual Misconduct

These Procedures supplement the University of Nebraska Sexual Misconduct Policy and describe the grievance process related to reports of sexual misconduct against students and employees. They are reviewed every two (2) years. The full policies can be found at:

University Sexual Misconduct Policy: <https://www.unl.edu/equity/university-sexual-misconduct-policy>  
 Student Sexual Misconduct Procedures: <https://www.unl.edu/equity/student-sexual-misconduct-procedures>  
 Employee Sexual Misconduct Procedures: <https://www.unl.edu/equity/procedures-sexual-misconduct-reports-against-employees>

- “Advisor” means any individual who provides the Complainant or Respondent support, guidance, or advice and may accompany the Complainant or the Respondent to any meeting or grievance proceeding, such as a meeting in the investigation or the Hearing. The Complainant and the Respondent may choose their advisor, who may be, but is not required to be, an attorney. The University will not limit the choice or presence of the advisor for either the Complainant or Respondent in any meeting or grievance proceeding; however, the University may establish restrictions regarding the extent to which the advisor may participate in the proceeding. If a Complainant or the Respondent does not have an advisor present at a live hearing, the University will provide without fee or charge to that party, an advisor of the University’s choice who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party. Other than to conduct cross-examination, the parties’ respective advisors may not speak on behalf of the parties during the hearing and may not directly participate in any aspect of the hearing. The Complainant or the Respondent, however, may consult with their respective advisors during a meeting or the hearing. The Hearing Board Chair may limit the length and frequency of consultations so that they do not unreasonably delay the hearing or unreasonably interfere with the presentation of evidence.
- “Campus security authority” (CSA) is a University official charged with the duty to report incidents of sexual misconduct to the person in charge of Clery Act reporting. All officers of a university police department or a campus security department are campus security authorities, but there are other CSAs outside of those offices. The Office of the President and each Chancellor shall prepare and publicize a list of designated campus security authorities.
- “Complainant” means any individual who is alleged to be the victim of conduct that could constitute sexual misconduct. A Complainant may also be referred to as a “party”.
- “Conduct Officer” is a University employee who has responsibilities related to student conduct and usually presents the University’s information during a hearing.
- “Decision-maker” is an individual who makes a determination as part of the Sexual Misconduct grievance process. There may be more one or more decision-maker(s) involved in any given proceeding, for example, a hearing or appeal. The decision-maker(s), will not be the same person(s) as the Title IX Coordinator or the Investigator(s) and will issue a written determination regarding responsibility. Decision-makers may include Hearing Officers, Appeals Officers, and Hearing Board Members.
- “Hearing Board” is a subset of the University Conduct Board. The Hearing Board will composed of an odd number of three or more members, including one (1) student member.
- “Hearing Facilitator” is a University official designated to coordinate a Hearing.
- “Investigator” means a University official authorized to investigate of complaints of sexual misconduct.
- “Member of the University community” includes any individual who is a student, staff or faculty member, University official, or any other individual employed by, or acting on behalf of, the University. An individual’s status in a particular situation shall be determined by the Investigator or Title IX Coordinator.
- “Official with Authority” means an official of the University who has authority to institute corrective measures for sexual misconduct on behalf of the University. The following individuals are Officials with Authority: President, Chancellors; Provost/Vice Presidents and Vice Chancellors; and UNCA and Campus Title IX Coordinators.

- “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual misconduct. A Respondent may also be referred to as a “party”.
- “Student” has the same meaning as used in the Student Code of Conduct. The term “student” includes all persons enrolled at the University, including online and non-degree seeking individuals. A student’s enrollment ends when the student graduates, withdraws from the University, or fails to register for classes for three (3) consecutive semesters, with summer term considered to be a semester, or no longer has a continuing student relationship with the University. Students who are accused of committing a violation of the Student Code of Conduct while they are enrolled at the University may still be held responsible for the violation even if they later withdraw from the University prior to a resolution of the alleged violation.
- “Title IX Coordinator” is a person designated by the University to coordinate the University’s effort to comply with its responsibilities under Title IX. The Title IX Coordinator oversees the University’s gender equity work to ensure compliance with Title IX, including its policies and procedures, education/prevention efforts, and training. The Title IX Coordinator reviews information about sexual misconduct to identify and address any patterns or systemic problems that arise during the review of such complaints. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment) to the Title IX Coordinator.
- “University Conduct Board” has the authority to hear and resolve charges that a student or a student organization violated the Standards of Academic Integrity and Responsible Conduct (“Standards”) and if the Board determines that a violation occurred, for determining the University’s response.
- “University official” includes any individual employed by, associated with, or performing assigned administrative or professional responsibilities in the interests of the University. University officials who are designated as campus security authorities will report crimes, arrests, and disciplinary referrals to the person in charge of Clery Act reporting. Counselors and Healthcare Professionals are bound by professional rules that may preclude their reporting violations of University rules when they are acting within the scope of their counseling or professional responsibilities.
- “University Presenter” is the person who presents the case on behalf of the University at the Hearing. This person may be, but is not required to be, the Investigator or the Title IX Coordinator.
- “Witness” is a person believed to have information regarding an incident which may violate the Sexual Misconduct Policy, including but not limited to someone present when the incident occurred, someone the Complainant or Respondent communicated with about the incident, and/or someone who may have information relevant to the incident. Witness participation in the grievance process is voluntary. While the University encourages witnesses to cooperate with the grievance processes, the University cannot compel or require witnesses to participate.

**Jurisdiction:** The following provides information on the locations where and the circumstances when the procedures will apply for alleged sexual misconduct.

**Education Program and Activities**—Education program or activity includes locations, events, or circumstances over which the University exercises substantial control over both the Respondent and the context in which the sexual misconduct occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the University.

**On-Campus**—On-campus includes all University premises, including all University of Nebraska locations; physical campuses, including all adjacent streets and sidewalks, and any University affiliated programs; events or activities, including those located in other states or countries; and the use of any University electronic systems.

**Off-Campus**—Off-campus means any location that is not on-campus. These Procedures apply to conduct that occurs off-campus in the following situations:

- The Student Code of Conduct states that it applies to conduct that occurs off-campus.
- The conduct occurs in or on the grounds of a University-approved housing unit.
- The conduct occurs at events or during travel authorized, funded, or sponsored by the University.
- The conduct occurs at events or during travel funded or sponsored by a student organization.
- The conduct poses a risk to the health and safety of individuals and application of the Student Code of Conduct is reasonably necessary to educate the student about the risks of the conduct or to help the student avoid engaging in the conduct in the future.
- The conduct poses a serious risk to the health or safety of individuals and is of the type that the student could easily engage in on-campus.
- The conduct was intentional and caused, or attempted to cause, physical injury to a University employee or another student.
- The conduct could, or was intended to, cause harm on-campus.
- The Title IX Coordinator:
  - determines that the conduct in a particular matter distinctly and clearly implicates the University's interests;
  - prepares a written explanation of the interests and how the conduct implicates them; and
  - provides the written explanation to the student or student organization.

The University must dismiss an allegation of sexual harassment under Title IX in a Formal Complaint if the conduct did not occur in the University's education program or activity or if the conduct did not occur against a person in the United States.

Pursuant to Board of Regents By-Law 5.5, the Student Code of Conduct should not be applied as a matter of course to off-campus conduct simply because the conduct also violates federal, state, or local law.

**Actions Taken by Title IX Coordinator:** Upon receiving a report of sexual misconduct, the Title IX Coordinator or their designee will promptly contact the Complainant to discuss the availability of supportive measures (please see the Supportive Measures Section for more details). The Title IX Coordinator or their designee will:

- Discuss the availability of supportive measure;
- Consider the Complainant's wishes with respect to supportive measures;
- Inform the Complainant of the availability of supportive measures with or without the filing of a Formal Complaint;
- Explain to the Complainant the process for filing a Formal Complaint against the Respondent; and
- If applicable, explain to the Complainant that if a Formal Complaint alleging sexual harassment under Title IX is dismissed the alleged sexual misconduct may be addressed under a different provision of the Student Code of Conduct using these Procedures.

Additionally, upon receiving a sexual misconduct report or complaint, the University will provide, or confirm that the Complainant has already received from the University, written information describing:

- The importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order;
- How and to whom the alleged offense should be reported;
- Options about the involvement of law enforcement and campus authorities, including notification of the Complainant's option to:
  - Notify proper law enforcement authorities, including on-campus and local police;
  - Be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and
  - Decline to notify such authorities.
- Information about orders of protection, "no-contact" orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court or by the University;
- Information about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for Complainants, both within the University and in the community.
- Options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. The institution must make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

A Complainant may go forward with one or more reporting options at the same time. The University's investigation may need to be delayed temporarily by, or scheduled around, an ongoing criminal or external administrative investigation.

**Anonymity and Confidentiality:** Any individual may make a report of sexual misconduct to the University, and if preferred, may do so without disclosing one's name. Depending on the level of information available about the incident or the individuals involved, the University's ability to respond to an anonymous report may be limited.

The University shall keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a Formal Complaint of sexual misconduct, any Complainant, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA) or as required by law, or to carry out the purposes of Title IX, including conducting any investigation, hearing, or judicial proceeding arising thereunder. The University may be required to share information with other individuals in accordance with FERPA, Title IX, or other applicable law, including lawfully issued subpoenas in criminal, administrative, and civil matters.

The University will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. The Complainant and the Respondent and their respective advisors are asked to keep private information that does not consist of "the allegations under investigation" (For example, evidence related to the allegations that has been collected and exchanged between the parties and their advisors during the investigation under or the Investigative Report summarizing relevant evidence sent to the parties and their advisors).

The Complainant and the Respondent and their respective advisors are asked to keep the information related to the investigation and resolution private, to the extent consistent with appli-

**Reporting Timeframe:** Although the University does not limit the time frame for reporting sexual misconduct to promote timely and effective review, the University strongly encourages individuals to report possible sexual misconduct within one hundred and eighty (180) calendar days of the last occurrence of the concerning conduct. A report made after one hundred and eighty (180) days may make it more difficult to gather relevant and reliable information.

**Amnesty:** The University encourages reporting of sexual misconduct and seeks to remove barriers to making a report. The University recognizes that an individual who has been consuming unauthorized alcohol (including underage consumption) or using illegal drugs or unauthorized prescription drugs at the time of an incident may be hesitant to make a report due to potential consequences. To encourage reporting, and except as provided below, an individual who makes a good faith report of sexual misconduct and/or participates in an investigation will not be subject to disciplinary action for a policy violation related to consuming unauthorized alcohol or using illegal drugs or unauthorized prescription drugs. This policy provision may also apply to registered student organizations when a report of sexual misconduct is made that could reasonably result in the organization facing student conduct disciplinary action for a policy violation related to consuming unauthorized alcohol or using illegal drugs or unauthorized prescription drugs. This policy does not preclude or prevent action by law enforcement or other legal authorities.

**Emergency Removal:** It is important to be aware that the University may remove a Respondent from the University's education program or activity on an emergency basis, provided that the University:

- Undertakes an individualized safety and risk analysis;
- Determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual misconduct justifies removal; and
- Provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

The emergency removal process may be initiated by the Title IX Coordinator, and may be undertaken in addition to implementing supportive measures designed to restore or preserve a Complainant's equal access to education. Emergency removal does not preclude a Respondent from receiving supportive measures as appropriate. The University has discretion to determine the appropriate scope and conditions of removal of the Respondent from the University's education program or activity. During an emergency removal, a Respondent may be denied access to any University premises, including classes, residence hall access, sporting events, and/or all other University programs, activities or privileges for which the Respondent might otherwise be eligible, as the Vice Chancellor responsible for student conduct or other designated University Official may determine to be appropriate to address an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual misconduct.

The Vice Chancellor responsible for student conduct or other designated University Official must provide the Respondent with a Notice of Emergency Removal. The Notice must be sent to the Respondent's e-mail address of record and must:

- State the factual basis for the Respondent's emergency removal and explain why the Respondent's conduct or presence on campus presents an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual misconduct that emergency removal is necessary; merely reciting the language of the Code is insufficient;
- State that the Respondent may challenge the decision immediately, in writing, following the removal;
- State that the Respondent has a right to a meeting, in person or remotely, with the Vice Chancellor responsible for student conduct or other designated University Official within three (3) University Days after the emergency removal becomes effective to present information to show that the requirements for an emergency removal have not been satisfied and that the emergency removal should therefore be lifted;
- State the time, date, and place of the meeting with the Vice Chancellor responsible for student conduct or other designated University Official and state that the student may be accompanied by an advisor of their choosing, including an attorney, but that the student is responsible for any fees that the advisor may charge; and
- State that after the expiration of the three (3)-day period, a student may seek to have the emergency removal lifted by making a Request for Reinstatement.

After the expiration of the three (3)-day period, a student who has been removed on an emergency basis may seek reinstatement by making a Request for Reinstatement ("the Request") on the ground that:

- The requirements for an emergency removal were not met when the student was removed on an emergency basis and are not currently met or
- Circumstances have changed such that the requirements for an emergency removal are no longer met.



The Request must be in writing, state the reasons for request, and include the evidence that supports the Request. The Request must be sent to the Vice Chancellor responsible for student conduct or other designated University Official by e-mail or certified mail or may be hand-delivered to the Vice Chancellor's office or the designated University Official's Office.

The Vice Chancellor responsible for student conduct or other designated University Official must make a decision on the Request as soon as reasonably practicable. Before making a decision, the Vice Chancellor responsible for student conduct or their designee has the discretion to seek additional information, to ask the Title IX Coordinator (in the event the Title IX Coordinator is not the designated University Official), an Investigator, or Conduct Officer to review and comment on the Request, or to schedule a meeting with the Respondent and their advisor.

The fact that a student was removed on an emergency basis should not be taken into account by the Hearing Officer or Hearing Board in determining whether the student violated the Code, including the Sexual Misconduct Policy.

If a Respondent who is removed on an emergency basis is ultimately found "not in violation" of the Student Code of Conduct, the Respondent may be allowed, at the reasonable discretion of the appropriate faculty member or instructor, to make up academic work missed while on emergency removal.

**Grievance Process for Formal Complaints:** The official complaint process begins when a Complainant files, or a Title IX Coordinator signs, a Formal Complaint requesting that the University investigate an allegation of sexual misconduct. Filing a Formal Complaint is the first step of a grievance process that determines whether the Respondent is responsible for violating the Policy. Unless a Formal Complaint is dismissed or resolved during one of the steps of the grievance process, the grievance process will include a preliminary review of the Formal Complaint, an investigation, a hearing, and the opportunity for the parties to challenge certain decisions through an appeal. Additionally, an Informal Resolution process may be available at any time prior to reaching a University determination regarding responsibility. If applicable, the University may initiate Informal Resolution or either party may request Informal Resolution.

If the Respondent is no longer a student, employee, or participant in any University-related program or activity at the time of the report, or if the conduct does not fall within the scope of the Policy, the Formal Complaint may be dismissed. The University will, however, help a Complainant identify reporting options outside the University and provide supportive measures. A Respondent is presumed not responsible for the alleged conduct unless a determination regarding responsibility is made at the conclusion of the grievance process by the decision maker(s) based upon the preponderance of the evidence standard.

Individuals who knowingly or intentionally file a false formal complaint or provide false or misleading information during a grievance process may be subject to disciplinary action up to and including termination of employment or expulsion. Disciplinary action is not warranted where an individual provides information in good faith, even if the information is ultimately not substantiated. An individual provides information in good faith when that individual reasonably believes that the information they have provided is accurate.

**Filing A Formal Complaint:** A Complainant may file a Formal Complaint against a Respondent requesting that the University investigate the allegation of sexual misconduct. A Formal Complaint is a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual misconduct, including sexual harassment under Title IX, against a Respondent and requesting that the University investigate the allegation of sexual misconduct. A “document filed by a Complainant” means a document or electronic submission (such as by e-mail or through an online portal provided for this purpose by the University) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. At the time of filing a Formal Complaint, for the purposes of Title IX, a Complainant must be participating in or attempting to participate in the education program or activity of the University. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator above.

**Consolidation of Complaints:** The University may consolidate Formal Complaints as to allegations of sexual misconduct against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual misconduct arise out of the same facts or circumstances.

Where a grievance process involves more than one Complainant or more than one Respondent, references in this section to the singular “party,” “Complainant,” or “Respondent” include the plural, as applicable.

**Notice of Allegations:** Upon receipt of a Formal Complaint, the Title IX Coordinator or their designee will provide a written notice to the parties who are known. The Notice of Allegations will include the following information:

- Notice of the University’s Sexual Misconduct Policy and Procedures, and an explanation of the grievance process and Informal Resolution process.
- Notice of the allegations of the conduct potentially constituting sexual misconduct, including:
  - The identities of the parties involved in the incident, if known;
  - The conduct allegedly constituting sexual misconduct;
  - The date and location of the alleged incident, if known;
  - A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
  - Information that the parties may have up to two advisors of their choice, who may be, but are not required to be, attorneys, and may inspect and review evidence;
  - Information related to any provision in the University’s Student Code of Conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process;
  - Information related to the availability of supportive measures;
  - Information related to the availability of reasonable accommodations;
  - Prohibition of retaliation; and
  - Notice of other potential Student Code of Conduct violations.

If, in the course of an investigation, if the University decides to investigate allegations about the Complainant or Respondent that are not included in the notice, the University will provide notice of the additional allegations to the parties whose identities are known.

**Preliminary Review of Formal Complaint and Situation When A Formal Complaint Must or May Be Dismissed:** When a Title IX Coordinator receives a Formal Complaint, the Title IX Coordinator or their designee will do a Preliminary Review of the Formal Complaint. The University will investigate the allegations in a Formal Complaint. However, there are certain circumstances when the University is either required to, or may, dismiss a Formal Complaint or an allegation within the Formal Complaint. The University will dismiss an allegation of sexual harassment under Title IX in a Formal Complaint under the following circumstances:

- The conduct would not constitute sexual harassment as defined by the Sexual Misconduct Policy and Procedures, even if proved;
- The conduct did not occur in the University's education program or activity; or
- The conduct did not occur against a person in the United States.

A dismissal of an allegation of sexual harassment under Title IX does not preclude action under another provision of the University's Student Code of Conduct.

A Complainant not participating in or attempting to participate in the education program or activity of the University at the time of the Formal Complaint does not preclude the Title IX Coordinator from signing the Formal Complaint or proceeding under another provision of the University's Student Code of Conduct.

In the event the Title IX Coordinator or their designee determines another provision of the Student Code of Conduct may apply to the alleged sexual misconduct and it is appropriate to proceed, the Formal Complaint will be investigated, adjudicated, and resolved in accordance with the process set forth in these Procedures.

The University may dismiss the Formal Complaint or any allegations therein, if at any time during the investigation or hearing:

- A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- The Respondent is no longer enrolled or employed by the University; or
- Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

Upon dismissal of any or all of the allegations in the Formal Complaint, the Title IX Coordinator must provide a Notice of the Dismissal to the parties within (7) days of the Title IX Coordinator's decision to dismiss any or all of the allegations. The Notice of Dismissal must be provided to the parties simultaneously and must:

- Explain the reason(s) for dismissal;
- Explain information regarding the appeal rights of the parties; and
- Notify the parties of the ongoing investigation in circumstances where the alleged sexual misconduct may otherwise be subject to a different provision of the Student Code of Conduct and the grievance process will continue.

Notice of dismissal must be provided even if the grievance process will continue because the Title IX Coordinator determines the alleged sexual harassment may otherwise be subject to a different provision in the Student Code of Conduct and the investigation and grievance process will continue. Under these circumstances, the notice of dismissal must notify the parties of the ongoing investigation. For example, if the alleged sexual misconduct occurred during a University sponsored event outside of the United States, the Title IX Coordinator must dismiss the Formal Complaint for the purposes of the Title IX sexual harassment Complaint. The Title IX Coordinator must send notice to the parties. However, the Title IX Coordinator may determine the alleged sexual misconduct falls under the off-campus jurisdiction of the Student Code of Conduct and may continue the investigation and grievance process.



**Appeals of the Dismissal of a Formal Complaint:** The Complainant and the Respondent may appeal the dismissal of allegations of sexual harassment under Title IX contained in a Formal Complaint. The Title IX Coordinator or their designee's dismissal of any non-Title IX allegations of sexual misconduct in a Formal Complaint or determination not to apply other provisions in the Student Code of Conduct are final and not subject to appeal. This appeal process provides both the Complainant and Respondent a reasonable, equal opportunity to submit a written statement in support of, or challenging, the dismissal. The Appeals Officer will not be the same person as the decision-maker(s) who reached the determination regarding dismissal, the Investigator(s), or the Title IX Coordinator. The Appeals Officer will not have a conflict of interest or bias for or against Complainants and Respondents generally or an individual Complainant or Respondent and comply with the training requirements set forth in the Sexual Misconduct Policy.

Dismissal of allegations of sexual harassment under Title IX in a Formal Complaint may be appealed on the following reasons:

- A procedural irregularity that affected the outcome of the matter;
- The discovery of new evidence that was not reasonably available at the time of the Dismissal and that could affect the outcome of the matter; or
- The Title IX Coordinator or their designee or the Investigator had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

The appeal must be in writing and specify the reason(s) for the appeal, and be delivered to the Appeals Officer appointed by the Chancellor or their designee within seven (7) University Days of the delivery of the Notice of Dismissal. If either party submits an appeal, the other party and the Title IX Coordinator will be provided with a copy of the appeal and both will be given seven (7) University Days to submit their respective written responses.

The Appeals Officer may request additional information from the Title IX Coordinator or the parties at the Appeals Officer's discretion. The Appeals Officer will review all of the information and determine whether to grant or deny the appeal. The written decision will describe the result of the appeal and the rationale for the result. If an appeal does not clearly raise one or more of the reasons listed above, the Appeals Officer will dismiss the appeal without further consideration. If the Appeals Officer determines that the appeal clearly raises one or more of the reasons, the Appeals Officer may 1) affirm, in whole or in part, the decision on Dismissal, 2) overturn, in whole or in part, the decision on Dismissal, 3) or refer the Formal Complaint back to the Title IX Coordinator for further consideration or proceeding. A final outcome on an appeal is not subject to further appeal. The Appeals Officer shall complete review of the appeal normally within fourteen (14) University Days after receipt of the record and any additional information, though this may vary based on the scope of the appeal or unforeseen circumstances. The written determination will be provided simultaneously to the Complainant, the Respondent, and the Title IX Coordinator. Any non-Title IX alleged violations may continue to be investigated during the Appeal Process.

**Investigation:** The investigation process is conducted by the Title IX Coordinator or one or more Investigators. The University has the burden of gathering evidence sufficient to allow the Hearing Board to reach a determination regarding responsibility.

Prior to meeting with the Complainant or the Respondent, the Investigator will provide, written notice to the person being interviewed of the date, time, location, participants, and purpose all investigative interviews or other meetings, with sufficient time for the party to prepare to participate. In general, sufficient time will be at least five (5) University Days, however, a party may agree to meet sooner.

The University will provide the parties with the same opportunities to have others present during any meeting or grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by up to two advisors of their choice, who may be, but are not required to be, attorneys, and not limit the choice or presence of advisors for either the Complainant or the Respondent in any meeting or grievance proceeding. However, the University may establish restrictions regarding the extent to which the advisors may participate in the proceedings, as long as the restrictions apply equally to both parties.

The Investigator will meet separately with the Complainant and the Respondent. The Investigator will ask for all information relevant to the allegations. The parties will have an equal opportunity to identify witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. For both parties, this is an opportunity to present any information regarding the incident, including names of witnesses, the existence of documents, emails, text messages, or other recordings, or any other information the parties feel may be relevant. As part of the investigation, the Investigator may conduct additional investigative and witness interviews at the Investigator's discretion. The Investigator is responsible for contacting and interviewing relevant witnesses the Complainant identifies and witnesses the Respondent identifies, and any witnesses the Investigator deems necessary. The Investigator will review all available pertinent evidence. This may include reviewing student and/or personnel files and reviewing law enforcement documents or evidence. The Complainant and the Respondent may also submit supplemental information at any time during the investigation until the Investigator issues a final Investigative Report.

The Investigator will not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that party's voluntary, written consent to do so for a grievance process under this section.

Additionally the Investigator will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. Examples of privileges include Lawyer-Client, Physician-Patient, Professional Counselor-Client; Spousal, Clergy, and Victim's Advocate. In summary, as a general rule, the following information may not be used during the grievance process:

- Information protected by a legally recognized privilege unless the person holding such privilege has waived the privilege;
- evidence about a party's prior sexual history unless an exception applies; and
- any party's medical, psychological, and similar records unless the party has given voluntary, written consent.
- Additionally, party or witness statements that are not subjected to cross examination at a live hearing cannot be considered to make a determination.

The Investigator will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint. This includes evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

Prior to completion of the Investigative Report, the Investigator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties will have at least ten (10) University Days to submit a written response, which the Investigator will consider prior to completion of the Investigative Report. The University will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.



The Investigator will create an Investigative Report that fairly summarizes relevant evidence. At least ten (10) University Days prior to a hearing, or other time of determination regarding responsibility (whichever allows for a longer time period), the Investigator will send to each party and the party's advisor, if any, the Investigative Report in an electronic format or a hard copy, for their review and written response. Both parties will have the right to review each other's responses and the responses will be provided at the hearing.

The parties will have an equal opportunity to review the Investigative Report; if a party disagrees with an Investigator's determination about relevance, the party can make that argument in the party's written response to the Investigative Report and to the Hearing Board at any hearing held; either way the Hearing Board is obligated to objectively evaluate all relevant evidence and the parties have the opportunity to argue about what is relevant (and about the persuasiveness of relevant evidence). The Investigator may redact from the Investigative Report information that is not relevant, which is contained in documents or evidence that is relevant. The Investigator may include facts and interview statements in the Investigative Report.

**Formal Hearings in Cases of Alleged Sexual Misconduct:** After an investigation, the University will conduct a hearing to determine whether the Respondent is responsible for violating the Sexual Misconduct Policy. During the hearing, the Student Conduct Officer or their designee, the Complainant, and the Respondent will each have an opportunity to:

- Discuss and explain their position;
- Present evidence, including documents and witnesses; and
- Have their advisor ask questions of other party and witnesses (e.g. cross-examination).

If a determination of responsibility for sexual misconduct is made against the Respondent, the decision-maker(s) will determine appropriate sanctions for Respondent and confirm that the University will provide remedies to the Complainant. A hearing must be held unless the case has been resolved pursuant to the Informal Resolution Section. The University will strive to conduct a hearing within thirty (30) University Days from the issuance of the investigation report.

When the Investigator sends the Investigative Report to the Respondent and the Complainant, the Title IX Coordinator or their designee will forward a copy of the Investigative Report to the Hearing Facilitator. The Hearing Facilitator will schedule a hearing date, time, and location and notify the parties of the same. The University will strive to complete a hearing within one (1) month from the issuance of the investigation report. (May be delayed due to Informal Resolution.)

A Pre-hearing conference will be held at least two (2) University Days prior to the scheduled hearing. The University will provide written notice of the date, time, location, participants, and purpose of both the prehearing conference and of the hearing at least five (5) University Days prior to the prehearing conference.

The Respondent and the Complainant shall have the right to attend a Pre-Hearing Conference. The purpose of the Pre-Hearing Conference is to plan for the hearing, discuss the issues and facts that will be presented at the hearing, exchange information about witnesses likely to be called, answer procedural questions, and settle those matters which may be agreeably concluded. Generally, the Chair of the Hearing Board will preside over the Pre-Hearing Conference. During or prior to the Pre-Hearing Conference, the parties shall be informed of the names of the Hearing Board members.

The Respondent, the Complainant, and the University Presenter shall have an opportunity to inspect documents and a list of witnesses prior to the hearing. The Hearing Board will receive a copy of the Investigative Report. If there are any additional documents, that the Respondent, the Complainant, or the University Presenter would like to offer at the hearing, this information should be provided at least two (2) University Days before the Pre-Hearing Conference. This information will be exchanged with all parties.

During the Prehearing conference, the parties will be instructed about the use of past sexual behavior of the Complainant [See Neb. Rev. Stat. § 27-412 (2016) (Relevance of person's alleged past sexual behavior or alleged sexual predisposition).] or past sexual assault by the Respondent [See Neb. Rev. Stat. § 27-415 (2016) (Evidence of crimes of sexual assault in civil cases).] as evidence at the hearing. In most situations, questions and evidence of the past sexual history of either the Respondent or the Complainant are not relevant and will not be admitted at the hearing except in very limited situations, which are:

- Such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant or
- If the questions and evidence concern specific incidents or the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

At the request of either party, the University will provide for any live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions. In addition, the University will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.

The Hearing Board is a subset of the University Conduct Board. It will composed an odd number of three or more members, including one (1) student member. Any real or perceived conflict of interest or bias between a member of the Hearing Board and the Respondent or the Complainant must be brought to the attention of the Hearing Facilitator or Chair of the Hearing Board no less than two (2) University Days in advance of the hearing. The Hearing Board shall select its own Chair with all members possessing voting privileges.

The Respondent and the Complainant have the right to be present for the hearing. If the Respondent is a student organization, then one of its officers has the right to be present for the hearing. The hearing is closed to the public. The Respondent may not be found to be responsible for sexual misconduct solely because the Respondent is not present at the Hearing. In such cases when a Respondent fails to appear before the Hearing Board, a plea of "not in violation" shall be entered on the Respondent's behalf and the hearing may proceed as scheduled. In this situation, the University will provide an advisor to conduct cross-examination of the Complainant and witnesses.

In hearings involving more than one Respondent, the Chair of the Hearing Board, in their discretion, may permit the hearings concerning each Respondent to be conducted separately.

The Respondent(s), the Complainant, and the University Presenter shall have the right to hear all evidence, present evidence, testify, and to hear and question witnesses. The process must not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. Examples of privileges under law include Lawyer-Client, Physician-Patient, Professional Counselor-Client; Spousal, Clergy, and Victim's Advocate.

The role of the Complainant's and the Respondent's advisor of choice is limited to providing advice to the party and conducting cross-examination of witnesses. The role of a University appointed advisor is limited to conducting cross-examination. Advisors must fulfill their role in a manner which does not disturb Conduct proceedings. If an advisor fails to act in accordance with these guidelines, they may be barred from participation in the Conduct proceedings and the hearing may be continued.

The Hearing Board may seek advice from the University's Counsel throughout the hearing process on questions of law and procedure. However, the members of the Hearing Board are responsible for making their own factual conclusions. The Hearing Board can hear any allegations of any other violations of the Student Code of Conduct in addition to allegations of sexual misconduct that are directly related to the alleged sexual misconduct. If the Hearing Board determines other provisions of the Student Code of Conduct were violated, they may impose proper sanctions.

No process implemented under this Sexual Misconduct Procedure shall be open to the public. The Complainant and the Respondent are entitled to the same opportunities to have others present during a disciplinary proceeding subject to conditions established by the Sexual Misconduct Policy and these Procedures, the Title IX Coordinator, and the Hearing Board. Witnesses may be sequestered and attendance at hearings may be restricted to the Complainant, the Respondent and their respective advisors.

The Investigative Report may include recommended findings or conclusions as to whether Respondent violated the University's Student Code of Conduct in the Investigative Report. However, the Hearing Board is under an independent obligation to objectively evaluate relevant evidence, and thus cannot simply defer to recommendations made by the Investigator in the Investigative Report. If the Investigative Report includes general findings of credibility, the Hearing Board cannot interpret the Investigator's finding of credibility as a finding of responsibility. The determination of the merits of each case shall be made using a preponderance of the evidence standard. The burden of proof and burden of gathering evidence sufficient to reach a determination regarding responsibility shall rest upon the University. A Respondent is presumed to be not responsible for the alleged misconduct until proven otherwise.

At the beginning of the full hearing, the Chair of the Hearing Board should state the date, time, and place, and their name and role as the Chair of the Hearing Board for the record. The Chair should then have the other members of the Hearing Board identify themselves and state whether there is a quorum. If there is not a quorum, then the hearing must be rescheduled unless all parties waive on the recording any objection to the lack of a quorum. The Chair should then identify the other persons present, ask the University Presenter to read the alleged violation(s), and ask the Respondent if the Respondent admits to the alleged violation(s).

The Chair must conduct the hearing in a manner that facilitates the presentation of relevant evidence by the Complainant, the Respondent, and the University Presenter. The Complainant, the Respondent, and the University Presenter have the right to call witnesses, including expert witnesses, and present their respective cases. The members of the Hearing Board may ask questions to clarify what the witness said or to elicit more detailed information. The Chair of the Hearing Officer has the discretion to:

- Allow the parties to make opening statements, closing statements, or both, with reasonable time limits;
- Allow witnesses to testify by videoconferencing technology;
- Require that the witnesses who have not yet testified wait somewhere other than the hearing room until they are called to testify; and
- Schedule separate hearings if charges have been brought against multiple respondents or multiple charges have been brought against a single respondent.

The University Presenter will present evidence first, followed by the Complainant, and then the Respondent. Courtroom rules of evidence do not apply. The presentation of evidence may include calling witnesses who have relevant information. A party may question the witness they call in support of their position.

**Questioning of Parties and Witnesses During a Hearing:** The Chair will permit each party's advisor to ask the other party and any witnesses called by another party all relevant questions and follow-up questions, including those challenging credibility ("cross-examination"). If a party does not have an advisor present at the live hearing, the University will provide without fee or charge to that party, an advisor of the University's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party. Such cross-examination will be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally, notwithstanding the discretion of the Chair to otherwise restrict the extent to which advisors may participate in the proceedings. Before a Complainant, a Respondent, or a witness answers a cross-examination or other question, the Chair will first determine whether the question is relevant and explain any decision to exclude a question as not relevant. Additionally the Chair will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

As a general rule, the following information may not be used during the grievance process: Information protected by a legally recognized privilege unless the person holding such privilege has waived the privilege; evidence about a Complainant's prior sexual history unless an exception applies; any party's medical, psychological, and similar records unless the party has given voluntary, written consent; and, party or witness statements that have not been subjected to cross examination at a live hearing. The Chair will explain to the party proposing the questions any decision to exclude a question as not relevant. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

If a party or a witness does not submit to cross-examination at the live hearing, the Hearing Board will not rely on any statement of that party or witness in reaching a determination regarding responsibility. The Hearing Board cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing, or decision not to answer questions or otherwise not participate in the live hearing.

Other than to conduct cross-examination as described above, the parties' respective advisors may not speak on behalf of the parties during the hearing and may not directly participate in any aspect of the hearing. The Complainant or the Respondent, however, may consult with their respective advisors during the hearing. The Hearing Board Chair may limit the length and frequency of consultations so that they do not unreasonably delay the hearing or unreasonably interfere with the presentation of evidence.

At the conclusion of the hearing, the Hearing Board must go into closed session to deliberate and make its decision based solely upon the evidence introduced and received at the hearing. The decision must be made by a majority vote.

**Determination of Hearing Board:** Within seven (7) University Days following the conclusion of formal hearing proceedings, the presiding Hearing Board Chair shall inform the Respondent, the Complainant, the University Presenter, and the Title IX Coordinator in writing, of its findings and if relevant, any sanction(s).

The findings must include the following information:

- Identification of the allegations potentially constituting sexual misconduct;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, methods used to gather evidence; and hearings held;
- Finding of fact supporting the determination;
- Conclusions regarding the application of the University's Student Code of Conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the Hearing Board imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the Complainant; and
- The University's procedures and permissible bases for the Complainant and Respondent to appeal.

The Respondent and the Complainant have the right to be notified of the decision rendered. Any initial, interim, and final decision to resolve disciplinary matters must include a statement of any University sanctions imposed together with the rationale for the decision.

If a timely appeal is filed within seven (7) University Days of the decision being delivered to the parties, the Record of the Hearing, including the determination, will be provided to the Appeals Officer. If no appeal is filed within seven (7) University Days, the Record of the Hearing will be provided to the appropriate supervisor, unit head, Vice Chancellor or other relevant administrator responsible for appropriate employment action consistent with the Hearing Officer or Hearing Board's findings and recommendations, in accordance with applicable employment laws, policies, practices, and agreements. The Record of the Hearing consists of the information, documents, and recordings related to the hearing such as the notice of the Hearing, documents related to the Pre-Hearing Conference, Investigative Report, evidence submitted by the Complainant, the Respondent, and the University Presenter, audio or audiovisual recording, transcript if any, determination, etc.

**Appeals of Hearing Board Determination after Formal Hearing:** The Complainant and the Respondent may appeal a decision reached after a formal hearing for seven (7) University Days after the decision is delivered to the parties. This appeal process provides both the Complainant and Respondent a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome of the Hearing. The Appeals Officer will not be the same person as the decision-maker(s) that reached the determination regarding dismissal, the Investigator(s), or the Title IX Coordinator. The Appeals Officer will not have a conflict of interest or bias for or against Complainants and Respondents generally or an individual Complainant or Respondent and comply with the training requirements set forth in the Sexual Misconduct Policy.

A determination may be appealed for the following reasons:

- A procedural irregularity that affected the outcome of the matter;
- The discovery of new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- The Title IX Coordinator, Investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter;
- The sanction(s) imposed were arbitrary and capricious or an abuse of discretion; or
- A finding of fact in the determination is clearly erroneous and does not have factual support in the record and affected the outcome of the matter.

The appeal must be in writing and specify the reason(s) for the appeal, and be delivered to the Appeals Officer appointed by the Chancellor or their designee within seven (7) University Days of the delivery of the Notice of Dismissal. If either party submits an appeal, the other party and the University Presenter and/or the Title IX Coordinator will be provided with a copy of the appeal and will be given seven (7) University Days to submit their respective written responses. The Appeals Officer may request additional information from the University Presenter and/or the Title IX Coordinator or the parties at the Appeal's Officer discretion.

The Appeals Officer will review all of the information and determine whether to grant or deny the appeal. The written decision will describe the result of the appeal and the rationale for the result. If an appeal does not clearly raise one or more of the reasons listed above, the Appeals Officer will dismiss the appeal without further consideration.

If the Appeals Officer determines that the appeal clearly raises one or more of the reasons, in the written decision, the Appeals Officer may 1) affirm, in whole or in part, the decision on responsibility, 2) overturn, in whole or in part, the decision on responsibility, 3) affirm, overturn, or adjust the decision on disciplinary sanctions, or 4) remand the matter to remedy procedural errors or consider new evidence. The determination of the Appeals Officer is final and not subject to further appeal. The Appeals Officer shall complete review of the appeal normally within fourteen (14) University Days after receipt of the record and any additional information, though this may vary based on the scope of the appeal or unforeseen circumstances. The written determination will be provided simultaneously to the Complainant, Respondent, University Presenter, and Title IX Coordinator.

**Remedies for Complainant:** Where a determination of responsibility for sexual misconduct has been made against the Respondent, the University must provide or give the Complainant remedies. Remedies must be designed to restore or preserve equal access to the University's education program or activity. Such remedies may include the same supportive measures that are already being provided to the Complainant; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. The Title IX Coordinator is responsible for effective implementation of any remedies.

Where the final determination has indicated that remedies will be provided, the Complainant can then communicate separately with the Title IX Coordinator to discuss what remedies are appropriately designed to preserve or restore the Complainant's equal access to education. Remedies that do not directly affect the Respondent must not be disclosed to the Respondent.

**Informal Resolution:** At any time prior to reaching a determination regarding responsibility, the University may facilitate an Informal Resolution process, such as mediation, that does not involve a full investigation and adjudication. The University will not require the parties to participate in an Informal Resolution process and may not offer an Informal Resolution process unless a Formal Complaint is filed. Additionally, the University will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of Formal Complaints of sexual misconduct. The University will not offer or facilitate an Informal Resolution process to resolve allegations that an employee engaged in sexual misconduct against or sexually harassed a student.

The Informal Resolution process is facilitated by the Title IX Coordinator or their designee. The parties to any Informal Resolution process will not be required to deal directly with one another without the University's involvement. An Informal Resolution may include the range of supportive measures described above, as well as targeted and/or broad-based training and educational programming for relevant individuals and groups and/or any other remedy. For example, both parties may agree that the permanent application of supportive measures (e.g. no contact agreement) may be sufficient to resolve the Formal Complaint. An Informal Resolution process may also include a remedies-based process, which allows both parties to come to a mutual agreement regarding the resolution of the Formal Complaint.

Once an Informal Resolution process is complete, both parties will be notified simultaneously/ contemporaneously (to the greatest extent possible, and consistent with FERPA or other applicable law) of the resolution. The Informal Resolution process does not conclude with a University finding; the Respondent is not found to be "responsible" or "not responsible" of a Policy violation. However, the parties may negotiate the extent to which a Respondent may agree or concede responsibility for alleged misconduct.

Any party may request that the Informal Resolution process be terminated at any time, in which case the grievance process would proceed. The University may, at its discretion, also terminate the Informal Resolution Process at any time. In addition, while the results of the Informal Resolution process cannot be appealed, any party can withdraw from the Informal Resolution process and resume the grievance process with respect to the Formal Complaint.

At the beginning of the Informal Resolution process, the University will obtain the parties' voluntary, written consent to the Informal Resolution process and provide to the parties a written notice disclosing:

- The allegations;
- The requirements of the Informal Resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the Informal Resolution process and resume the grievance process with respect to the Formal Complaint; and
- Any consequences resulting from participating in the Informal Resolution process, including the records that will be maintained or could be shared.

The University will provide the parties timely access to any information that will be used during the Informal Resolution process. Any statements, admissions, or other statements made by the Complainant or Respondent during the Informal Resolution process may not be used as evidence if the matter proceeds to a Formal Hearing. The Title IX Coordinator or their designee must approve the terms of any Informal Resolution.

The Respondent may be subject to discipline for potential violations of policies in addition to the Sexual Misconduct Policy outside of the Informal Resolution Process. However, the Informal Resolution process may also address other potential violations of policies in addition to the Sexual Misconduct Policy. Informal Resolution procedures may be discontinued at the request of any party or terminated by the Title IX Coordinator or their designee. If the University and parties do not reach an agreement to resolve the Formal Complaint through the Informal Resolution process, the grievance process will be resumed with respect to the Formal Complaint, including investigation and adjudication and any Formal Hearing.

### **Differences in the Procedure for Employees**

The follow procedures supplement the University of Nebraska Sexual Misconduct Policy and describe the grievance process related to reports of sexual misconduct against employees where they are different from the process for students (definitions, reporting process and initial actions are the same as for students). Employee as used in the Procedures includes all University faculty, staff, and other personnel within the categories defined by §§ 3.1.1 through 3.1.3 of the Bylaws of the Board of Regents of the University of Nebraska whether full or part time. When the Respondent is both a student and an employee, the Title IX Coordinator or their designee will determine whether the Student or Employee Sexual Misconduct Procedures (and/or the adjudication process from both) apply based upon the facts and circumstances, such as whether the Respondent's status as a student or an employee predominates in the context of the Prohibited Conduct. If the Respondent is found responsible for violating the Sexual Misconduct Policy, the sanctions may affect both their status as a student and employee.

**Administrative Leave:** The University may place a non-student employee Respondent on Administrative Leave or the equivalent during the pendency of the Procedures. A Respondent will be presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. Placing a student-employee Respondent on administrative leave with pay may be permissible as a supportive measure for a Complainant (for instance, to maintain the Complainant's equal educational access and/or to protect the Complainant's safety or deter sexual harassment) as long as that action meets the conditions that a supportive measure is not punitive, disciplinary, or unreasonably burdensome to the Respondent.

**Emergency Removal:** The University may remove a Respondent from the University's education program or activity on an emergency basis, provided that the University 1) undertakes an individualized safety and risk analysis, 2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual misconduct justifies removal, and 3) provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

**Additional Recipients of Records:** The Record of the Hearing will be provided to the appropriate supervisor, unit head, Vice Chancellor or other relevant administrator responsible for appropriate employment action in accordance with applicable employment laws, policies, practices, and agreements.

For all cases involving crimes of violence, non-forcible sex offenses and/or stalking where the University has taken action against a student who is the alleged perpetrator of the crime, the University will provide, upon request by the victim, a report of the disciplinary proceedings conducted against the student and the result. In cases where the alleged victim is deceased as a result of the crime, the next of kin will be treated as the alleged victim in regards to the report requests.

All those individuals who oversee the above-noted processes receive, at a minimum, annual training on the issues related to dating violence, domestic violence, sexual assault, stalking and on how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability. All University investigators, decision-makers, appellate officers, and informal resolution facilitators are trained in accordance with 34 CFR § 106.45 (b)(1)(iii). (p. 30575 of Federal Register Volume 85, No. 97). Following Code of Federal Regulations (CFR) 106.45.10.D, the university maintains the materials used to train the Title IX Coordinator, investigators, decision-makers, and any person who facilitates the informal resolution process and makes them publicly available on our website. The Office of Institutional Equity and Compliance website lists trainings attended on or after August 14, 2020, when the 2020 Title IX regulations took effect. The University is required to maintain records of trainings for seven (7) years. If you would like to review the materials used to train staff, you may schedule a time by contacting us at [equity2@unl.edu](mailto:equity2@unl.edu) or 402-472-3417. Many of the trainings UNL staff attend are copyrighted and we are not able to distribute them via this website. Where possible, the materials are made available.

### **Programming Related to Sexual Misconduct Awareness and Prevention**

The University provides many educational programs and conducts activities throughout the year to raise awareness of sexual offenses, domestic/dating violence and stalking on campus for incoming students and employees, as well as the current campus community. Specific awareness and training programs are available through a variety of University outlets. While these programs and campaigns focus on primary prevention and awareness, many resources are available for those who have experienced sexual misconduct.

### **Training the Campus Community**

New staff/faculty and incoming students are expected to complete an on-line training that addresses awareness and the prevention of sexual misconduct. They receive an email providing an explanation of the training and how to access it prior to the start of classes/work. Called "U Got This," the training comes in one version for undergraduate students, one for grad students and one for employees. The training is provided by the Office of Institutional Equity and Compliance and is consistently evaluated for ways to improve. The system provides completion information to ensure the training is taken as required. This training program provides:

- Basic overview of gender discrimination and sexual harassment;
- Realistic scenarios of harassment in the educational and workplace settings;
- State-specific definitions;
- Steps students and employees can take to prevent sexual misconduct;
- Personal safety tips and bystander intervention techniques;
- Warning signs of abuse and steps to take if the viewer or someone they knows has been abused;
- Contact information for campus and local resources;
- Consequences for people who violate the University's policy;
- Interactive quiz with detailed explanations to further apply concepts from training to real life scenarios.

## Programs and Activities

### CARE Chairs – Students

A partnership between the Office of Fraternity and Sorority Life and CARE led to the recent creation of this program. CARE Chairs were established to create space in the Fraternity and Sorority community for education, empowerment and conversation around sexual and relationship violence. Each chapter is given the opportunity to appoint one member to represent their chapter at bi-weekly meetings. Meetings consist of facilitated discussions and information sharing with the purpose of educating the members who will then take the knowledge back to their chapters to spread awareness and education.

For additional information, please contact: Leigh Thiedeman - [leight@unl.edu](mailto:leight@unl.edu) and/or Melissa Wilkerson – [Melissa.Wilkerson@unl.edu](mailto:Melissa.Wilkerson@unl.edu)

### CARE Ambassadors - Students

The CARE Ambassadors are graduate or undergraduate students who provides education and resources to the UNL community. Ambassadors are volunteers who are committed to [CARE's mission](#) and are confidential while working within the role as CARE Ambassadors. They will present educational programs around issues including but not limited to sexual and relationship violence, stalking and sexual harassment. CA's will receive comprehensive trainings regarding healthy relationships, sexual and dating violence prevention, outreach, peer education, etc.

#### **Responsibilities:**

Specific roles within the position are as follows:

- Provide information on the services offered by CARE to classes, RSO's, sororities/fraternities, etc.
- Conduct informational sessions, as well as educational programs about issues involving sexual violence, dating violence, stalking and harassment presentations and programs using media such as: PPT, Canvas, public speaking, and group facilitation, passive outreach, etc.
- Assist, brainstorm, plan and implement monthly awareness initiatives and programming
- Maintain a constant interest in helping provide peer to peer education and compassion towards survivors
- Ensure all information students disclose to you is confidential
- Attend and participate in all training and team meetings

### Sexual Assault Awareness Presentation – Students, Faculty, & Staff

Presentation about how to reduce your risk of being a victim of sexual assault, and what resources are available if you or someone you know becomes a victim.

- Free and available for presentation anywhere.
- Contact the UNLPD to request a presentation, (402) 472-2222 or [unl.police@unl.edu](mailto:unl.police@unl.edu)



## Awareness Campaigns – Students, Faculty and Staff

The University actively provides a number of programs and annual events such as:

### Annual Events:

- Women's History Month
- Men/Masculinity Programming (such as the program *What does it mean to be a man?*)
- Gender Equity Talks
- End Rape on Campus March

### Monthly Events:

- January - Stalking Awareness Month
  - ◆ Stalking BINGO
- February - Healthy Relationships
  - ◆ Condoms, Cookies & Consent
- April - Sexual Assault Awareness Month
  - ◆ Awareness Flags/Signs
  - ◆ Coffee Cup Sleeve Stickers Raising Awareness
  - ◆ "What were you wearing?"
  - ◆ EROC – End Rape on Campus
- September - Clery Campus Safety Month
  - ◆ Campus Safety Fair
- October - Domestic/Dating Violence Awareness
  - ◆ Awareness Flags/Signs
  - ◆ Bad Relationship BINGO
  - ◆ LGBTQA+ History Month
  - ◆ Take Back the Night

## Programs and Resources Provided by the Women's Center



The Women's Center, along with the LGBTQA+ Center, at the University of Nebraska-Lincoln serves students and the campus community through a focus on Gender, Sexuality and Social Justice. We are dedicated to transforming campus climate at the university for students, staff, faculty, alumni and community members by developing and supporting a more inclusive understanding of gender and sexuality through education, advocacy, outreach and development

opportunities. We also offer sexual health programming and provide menstrual products and pregnancy tests at no cost.

Here's what you can find at the Women's Center:

- A library with books and DVDs related to women, gender (for all genders), sexuality, and intersecting identities.
- The student and professional staff who coordinate programs and annual events such as Women's History Month, Gender Equity Talks, programs for Students with Children, and Gender Equity programming for all genders.
  - ◆ Gender Equity talks will take place in November
  - ◆ Sexual health promotion (including safer sex kit distribution)
- Volunteer opportunities - We welcome, train, and appreciate volunteers!
- Exploring masculinities and related issues
- Students with Children programming, which focuses on the concerns of student parents and helps them to connect with other student parents, learn about community resources, and promote the interests of student parents. The center also has children's library with an inclusive and diverse collection of books. More information on what is available to students with children can be found at <https://students-with-children.unl.edu/>

**Stephanie Alderson, Assistant Director**  
**Women's Center, 340 Nebraska Union**  
[womenscenter@unl.edu](mailto:womenscenter@unl.edu)  
 402.472.8026

**Pat Tetreault (she/any)**  
**Director – LGBTQA+ and Women's Centers**  
[pat.tetreault@unl.edu](mailto:pat.tetreault@unl.edu)  
 402.472.2598

Provided specifically by the LGBTQA+ Center:

- LGBTQA+ History Month
- Presentations and workshops
- Resources and referral
- Library

**JD McCown, Assistant Director**  
**LGBTQA+ Center, 346 Nebraska Union**  
[lgbtqa@unl.edu](mailto:lgbtqa@unl.edu)  
 402.472.1752

**And much more..... Contact the Women's Center or LGBTQA+ Center for information!**

### Additional Information and Tips Regarding Prevention and supporting Survivors

The University's programs, as identified above, provide excellent information regarding safe and positive options for bystander intervention, as well as information on risk reduction, as the ultimate goal of these programs is to keep sexual misconduct from occurring; it is important for members of the campus community to know how to effectively intervene and take protective measures. The following provides some general information on safe and positive options for bystander intervention and risk reduction.

**Bystander Intervention:** One important way to help avoid or end the occurrence of sexual misconduct is through bystander intervention, where someone steps in and tries to address the situation. Bystander intervention can play a significant role in sexual violence prevention. A "bystander" is not simply a stranger who is looking in from the outside; it also means a friend or someone close to the situation who sees what is happening.

#### When to Intervene: Continuum of Behaviors:

|  |                                   |                                    |            |                               |
|--|-----------------------------------|------------------------------------|------------|-------------------------------|
| Healthy,<br>age-appropriate,<br>mutually respectful & safe | Mutually flirtatious<br>& playful | Age-inappropriate<br>or non-mutual | Harassment | Sexually abusive<br>& violent |
|--|-----------------------------------|------------------------------------|------------|-------------------------------|

Tabachnick, J. (2008). *Engaging bystanders in sexual violence prevention*.  
 Enola, PA: National Sexual Violence Resource Center.

As the chart above illustrates, sexually abusive and violent behaviors fall on the far end of a continuum of behaviors. There are many little comments, harassments, and other forms of abuse that lead up to sexually violent acts. Therefore, bystanders have time to intervene and work to prevent sexual violence from occurring. There are a number of ways active bystanders can either say or do something in each category of negative behaviors on the continuum. On the left-hand side of the continuum lie respectful, mutual and age-appropriate behaviors while violent, coercive, and non-mutual behaviors lie on the right-hand side. Bystanders have an ability to intervene within this continuum of behaviors to help promote positive behavior and mitigate negative behavior before it escalates. It is important to recognize healthy and unhealthy behaviors that could potentially lead to sexual violence and effectively intervene before the negative behavior escalates. A past campus survey indicated that one barrier to Nebraska students intervening was that they did not know when to do so. The various workshops and programs noted above provide opportunities to discuss these challenges and encourage intervention, even when someone isn't sure. The workshops emphasize approaches such as asking "Is everything OK here?" or other open ended questions. Some bystander intervention options that one may take include:

- Determine if you should do something immediately or if something could be done later; recruit help if necessary.
- Approach everyone as a friend.
- Do not be antagonistic and avoid using violence.
- If things get out of hand or become too serious, contact the police.
- Direct approaches:
  - Have a face-to-face conversation with the person, be honest, and let them know of your concerns;
  - Distract the person or suggest another way of looking at things;
  - Change attitudes regarding the situation (active listening, open conversation).
- Indirect approaches:
  - Ask people around you what they think could be done;
  - Casually ask the person how things are going and if there are any problems;
  - ♦ Offer support to the person(s) being affected by the situation;
  - ♦ Learn from the situation and make a plan for next time.

### **Risk Reduction Strategies**

Here are some ways to help reduce the risk of becoming a victim in social situations:

- Remember that you are responsible for your own safety.
- Drink responsibly.
- Trust your instincts – If it feels unsafe, go with your gut and take action.
- Use the buddy system – Arrive together, check-in with each other periodically, and leave together.
- Don't leave your drink unattended.
- Be wary of fruity drinks and those containing a number of different alcohols poured into large containers.
- Be wary of drinks that seem to taste "off" or "funny".

Here are some ways to avoid dangerous situations:

- Trust your instincts – If it feels unsafe/uncomfortable, it probably isn't the best place to be.
- Be aware of your surroundings.
- Avoid isolated areas.
- Travel light and take only what you really need.
- Carry your cell phone accessibly.

Here are some ways to create a safer climate for everyone:

- Notice and challenge comments by your friends that objectify women or normalize sexual assault.
- Educate yourself and your friends about the characteristics of consent.
- Remember that stopping violence is everyone's business; take care of your friends.
- Learn to recognize myths about sexual assault and dating violence that place blame on victims, and challenge those kind of statements when you hear them.

### Supporting a Survivor:

There may come a time when a friend will disclose that they have experienced sexual or relationship violence. It can be shocking, and may be hard to know what to do or say. Here are some tips that might be helpful if a friend discloses an incident:

- **Listen:** Let your friend tell you their experience in their own words, at their own pace. Let them decide how much information and what information they are ready and willing to share.
- **Believe:** Tell your friend that you believe them and let them know that what happened to them is not their fault.
- **Connect with resources:** There are many resources on campus that can help a survivor with issues related to safety and well-being (see above in this report).
- **Support:** Your friend may not be ready to make decisions yet, or they may not make the decision that you think is best. It may be hard to understand, but remember that you are not in their position. It's important that survivors be able to regain some control by making their own choices and decisions.
- **Ask:** If you are not sure how to help, just ask. Ask your friend what they need from you and be honest about whether or not you can provide that help.
- **Respect:** Your friend trusted you with this information so it is important to respect their privacy. Please do not share their story with anyone without their permission.
- **Understand:** It is normal for a traumatic event to cause people to act differently than usual. For example, your friend may laugh at something very serious, or sleep more than usual. Try to be patient and understanding.
- **Take care of you:** It can be difficult being the person your friend trusted this information. You might want to process this experience with a CARE Advocate or a counselor at CAPS. We support those who support survivors. Reach out to us to talk with an Advocate. It is important to take care of yourself, too.

One may have trouble finding the right things to say to a friend, or worry about saying the wrong thing. Making mistakes is okay – apologize and try to learn from the mishap. Sexual and relationship violence is never the fault of the survivor. There are some common questions well-intentioned people may ask survivors that can make them feel as if they did something wrong, or are at fault.



In order to help avoid this, here are some questions that may send a message that does not match the person's intent and so should be avoided by someone just wanting to help:

- "How much did you have to drink?"
- "What were you wearing?"
- "Did you fight back?"
- "Why didn't you yell for help?"
- "Why didn't you call the police right away?"
- "Why did you go home with them to begin with?"
- "Why did you wait to tell someone?"

It is normal for the person receiving the report to have feelings, emotions, opinions, or questions. However, it is important that you don't blame the survivor, even inadvertently with your comments and questions. It is just as important that you pay attention to how you are feeling and reach out for help with processing what you have experienced.

## Being Proactive Regarding Sexual Assault

To continually improve how sexual assault incidents are handled, the University of Nebraska-Lincoln Police Department is part of the area's Sexual Assault Response Team (SART), which is comprised of an array of professionals who respond to sexual assaults. Members of the SART include, but are not limited to, local law enforcement agencies, military personnel, hospital staff, county attorneys, probation officials and victim advocates. On behalf of the SART members, the City of Lincoln received federal funding to support comprehensive reviews of the community's systems response to identify needed improvements, not only in the response to victims, but also to improve accountability of perpetrators of sexual assault (the review also included incidents involving domestic violence and stalking). The study determined that it is important to ensure that all those involved with victims have a common goal, use the same methods to measure results, conduct mutually reinforcing activities, and stay in continuous contact.

## Sex Offender and Registry Information

The federal *Campus Sex Crimes Prevention Act* includes several articles that address how states and educational institutions within must address sex offenders. They include the following:

- That each state must create a very narrowly drawn specific program to register sex offenders.
- That each state provide for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus.
- That each state requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student.
- That state procedures ensure that this registration information is promptly made available to law enforcement agencies with jurisdiction where the institutions of higher education are located and that it is entered into appropriate State records or data systems. If a college or university has a police department, they must be provided with this information.
- Institutions of higher education to issue a statement, in addition to other disclosures required under that Act, advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders who are on campus may be obtained.

More specific information on the Act and its requirements can be found at the following location: <http://offenderwatchinitiative.org/Resources/CSCPA>

The University is committed to protecting its students and staff from sexual predators and will ensure that access to lists of registered sex offenders is readily available to its students and staff (see links below). The UNLPD is responsible for maintaining these links on its website, and will provide access to any registries upon request.

In addition, the University is aware that nothing in the Family Educational Rights and Privacy Act of 1974 (FERPA) prohibits the University from disclosing information about registered sex offenders, including the disclosure of personally identifiable non-directory information, without prior consent or other consent from the individual. The University will provide any applicable information regarding sexual predators to its students and staff when necessary for safety reasons.

Whenever a convicted sex offender enrolls at or is employed at a postsecondary institution, they are required to notify the state, and the state is then required to notify the University. The University works with the Nebraska State Patrol, who maintains the list of sex offenders, to ensure that the UNLPD is notified whenever the NSP receives indication that a sex offender has registered as a student, volunteers or becomes employed at the University of Nebraska. For each reported sexual offender who becomes a student, volunteer or employee, the UNLPD will conduct a thorough Threat Assessment (see earlier in this report for more information on TAs) and determine if there are any concerns to campus safety. Whenever it is determined that the sex offender's crime(s) was of a serious nature and the offender's presence may threaten the safety of those on campus, the University will provide notification to students and staff of the sex offender's status and monitor the individual through an ongoing Threat Assessment as long as they are affiliated with UNL.

Listings of registered sex offenders in Nebraska can be found at (also available on the UNLPD website): [sor.nebraska.gov](http://sor.nebraska.gov)

Listings of registered sex offenders in the United States can be found at: [www.nsopw.gov](http://www.nsopw.gov)

## Student Housing Security and Fire Safety Information

### Residence Halls

The University offers several housing options to undergraduate students: traditional halls, suite and apartment style, and non-traditional co-op halls. All freshman students under the age of 19 on the first day of classes, are required to live in one of the approved housing units during the academic year unless living at home or with a family member, or in an approved Fraternity and Sorority Life Chapter. To the extent possible, students are given the opportunity to select residence hall assignments and request changes in room/suite/unit or residence hall assignments.



All residence hall doors are locked 24/7, except for Selleck West Main Entrance to provide for faculty/staff access to Selleck Dining, and Kauffman South Main Entrance for access to the RAIKES program office, which are unlocked from 8am to 5pm weekdays.

Student access to residence halls other than their own is limited to 6:30am to Midnight daily. For entrance to a residence hall, residents must be verified by electronic scanning of the student I.D. card. A sign-in policy for visitors at the main desk is enforced. Both on-campus and off-campus visitors to residence halls must be escorted through the residence hall by a resident.

All windows have locking devices and securely attached screens. Outward viewing door viewers are installed in residence hall student rooms. Special security procedures are in effect for students during low occupancy periods. Normally during major holidays and vacations, for example, students remaining on campus are assigned to only four units; the other halls are closed. Violations of the hall security policies and procedures may result in severe disciplinary sanctions.

In every residence hall/living unit, students are responsible for informing guests of residence hall policies, and for the behavior and actions of guest(s), up to and including being charged for policies that guests violate. These regulations apply to the residents of all residence halls, regardless of room type. Residents are defined as those students living in the residence hall by virtue of holding a housing contract and assignment. Guests are defined as people visiting a specific student(s)/resident(s) who resides in the residence halls by contract assignment (e.g. someone visiting a resident in the hall, a partner who lives in the hall, etc.)

Residents may have overnight guests in their room subject to the limitations listed below:

- Overnight guests are only allowed with the consent of other roommates. Visitation or overnight guests of one roommate should not infringe on the rights or access of other roommates.
- The stay of the overnight guest(s) may not exceed four days (96 hours) in one month and such guests may not disturb roommates or other residents.
- University staff reserves the right to require a guest to leave if university policies and/or residence hall policies are violated or if complaints are received from members of the floor/hall community.
- Violation of any of these policies may lead to the limitation of guests visiting the resident(s) involved, nonresidents being charged with trespassing and residents (both guest and host) having their housing contract status reviewed.
- The privilege of having guests may be revoked if the privilege is abused or residence hall or University policy violations occur involving the guests.

Professional residence director staff are members of the University Housing staff who live in the residence halls and are on call 24 hours a day. Student resident assistants (RA) live on each floor in the residence halls and are on-duty and available on weekends. Various RAs are on duty every night in each residence hall to conduct community walks for safety and security, as well as to be visible members of the residence hall community. As part of their responsibility for residence hall security, these staff members attend lectures and seminars on the safety and security of the campus conducted by University administrators, police officers, and environmental health and safety officers. Additional security information is provided to residence hall students through printed materials, presentations, and programs delivered by University Housing and UNLPD personnel.



Community Service Officers (CSOs) are assigned to the residence halls during the evening hours and patrol the buildings and surrounding areas throughout the night hours. As members of the University Police staff, Community Service Officers undergo training in enforcing residence hall security policies and are in immediate radio contact with University Police officers.

## Fraternities and Sororities

Fraternities and sororities provide an alternative on-campus housing option for students. Sorority and Fraternity Life's chapters are privately owned and maintained by a local alumni corporation board or their national headquarters, and governed by the corporation's rules and regulations. However, fraternity and sorority chapters can request University recognition as an approved housing unit, which means that they agree to follow all the regulations and policies of the University Housing. Only chapters that are granted University-approved status may house first-year students. Chapters may still recruit first-year members, even if they are not approved to house them in the chapter facility; however, these new members will be required to live in University of Nebraska residence halls or off-campus with family members for their entire first year.

To be recognized by Housing, Sorority and Fraternity Life houses must annually sign an agreement provided by the Office of the Vice Chancellor for Student Affairs, must complete reports, and meet the following stipulations:

- Employ a live-in advisor or house director.
- Maintain appropriate property and liability insurance.
- Pass health, safety and fire inspections for the facility.
- Follow University alcohol and other policies.
- Provide contact information for student leaders and alumni responsible for the overall maintenance and management of the individual chapter.

The University expects Fraternity and Sorority Life Chapters to provide safe, secure living environments for their members. This includes maintaining appropriate security and fire safety systems in each housing unit. A private security company provides twice-weekly safety checks of these living units and fire safety inspections are scheduled on a regular basis to ensure chapter houses are in compliance with all city fire safety regulations. Educational sessions on security and fire safety issues are provided by staff members of the Fraternity and Sorority Life, University Police, Lincoln Fire and Rescue, National Headquarters staff, and community resources. If there are violations, the chapter will receive written notice and given a deadline by which to remedy any infractions. A re-inspection is scheduled and if there are still violations, the chapter is granted a 10-day grace period. If the violation is not corrected within the 10-day grace period, a report is filed with the city attorney. The city attorney may levy a fine against the chapter or an individual or may revoke the chapter's "residential congregate living" license. Fraternity and Sorority Life Chapters have access to both the UNLPD and the Lincoln Police Department.

In developing the agreement documents, specific attention was given to the importance of academic success for undergraduate chapter members, the need for appropriate conduct by the individual members and their chapters, the importance of positive programming within each chapter, and the critical role that alumni play in providing continuity and support. Throughout the document, it is stressed that the standards of each chapter must be in total support of the rules, regulations and policies of the University. Chapters with approved housing status are



identified in this report (only those that are currently approved are listed).

### **Family/Guest Housing**

The University of Nebraska is dedicated to providing its students with the facilities they need for their education. We realize that the traditional residence halls do not suit the needs of all students. For those students that are married or have children, the University provides an alternative. The University offers family housing apartment units for rent for those who meet the eligibility requirements (152 total apartments). To be eligible, a couple must be legally married and one a full-time Nebraska student, or a single custodial parent who is a full-time Nebraska student and is residing with dependent children. Security is provided by UNLPD patrols. Security information is distributed to tenants by Housing, and UNLPD personnel upon request. A guidebook for family housing is available: <https://housing.unl.edu/FH-Guidebook-2021.pdf>

## Information and Policy Regarding Missing Students Living in University Housing

The University is dedicated to looking out for the welfare of each one of its students. The following information pertains to students that live in on-campus housing and how any missing persons report is to be handled. Per University of Nebraska procedure, when a student completes their Housing Contract on-line, the student is given an opportunity to specify an individual, other than their emergency contact, that should be informed within 24 hours in the event that the student is confirmed as missing. This information is registered in the Housing Contracts system and accessible to only to professional staff should an emergency arise, and kept separate from general emergency contact information. The name of this contact will be used **only** in the case that the student is determined to be missing. It will be kept confidential by the University (only available to authorized campus officials) and only disclosed to law enforcement personnel to aid in a missing persons investigation. If a student does not specify a contact, then the emergency contact will be considered the contact for the purposes of these procedures. Students are informed that if they are younger than 18 years old and not emancipated and determined to be missing, the University will, within 24 hours, contact their custodial parent(s) or guardian in addition to the designated missing persons contact.

Anyone who suspects or confirms another person to be missing for 24 hours should immediately contact the UNLPD, as it is responsible for investigating the missing person's case (Note: this person is required to notify the UNLPD of their suspicions within 24 hours). People should be aware that if they have concerns, the police can be notified at any point, even if



an individual has not yet been missing for a full 24 hours. The reporting person may also notify the Residence Director or other residence hall staff, as these positions are instructed to notify the UNLPD of a suspected missing student immediately (must be within 24 hours). When concerned, it is preferred that the reporting party talks directly to a UNLPD officer as soon as possible. **The UNLPD will, within 24 hours, inform the student's parent(s)/guardian and/or designated contact (as applicable) that the student has been determined to be missing.**

The UNLPD will immediately initiate an investigation which may include contacting campus acquaintances, friends or relatives, and if appropriate, a preliminary inspection of their residence hall room. When necessary, local law enforcement agencies will be involved to aid in the investigation. The UNLPD or Residence Hall staff will gather as much information as possible from the reporting person(s) in order to determine an appropriate course of action. In addition, Residence Directors will check the Andover Access Control System to determine the last time that the student used their NCard to access the residence hall or other University building in order to try and narrow down the student's activity, and/or to see who they may have entered the building with, by comparing the time with the video camera footage. Information that will be gathered by the UNLPD includes:

- Details of why the person suspects or knows the individual is missing (may include changes to behavior, state of mind, known plans).
- The last place and time the individual was seen and by whom.
- Contact information for the individual suspected to be missing (cell and other phone numbers, e-mail addresses, social networking names).
- Contact information for friends who may know of their location.
- Contact information for the concerned individual(s) so they can be reached with additional questions or follow-up information.
- Other personal information including photograph, vehicle, employer and other activities the person may be engaged in.

Whenever someone has a concern regarding a student or employee's welfare (whether physical or mental), the UNLPD can dispatch officers to check on the person if on campus; for those off campus, the call should be referred to the Lincoln Police Department (the call will be immediately forwarded to the LPD for mental health investigations or suicidal parties).

## **Fire Safety Education, Drills, Rules and Systems in University Housing**

The University knows that fire safety in student housing facilities is a major concern. As a result, fire drills are conducted in the various housing facilities in order to provide residents the opportunity to become familiar with the notification system as well as the evacuation procedures, one held for the fall semester and one for the spring semester; any summer fire drill dates are determined by the complex staff. Fire drills may also be conducted in other campus buildings at various times. There were a total of twenty-eight (28) fire drills held during the last calendar year in residence halls (see chart at end of report for specific information).



University Housing oversees the inspection of all fire safety systems and equipment, and it maintains reports that include documentation of fire alarms, sprinkler and smoke detector inspections, as well as any corrective/disciplinary action taken resulting from the inspection findings. University Housing also maintains records that include information about planned drills, alarm malfunctions, false alarms, station pulls, working fires, and corrective/disciplinary action taken because of the alarm. Most housing facility's fire systems include sprinklers and speakers in each student room. All facilities have fire extinguishers as determined by the Nebraska State Fire Marshal and University of Nebraska Housing maintains carbon monoxide detectors in all housing units heated with individual gas furnaces.

In order to educate students in on-campus housing, Resident Assistants (RA) are required to talk about fire safety and fire safety equipment at their first floor meetings. In University residence halls, each staff member is given a handbook that provides in-depth information on fire safety and evacuation procedures. The handbook provides information that each Housing staff member must know, including what members are responsible for, how to handle people with limited mobility, agendas for floor meetings regarding fire safety, fire drills, assembly areas that are to be used after an evacuation and performing fire watches. The handbook also includes all of the forms that may be used in regards to various fire situations. Signs and evacuation procedures are posted on all floors in residence halls. Each residence hall complex has specific procedures particular to its complex/hall situation.

In addition to training, staff in each residence facility is provided with a set of fire cards (stored in the "fire box"), specifically designed for the building, based on evacuation locations, routes, door locations, etc., as each facility is different. Each card outlines a specific task, with the cards in order of task vitality (most crucial task is on first card). The first RA to the fire box is responsible for distributing the fire cards to other staff members and opening the fire panel for the fire department (if safe to do so). Specific responsibilities may be assigned to RAs (i.e. evacuating lobby and basement areas, securing the elevators, monitoring the fire log, crowd control, maintaining security doors, etc.). A similar system is also used for tornado emergencies. The following is an example of a card:

**FIRE CARD #1****1st responder to the fire panel:**

- Go to the desk and get the duty key ring and walkie-talkie.
- Make sure the desk assistant has contacted the Duty RD to inform them of the alarm.
- Open the fire panel for the fire department (using the \_\_\_\_ key).
- Distribute fire tags to other RAs/housing staff arriving on scene.
- Study the Fire panel in the building lobby to determine the source of the trouble.
- Look for the firefighters to arrive.
  - Direct them to the panel—assist as needed, assure safe, efficient evacuation of residents from lobby.
- Aid the desk assistant in locking up the money in the safe, and securing the desk.
- Remain by the fire panel to provide assistance to the duty RD, if needed.
- **Do not let anyone back into the building until you get a signal from the duty RD or the fire captain.**
- Collect all fire cards when the incident is over.

*crowd control \* information giver \* entrance monitor \* desk staff helper*

Sanctioned Fraternity and Sorority Life chapters must be inspected annually by a fire inspector/investigator from the City of Lincoln Building and Codes Department and be in full compliance with all city and state fire regulations. If there are violations, the chapter will receive written notice and given a deadline by which to remedy any infractions. A re-inspection is scheduled and if there are still violations, the chapter is given a 10-day grace period. If no correction for the violation(s) are begun within the 10-day grace period, a report is filed with the city attorney. The city attorney may levy a fine against the chapter or an individual or may revoke the chapter's "residential congregate living" license. All houses are equipped with a fire alarm system and fire extinguishers as dictated by code and the Lincoln Fire Department. Chapter houses with a fuel burning heating system have carbon monoxide alarms on every level of the chapter house, including habitable portions of basements and attics. Chapter houses with all-electric heating systems and fuel-burning kitchen appliances are required to have a carbon monoxide alarm in the kitchen only. See chart later in this report for fire safety systems available in specific sanctioned houses.

Every University employee is responsible for knowing the evacuation procedures of the building in which they are working, and all employees are required be familiar with the alarm locations nearest each office, laboratory, or other work area (this is covered through training). In case of a fire, it will be the employees' responsibility to ensure that all students are instructed as to what to do. In addition, any employee who may opt to use a fire extinguisher must receive a training through Environment Health & Safety (EHS). The training includes a web-based portion along with a hands-on session, along with a test; one must pass with an 80% score to receive credit for the training.

The fire safety information provided to students and employees will include:

- Knowing emergency exit routes and being prepared to use an alternate route if necessary.
- To not use elevators.
- That if anyone is trapped in a building, they should try to reach a point of refuge, such as a stairwell, or stay by a window and wave a white flag to attract the attention of emergency responders.
- If possible, closing doors and windows on the way out in order to confine the fire.
- Keeping low if there is smoke.
- On the way out, assisting any mobility-impaired persons to a stairwell or other point of refuge if possible and then reporting their location to the emergency response personnel.
- That no one should attempt to evacuate other personnel from a work area as this is a job for the emergency responders.
- If working in an area frequented by the public, announcing that an evacuation has been ordered and asking people to exit the building.
- That healthy adults and young adults are expected to evacuate themselves upon hearing the fire alarm, but to follow established department procedures for evacuating small children or sick people.
- Assembling a safe distance away from the building.
- Not to block driveways or areas that may be used by emergency response personnel.
- Not to re-enter the building until the fire department has declared the building safe.

To help provide information, a building diagram marked with evacuation routes is posted in hallways, laboratories, and classrooms on each floor so that the routes can easily be identified. Some fire doors close automatically after activation of the fire alarm. These doors DO NOT lock and DO NOT block access to exits; students and employees are not to prop open doors that shut automatically upon activation of the fire alarm.

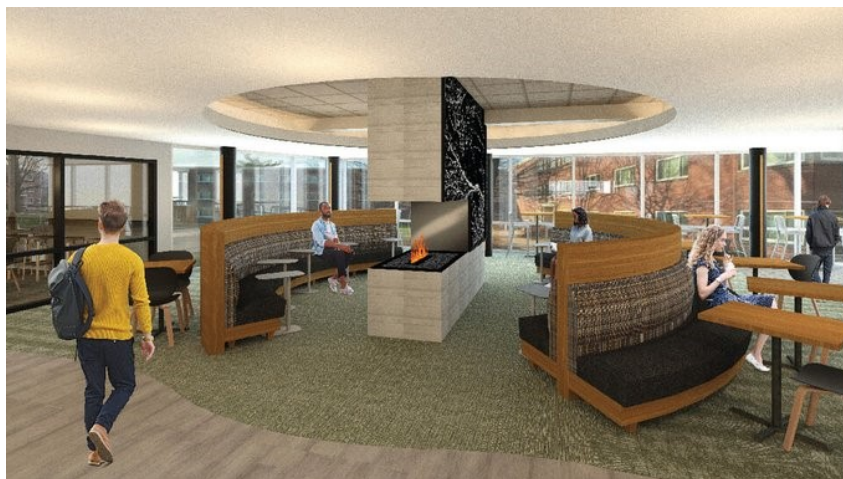
During fire drills and any other time that the fire alarm sounds, residents or building occupants are required to calmly evacuate the building and follow the instructions of staff and emergency personnel. Failure to vacate or in any other way interfere with the emergency response process will be considered a violation of Housing policy when it concerns a residence hall and handled accordingly. In the case of other University buildings, it will be dealt with according to the University's applicable disciplinary policy.

Students who require any type of accommodation to ensure their safe evacuation are instructed to contact Residence Hall staff immediately upon moving into the facility so that the appropriate arrangements can be made.

The University is continually evaluating and improving all aspects of its fire and safety systems with any necessary modifications being made as needed and when able, however, no significant plans regarding fire safety systems are in place for the upcoming year.

In the residence halls and approved Fraternity and Sorority Life Chapters, residents' use or possession of appliances and electronics is restricted by the type, size and number permitted. Items that are not permitted include any items with exposed flames or embers, exposed heating elements or any items that present other fire hazards. Smoking, the possession of candles (with or without wicks), incense, oil lamps or other items with the capability of an open flame or burning ember are not permitted in any residence hall or apartment. The use, possession, display or ignition of fireworks or any type of explosive device is prohibited on University property.

Tampering with or theft of fire safety equipment, including tampering with or discharging fire extinguishers, disabling bells/horns, activating a fire alarm when no emergency exists or covering or removing the batteries from individual smoke detectors, removing the entire smoke detector apparatus, or tampering with, hanging objects from, or decorating sprinkler heads in rooms of halls that are thus equipped are prohibited. Violation of policies that involve fire safety is taken very seriously and typically results in termination of the residence hall contract, as well as any necessary law enforcement action.



All University of Nebraska Housing facilities are equipped with notification systems that can be initiated by the presence of smoke, heat or via a manual pull station. The initiation of the alarm notifies residents audibly and visually and notifies a response center that immediately dispatches emergency responders to the location. All Housing facilities have fire extinguishers in compliance with the applicable code. In

all family housing units, there are 2-5 smoke detectors in each apartment, depending on the numbers of bedrooms/apartment type; they are checked on the first Friday of each month and replaced as needed. For additional safety, carbon monoxide detectors have been installed next to all gas fired appliances, and in the boiler rooms of some Housing facilities, as well as being maintained in housing units heated with individual gas furnaces (all in Family Housing). The fire safety systems and equipment in housing facilities are inspected at various times during the year (generally 4-6 times) to ensure everything is in proper working order. If any issues are found, they are immediately corrected.

### Other University fire safety facts:

- Fire Life Safety systems (alarm panels, sprinklers, smoke detectors, etc.) are inspected annually.
- Smoke detectors in student rooms are inspected four times a year (required only once by code).
- Emergency generators/battery backup lights are used to light paths to fire exits leading outside.
- All student room doors are fire rated.
- Fire alarm speakers are placed in student rooms rather than in the hallway.
- Buildings are never without fire protection. If any alarm or sprinkler system is down, staffs walk the areas affected until the systems are back on line.
- Trash chutes are sprinkled and trash is compacted.
- All residence hall facilities have fire extinguishers in compliance with the applicable code.
- According to the State Fire Marshal, the residence halls at the University of Nebraska meet, and in many cases exceed, the state fire and life safety codes.

Whenever a fire has occurred, it **must** be reported, even if the fire was small and immediately extinguished. All fires should be reported to the University Police Department as it is in charge of maintaining the fire log and reporting the information, as well as investigating suspicious fires. At the very least, students **must** report any fires to their Residence Director or Residence Assistant. In the case of University staff, any fires must be reported to their immediate supervisor.

### Evacuation



If a fire has started or is reported, either a student or employee should activate a fire alarm and a University employee should instruct everyone to evacuate the building immediately. In the case of residence halls, a Resident Assistant or other campus security authority (CSA) is responsible for providing instruction. If possible, a student or employee should try to shut down any equipment or process that could cause a secondary fire if left unattended. The people evacuating the building are to use the stairs

and not the elevators. Evacuees should proceed outside and gather in a designated outdoor area, a safe distance from the building. If weather conditions require, a sheltered area or building away from the building in question can be used by the evacuees. The designated gathering points should be clearly identified by University personnel.

Once outside, University employees are expected to immediately call 911 as soon as a safe location is reached (unless otherwise aware, multiple employees should call 911 and not assume someone else has made the call or that the appropriate agencies are aware of the fire). The information given to the emergency operator should include the nature of the emergency and the location (i.e., building number and cross streets or address). Employees should try to account for personnel known to have been in the building. If pertinent knowledge regarding the fire is known, it is important that it is relayed to Lincoln Fire and Rescue or UNLPD personnel outside the main entrance of the building, including any information on injuries, students needing evacuation assistance and/or people trapped in the building.

The following are basic procedures that should be followed in regards to student housing evacuation relating to a fire (this information is posted on the inside of the door in each room of University housing):

If you discover or suspect a fire, go to a pull station and sound the fire alarm, then leave the building through the nearest exit.

- Call 911 - give as much information as possible to the dispatcher.
- Don't attempt to put out the fire or rescue others unless you can do so safely.
- **TRY TO REMAIN CALM.**

When you have been alerted by the fire alarm, see flashing strobe lights, or see smoke or fire:

- Stay low to the floor if there is smoke in the room.
- Feel the metal door knob before opening any doors.

**If THE DOOR FEELS** hot, don't open the door. **If THE DOOR DOES NOT FEEL** hot, but you open the door and heat/smoke/fire are present, close the door and stay in the room/unit.

- Seal the cracks around the door using towels, sheets, pieces of clothing.
- Hang an object out the window (i.e. sheet, jacket, shirt) to attract the fire department's attention.
- Use a phone to call 911 and report that you are trapped. Be sure to give your hall name and room number.

**If THE DOOR DOES NOT FEEL** hot, brace yourself against the door and open it slightly. If heat/smoke **ARE NOT PRESENT**, exit the room/unit closing the door behind you.

- Go to the nearest exit or stairway. Do not attempt to use an elevator.
- If the nearest exit is blocked by fire, heat or smoke, go to another exit.
- Go back to your room/unit if all exits are blocked. Close the door, wave something out the window and shout for help.
- Use a phone to call 911 and report that you are trapped. Be sure to give your hall name and room number.

If you are trying to escape through a smoke-filled room or hallway:

- Stay low and move quickly to the nearest clear exit.
- Place a wet towel or a wet cloth over your head and face; breathe through the towel by taking short breaths through your nose.
- Cover your body with something that can be easily discarded if it catches on fire.

After evacuating:

- Move away from the building. Emergency response personnel and equipment will be maneuvering around the building.
- Follow directions of the fire and police personnel.
- **NEVER RE-ENTER A BURNING BUILDING TO SAVE YOUR PERSONAL POSSESSIONS.**

For the 2021-22 academic year, the University is putting together a taskforce to review all fire and safety policies and procedures established for University Housing to ensure that they are comprehensive, applicable and best practices. Any changes will be made accordingly to ensure that every measure to protect students is taken.

## Fire Safety Systems in University/Approved Housing

| Building Name/Address—UNL Housing   | 24-hour Fire Alarm Monitoring | Fully Sprinkled (common areas, corridors & each room) | Smoke Detectors | Fire Extinguishers | Speaker Panels                         |                                     | Evacuation Plans & Placards | Number of Fire Drills in 2020 |
|---|-------------------------------|---|-----------------|--------------------|--|-------------------------------------|-----------------------------|-------------------------------|
|   |                               |   |                 |                    | Alarm speakers in rooms & common areas | Alarm speakers in common areas only |                             |                               |
| Abel Hall – 860 N 17th  | X                             | X   | X               | X                  | X                                      |                                     | X                           | 2                             |
| Animal Science Apt. – 3940 Fair St.*  | X                             | X   | X               | X                  |  | X                                   | X                           | 0                             |
| Colonial Terrace – 33 <sup>rd</sup> & Starr   |                               |   | X               | X                  |  |                                     | X                           | 0                             |
| The Courtyards – 733 N 17 <sup>th</sup>   | X                             | X   | X               | X                  | X                                      |                                     | X                           | 2                             |
| Eastside Suites – 433 N 19 <sup>th</sup>  | X                             | X   | X               | X                  | X                                      |                                     | X                           | 2                             |
| Harper Hall – 1150 N 14 <sup>th</sup>   | X                             | X   | X               | X                  | X                                      |                                     | X                           | 2                             |
| Kauffman Residential Center – 630 N 14 <sup>th</sup>  | X                             | X   | X               | X                  | X                                      |                                     | X                           | 2                             |
| Knoll Residential Center – 440 N 17th   | X                             | X   | X               | X                  | X                                      |                                     | X                           | 2                             |
| Love Memorial Hall – 3420 Holdrege  | X                             | X   | X               | X                  | X                                      |                                     | X                           | 2                             |
| Massengale Residential Center – 1710 Arbor Dr.  | X                             | X   | X               | X                  | X                                      |                                     | X                           | 2                             |
| Sandoz Hall – 820 N 17 <sup>th</sup>  | X                             | X   | X               | X                  | X                                      |                                     | X                           | 2                             |
| Schramm Hall – 1130 N 14 <sup>th</sup>  | X                             | X   | X               | X                  | X                                      |                                     | X                           | 2                             |
| Selleck Quadrangle – 600 N 15 <sup>th</sup>   | X                             | X   | X               | X                  | X                                      |                                     | X                           | 2                             |
| Smith Hall – 1120 N 14 <sup>th</sup>  | X                             | X   | X               | X                  | X                                      |                                     | X                           | 2                             |
| The Village – 1055 N 16 <sup>th</sup>   | X                             | X   | X               | X                  | X                                      |                                     | X                           | 2                             |
| “U” St. Apts. – 2224 U St.  | X                             | X   | X               | X                  |  | X                                   | X                           | 0                             |
| University Suites – 1780 R Street   | X                             | X   | X               | X                  | X                                      |                                     | X                           | 2                             |
| Vine St. Apts. – 2222 Vine St.  | X                             | X   | X               | X                  | X                                      |                                     | X                           | 0                             |
| Vine St. Apts. – 2244 Vine St.  | X                             | X   | X               | X                  | X                                      |                                     | X                           | 0                             |
| *Located in the Animal Science Building. The apartment may have up to 3 occupants and each must work in the building. |                               |   |                 |                    |  |                                     |                             |                               |

| Building Name/Address—<br>Fraternity and Sorority Life<br>Chapters*  | 24-hour Fire<br>Alarm Monitoring<br>(Contracted<br>Provider) | Fully<br>Sprinkled<br>(common<br>areas,<br>corridors<br>& each<br>room) | Smoke<br>Detectors | Fire<br>Extin-<br>guishers | Speaker Panels                                     |   | Evacua-<br>tion Plans<br>& Plac-<br>ards | Number of<br>Fire Drills<br>in 2020** |
|--|--|---|--------------------|----------------------------|--|---|--|---------------------------------------|
|  |  |   |                    |                            | Alarm<br>speakers in<br>rooms &<br>common<br>areas | Alarm<br>speakers<br>in com-<br>mon areas<br>only |  |                                       |
| Acacia – 2255 Vine St.   | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Alpha Gamma Rho – 1430 Idylwild  | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Alpha Gamma Sigma – 4001<br>Holdrege St.   | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Alpha Omicron Pi – 1541 S St.  | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Alpha Phi – 1531 S St.   | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Alpha Tau Omega – 1433 R St.   | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Beta Theta Pi – 1515 R St.   | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Delta Tau Delta – 715 N 16 <sup>th</sup> St.   | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Delta Upsilon – 1548 Vine St.  | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Farmhouse – 3601 Apple St.   | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Gamma Phi Beta – 415 N 16 <sup>th</sup> St.  | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Phi Delta Theta – 1545 R St.   | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Phi Kappa Psi – 1548 S St.   | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Phi Kappa Theta – 303 N 17 <sup>th</sup> St.   | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Pi Kappa Phi – 1645 R St.  | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Sigma Alpha Epsilon – 635 N 16 <sup>th</sup><br>St.  | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Sigma Chi – 1510 Vine St.  | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Sigma Phi Epsilon – 601 N 16 <sup>th</sup> St.   | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Theta Xi – 1535 R St.  | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| Triangle – 519 N 16 <sup>th</sup> St.  | X  | X   | X                  | X                          |  |   | X  | 0                                     |
| <p>*Fraternity and Sorority Life Chapters that have a signed agreement with University of Nebraska Housing are deemed “on-campus housing” and reported as such. The fire safety and statistical information for <u>only</u> those chapters with signed agreements for the current academic year are included in this report. <b>Please note that this list changes from year-to-year.</b></p> <p>**No fire drills that meet all Clery Act-defined criteria took place in 2020.</p> |  |   |                    |                            |  |   |  |                                       |

## 3-year Statistics on Fires in University/Approved Housing

## 2020 Fires

| Building Name—UNL Housing     | Total #<br>of Fires<br>Reported | Fire # | Type/Cause of Fire | # of Persons w/fire-<br>related Injuries<br>Requiring Treat-<br>ment at Medical<br>Facility | # of Fire-<br>related<br>Deaths | Value of Property<br>Damage |
|-------------------------------|---------------------------------|--------|--------------------|---|---------------------------------|-----------------------------|
| Abel Hall                     | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| Animal Science Apt.           | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| Colonial Terrace              | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| The Courtyards                | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| Eastside Suites               | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| Harper Hall                   | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| Kauffman Residential Center   | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| Knoll Residential Center      | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| Love Memorial Hall            | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| Massengale Residential Center | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| Sandoz Hall                   | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| Schramm Hall                  | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| Selleck Quadrangle            | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| Smith Hall                    | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| University Suites             | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| “U” St. Apts.                 | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| The Village                   | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| Vine St. Apts. (2222)         | 0                               | ----   | ----               | ----  | ----                            | ----                        |
| Vine St. Apts. (2244)         | 0                               | ----   | ----               | ----  | ----                            | ----                        |

## 2020 Fires

| Building Name—Fraternity and Sorority Life Chapters | Total # of Fires Reported | Fire # | Type/Cause of Fire | # of Persons w/fire-related Injuries Requiring Treatment at Medical Facility | # of Fire-related Deaths | Value of Property Damage |
|---|---------------------------|--------|--------------------|--|--------------------------|--------------------------|
| Acacia  | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Alpha Gamma Rho                                     | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Alpha Gamma Sigma                                   | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Alpha Omicron Pi                                    | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Alpha Phi   | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Alpha Tau Omega                                     | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Beta Theta Pi                                       | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Delta Tau Delta                                     | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Delta Upsilon                                       | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Farmhouse   | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Gamma Phi Beta                                      | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Phi Delta Theta                                     | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Phi Kappa Psi                                       | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Phi Kappa Theta                                     | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Pi Kappa Phi  | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Sigma Alpha Epsilon                                 | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Sigma Chi   | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Sigma Phi Epsilon                                   | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Theta Xi  | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Triangle  | 0                         | ----   | ----               | ----   | ----                     | ----                     |

## 2019 Fires

| Building Name—UNL Housing     | Total #<br>of Fires<br>Reported | Fire # | Type/Cause of Fire  | # of Persons w/fire-<br>related Injuries<br>Requiring Treat-<br>ment at Medical<br>Facility | # of Fire-<br>related<br>Deaths | Value of Property<br>Damage |
|-------------------------------|---------------------------------|--------|---|---|---------------------------------|-----------------------------|
| Abel Hall                     | 0                               | ----   | ----  | ----  | ----                            | ----                        |
| Animal Science Apt.           | 0                               | ----   | ----  | ----  | ----                            | ----                        |
| Colonial Terrace              | 0                               | ----   | ----  | ----  | ----                            | ----                        |
| The Courtyards                | 0                               | ----   | ----  | ----  | ----                            | ----                        |
| Eastside Suites               | 0                               | ----   | ----  | ----  | ----                            | ----                        |
| Harper Hall                   | 0                               | ----   | ----  | ----  | ----                            | ----                        |
| Kauffman Residential Center   | 0                               | ----   | ----  | ----  | ----                            | ----                        |
| Knoll Residential Center      | 0                               | ----   | ----  | ----  | ----                            | ----                        |
| Love Memorial Hall            | 0                               | ----   | ----  | ----  | ----                            | ----                        |
| Massengale Residential Center | 0                               | ----   | ----  | ----  | ----                            | ----                        |
| Sandoz Hall                   | 0                               | ----   | ----  | ----  | ----                            | ----                        |
| Schramm Hall                  | 0                               | ----   | ----  | ----  | ----                            | ----                        |
| Selleck Quadrangle            | 0                               | ----   | ----  | ----  | ----                            | ----                        |
| Smith Hall                    | 0                               | ----   | ----  | ----  | ----                            | ----                        |
| University Suites             | 0                               | ----   | ----  | ----  | ----                            | ----                        |
| “U” St. Apts.                 | 0                               | ----   | ----  | ----  | ----                            | ----                        |
| The Village                   | 0                               | ----   | ----  | ----  | ----                            | ----                        |
| Vine St. Apts. (2222)         | 1                               | 1      | Unintentional – Clothes<br>dryer malfunction ignited<br>belt. | 0   | 0                               | \$100 < \$1000              |
| Vine St. Apts. (2244)         | 0                               | ----   | ----  | ----  | ----                            | ----                        |

## 2019 Fires

| Building Name—Fraternity and Sorority Life Chapters | Total # of Fires Reported | Fire # | Type/Cause of Fire | # of Persons w/fire-related Injuries Requiring Treatment at Medical Facility | # of Fire-related Deaths | Value of Property Damage |
|---|---------------------------|--------|--------------------|--|--------------------------|--------------------------|
| Acacia  | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Alpha Gamma Rho                                     | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Alpha Gamma Sigma                                   | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Alpha Omicron Pi                                    | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Alpha Phi   | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Alpha Tau Omega                                     | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Beta Theta Pi                                       | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Delta Tau Delta                                     | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Delta Upsilon                                       | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Farmhouse   | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Gamma Phi Beta                                      | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Phi Delta Theta                                     | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Phi Kappa Psi                                       | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Phi Kappa Theta                                     | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Pi Kappa Phi  | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Sigma Alpha Epsilon                                 | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Sigma Chi   | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Sigma Phi Epsilon                                   | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Theta Xi  | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Triangle  | 0                         | ----   | ----               | ----   | ----                     | ----                     |

# 2018 Fires

| Building Name—UNL Housing     | Total # of Fires Reported | Fire # | Type/Cause of Fire   | # of Persons w/fire-related Injuries Requiring Treatment at Medical Facility | # of Fire-related Deaths | Value of Property Damage |
|-------------------------------|---------------------------|--------|--|--|--------------------------|--------------------------|
| Abel Hall                     | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| Animal Science Apt.           | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| Colonial Terrace              | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| The Courtyards                | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| Eastside Suites               | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| Harper Hall                   | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| Kauffman Residential Center   | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| Knoll Residential Center      | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| Love Memorial Hall            | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| Massengale Residential Center | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| Sandoz Hall                   | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| Schramm Hall                  | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| Selleck Quadrangle            | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| Smith Hall                    | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| University Suites             | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| “U” St. Apts.                 | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| The Village                   | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| Vine St. Apts. (2222)         | 0                         | ----   | ----   | ----   | ----                     | ----                     |
| Vine St. Apts. (2244)         | 1                         | 1      | Unintentional – Cooking oil spilled and ignited on burner. | 0  | 0                        | \$100 < \$1000           |

### 2018 Fires

| Building Name—Fraternity and Sorority Life Chapters | Total # of Fires Reported | Fire # | Type/Cause of Fire | # of Persons w/fire-related Injuries Requiring Treatment at Medical Facility | # of Fire-related Deaths | Value of Property Damage |
|---|---------------------------|--------|--------------------|--|--------------------------|--------------------------|
| Acacia  | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Alpha Gamma Rho                                     | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Alpha Gamma Sigma                                   | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Alpha Tau Omega                                     | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Beta Theta Pi                                       | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Delta Tau Delta                                     |                           |        |                    |  |                          |                          |
| Delta Upsilon                                       | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Farmhouse   | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Gamma Phi Beta                                      | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Phi Delta Theta                                     | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Phi Kappa Psi                                       | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Phi Kappa Theta                                     | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Sigma Alpha Epsilon                                 | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Sigma Phi Epsilon                                   | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Sigma Chi   | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Theta Xi  | 0                         | ----   | ----               | ----   | ----                     | ----                     |
| Triangle  | 0                         | ----   | ----               | ----   | ----                     | ----                     |

## Mental Health & Suicide Awareness and Prevention

Many students will struggle at some point during their college careers with depression, anxiety, substance use and other mental health concerns. Particularly during the pandemic of 2020 in which many college students experience an increase in mental health and academic difficulties. Some common events that contribute to student stress are: isolation, social anxiety, a break-up or loss of relationship, not getting into a particular major, fear of poor grades, fear of losing financial aid or the pressure to be perfect. As such, the University provides a variety of programs and resources to help educate on and address mental health issues within the campus community.

**Mental Health Screening:** Mental health is a key part of an individual's overall health. Brief screenings are the quickest way to determine if you or someone you care about should connect with a mental health professional - they are a checkup from your neck up. This program, provided through CAPS, is completely anonymous and confidential, and immediately following the brief questionnaire, you will see your results, recommendations, and key resources. It can be found at: <https://screening.mentalhealthscreening.org/huskies>.

**REACH Training:** Anyone can help prevent suicide by learning the risk factors, warning signs, and how to intervene. **REACH®** is the name of the UNL suicide prevention gatekeeper training program designed to help the University community prevent suicide. The trainings are open only to university- and student- affiliated organizations, departments, colleges and programs. The training is designed to last **90 minutes** and *cannot* be shortened. Participants who finish the 90-minute training receive certificates and lapel pins verifying their completion of the program. Notice of training must be provided at least two weeks prior to the proposed training date. This training is provided by Big Red Resilience & Well Being and can be found at: <https://preventsuicide.unl.edu/reach-training>.



**Counseling and help is available for any member of the campus community through a variety of services, 24/7.**

**On-campus Counseling Services:**

- **Counseling and Psychological Services (CAPS)** - 2nd floor of University Health Center at 550 N. 19th Street. For non-crisis matters, an appointment can be scheduled by calling (402) 472-7450 Monday through Friday from 8 am to 5 pm. For after-hours assistance, call the same number and follow the prompts. See website at: <https://caps.unl.edu/>
- **LGBTQA+ Resource Center** – Call (402) 472-1652 or email [lgbtqa@unl.edu](mailto:lgbtqa@unl.edu)
- **UNL Counseling and School Psychology Clinic** - Offering affordable, confidential counseling for students and community members. Call (402) 472-1152.
- **UNL Psychological Consultation Center (PCC)** - Offering affordable, confidential counseling for students and community members. Call (402) 472-2351.
- **UNL Employee Assistance Program** - If you are a University of Nebraska employee, call the Employee Assistance Program at (402) 472-3107 or 1-800-755-2655.

**Other Resources and Hotlines:**

- **University of Nebraska Police** - (402) 472-2222
- **Suicide Prevention Resource Center** - [sprc.org](http://sprc.org)
- **The Jed Foundation** - [jedfoundation.org](http://jedfoundation.org)
- **ULifeline Suicide Prevention** - [ulifeline.org](http://ulifeline.org)
- **Recovery.org** - [recovery.org](http://recovery.org)
- **CenterPointe 24-hour Crisis Line** - (402) 475-6695
- **National Suicide Prevention Lifeline** - 1-800-273-TALK (8255) or text 4HOPE to 741-741. This is a 24-hour, toll-free, confidential suicide prevention hotline available to anyone in suicidal crisis or emotional distress.
- **Trevor Life Line (LGBT-specific suicide hotline)** - 1-866-4-U-TREVOR or 1-866-488-7386. More information can be found at: [thetrevorproject.org](http://thetrevorproject.org)

**For everyone, be aware that you are not alone.** Are you feeling stressed, anxious, hopeless, isolated or on edge? Have you noticed a friend who is feeling this way? Universities can sometimes feel big and lonely, but the fact is that many people at the University of Nebraska care about your well-being. You do not have to deal with stress alone! If you are thinking about suicide or if you are concerned about your wellbeing or the wellbeing of a friend, get help immediately. Tell an advisor, friend or family member. Residence assistants, residence directors, faculty and staff are trained to respond to this type of situation. You can also use any of the resources identified above. Sharing your concern for a friend or letting others know the difficulty you are facing is the first step. **YOU ARE NOT ALONE.**

## Alcohol & Drug Awareness/Recovery Programs, Policy and Laws



The illicit use of drugs and alcohol and the excessive use of these substances is a major issue facing college campuses across the United States. The University of Nebraska wants to ensure that resources are available to not only promote the awareness of drug and alcohol misuse, but also to help students and staff determine if they have a problem with their substance use. Nebraska also provides a Collegiate Recovery Community (CRC) to students in recovery from alcohol and drug use. To this end, there are a

number of programs and resources available for use to students, faculty and staff.

High-risk alcohol use among students on college campuses remains a concern. The University of Nebraska is committed to an environmental management approach that integrates programs, policies and education to address alcohol and drug use. Faculty, staff, parents and peers influence alcohol use. The University encourages everyone to take advantage of the following resources. For anyone who chooses to develop their own resources, the individual is asked to use the University's established [alcohol messaging guidelines](#) to help create the content.

- Binge rates (5 or more drinks in a single sitting) among Nebraska students have declined from 62.4% in 1999 to 35% in 2016. Similar declines in primary and secondary effects have been documented.
- The percentage of incoming students reporting that they abstain from alcohol has steadily increased for the past 10 years.
- 77% of Nebraska students eat before and/or during drinking.
- 72% of Nebraska students keep track of how many drinks they consume.
- 85% of Nebraska students use a designated driver.
- 91% of Nebraska students stay with the same group of friends the entire time drinking.

Here are some interesting facts regarding drinking and University of Nebraska students:

Employees and students needing help in dealing with drug or alcohol problems are encouraged to make voluntary use of their campus Employee Assistance Programs and Student Counseling Centers. The Employee Assistance Programs and Student Counseling Centers can help by offering the following services objectively assessing the situation and referring employees or students to the proper resources, supplying short-term personal counseling and problem solving, and providing education and training to supervisors on how to intervene with troubled employees.

The University Police Department provides free educational lectures regarding the use of drugs and alcohol to any group (student or staff) upon request. The lecture addresses awareness and the effects of various drug and alcohol use, as well as educates the audience on the drugs currently being seen on campus and state and local laws pertaining to illegal drug and alcohol use. This lecture is annually provided to Resident Assistants, and specifically includes a drug burn to help RAs identify the smell of certain drugs. Those interested in a presentation should contact the UNLPD's Training Officer, (402) 472-2222 or [police.unl.edu](mailto:police.unl.edu) to schedule a time and location.

### Online Screenings and Assessments

- [ScreenU Alcohol](#), [ScreenU Marijuana](#), and [ScreenU Rx](#) are confidential web-based screenings for college students, which assess use, provide brief intervention, and referral to resources.
- Counseling and Psychological Services (CAPS) offers [online assessment](#) for a variety of issues. See website at: <https://caps.unl.edu/>.

### In-Person Screening, Coaching, Counseling, and Treatment Options

- **Alcohol and Drug Psychoeducation Workshop** helps students obtain knowledge about alcohol and drug use and avoid negative consequences involving substance use.
- **Alcohol/Drug Harm Reduction Group** provides a place where students can speak honestly about their current alcohol/drug use and get feedback without feeling judged or pressure to change. It is not Alcoholics Anonymous or treatment. Abstinence is not required to attend the group.
- **BASICS (Brief Alcohol Screening and Intervention for College Students)** is for college students that seeks to motivate change in quantity and frequency of drinking, to decrease the negative consequences of alcohol.
- **CASICS (Cannabis Screening and Intervention for College Students)** uses the same approach and philosophy as BASICS but is designed to address marijuana use concerns.
- **Substance Use Evaluation** uses a thorough interview and testing of college students' drinking and drug use for the purpose of making formal recommendations about the possible need for treatment.
- **Substance Abuse Clinic** treats students with primary substance use problems and coordinates the Alcohol Skills Training Program to help individuals examine problematic alcohol use following violation of campus alcohol policy. See website at: <https://psychology.unl.edu/pcc/specialty-clinics>.

**Each of the above is available through:**

Counseling and Psychological Services (CAPS)  
223 University Health Center  
550 N. 19th Street  
402-472-7450

- **Collegiate Recovery Community (CRC)** - The Collegiate Recovery Community is a welcoming and inclusive environment for students in or seeking recovery. The CRC is a place where students are empowered to be their authentic selves and support one another while navigating their college experience free of alcohol and other drugs. We connect students who are attending or planning to attend Nebraska to other students in recovery and to resources on and off campus. See website at: <https://resilience.unl.edu/> for more information.

Psychological Consultation Center  
325 Burnett Hall  
(402) 472-2351

- **Well-Being Coaching** is provided by trained student volunteers from Big Red Resilience and Well-Being to help others thrive and create the life they want to live, now and in the future. Coaches promote the nine-dimension model of well-being that provides a framework for exploration and balance. See website at: <https://resilience.unl.edu/>

Big Red Resilience and Well-being  
127 University Health Center  
550 N. 19th Street  
402-472-8770

### Education and Training Opportunities

- **Step UP! Bystander Intervention Training:** This 90-minute, comprehensive bystander intervention training teaches students to learn to be proactive in helping others, increases their awareness of helping behaviors, motivates students to help, develops their skills and confidence to respond to problems or concerns, and enables them to know how to ensure the safety and well-being of self and others. Request a Step UP! training here: <https://resilience.unl.edu/step> Focused training modules are also available on Academics, Alcohol and Alcohol Poisoning, Anger, Depression, Discrimination, Disordered Eating, Gambling, Hazing, Relationship Abuse, and Sexual Assault.



### Other Services

- **Free Ride Home:** 402-475-RIDE - This is a free cab service (funded by student fees) that provides students with a free, safe ride home in the event that they've exhausted all other options. The service is available from 9:00pm to 4:00am, but not during University vacations or closings.
- [UNL Student Legal Services](https://asun.unl.edu/student-legal-services/welcome) offers free legal advice or representation to registered UNL students. SLS is a program of ASUN, funded completely by student fees. See website at: <https://asun.unl.edu/student-legal-services/welcome>.

Room 335, Student Union  
1400 R Street  
402-472-3350

### Local Detoxification and/or Addiction Treatment Options

- **Independence Center**.....(402) 805-2156  
Detox, Evaluations, Residential, and Intensive Outpatient Programs
- **The Bridge**.....(402) 477-3951  
Detox, Evaluations, Residential, Intensive Outpatient, and Outpatient Treatment Programs
- **Alcohol & Drug Solutions**.....(402) 601-4289  
Evaluations, Intensive Outpatient, and Outpatient Treatment Programs
- **The Recovery Center**.....(402) 742-9616  
Psychoeducation, Evaluations, Outpatient, and Intensive Outpatient Treatment Programs
- **UNL Psychological Consultation Center**.....(402) 472-3721  
Evaluations and Outpatient Treatment
- **Lutheran Family Services**.....(402) 441-7940  
Evaluations, Intensive Outpatient, and Outpatient Treatment Programs
- **Blue Valley Behavioral Health**.....(402) 261-4017  
Evaluations, Psychoeducation, and Outpatient Treatment Programs

### Recovery

- Students in recovery interested in being a part of a new UNL Collegiate Recovery Community (Husker Recovery Meeting on Monday's at 8 p.m.) are asked to complete an application found at: <https://resilience.unl.edu/recovery> or contact Big Red Resilience and Well-being
- [Lincoln Area Alcoholics Anonymous \(AA\)](http://lincaa.org) - 402-438-5214; [lincaa.org](http://lincaa.org)
- [Southeast Nebraska Area of Narcotics Anonymous \(Lincoln\)](http://nebraskana.org) - [nebraskana.org](http://nebraskana.org)
- [Al-Anon/Alateen \(Lincoln\)](http://nebr-al-anon-alateen.org) - 402-477-9662; [nebr-al-anon-alateen.org](http://nebr-al-anon-alateen.org)

### Tobacco and/or Vaping Cessation

- The [University Health Center Pharmacy](#) in the University Health Center can fill medical prescriptions, including those for cessation products.
- [Tobacco Free Nebraska](#) Offers 24/7 access to free telephone cessation coaching and a variety of other self-help materials. Call [1-800-QUIT-NOW \(1-800-784-8669\)](tel:1-800-QUIT-NOW).
- The UNMC College of Dentistry on East Campus offers fee-based individual counseling sessions for tobacco cessation. The series of three sessions and any cessation-related prescriptions may be covered by health insurance (verify coverage with your insurance company). This service is available at both the Student Dental Clinic (402) 472-1333, and the faculty practice at University Dental Associates (402) 472-8900.

In addition to the programs noted above, staff and faculty of the University can utilize the Employee Assistance Program (EAP) at the University of Nebraska is available to all faculty and staff and their immediate family members in need of information and/or assistance with any personal concern, including alcohol or drug-related problems. The EAP provides confidential, free, professional, short-term counseling, assessment and referral for employees and/or family members who need assistance with substance use issues. Tenure or any other employment status will **NOT** be jeopardized for employees seeking help from the EAP. The EAP office is located in the 501 Building, Room 128 on City Campus. Office telephone numbers are (402) 472-3107 or 1-800-755-2655, and the website is: [hr.unl.edu/eap](http://hr.unl.edu/eap). EAP staff in the Human Resources department is responsible for conducting substance use awareness and education training for faculty and staff.

To insure best practices, the University conducts a biennial review of its drug and alcohol policies, as well as its support, prevention and awareness programs, in order to evaluate their effectiveness and determine any needed improvements, and to ensure that sanctions given for violations of the policy are consistently enforced. In addition, the University determines the number of drug and alcohol-related violations that occurred/were reported on campus, non-campus property, or on public property directly adjacent to campus, and it includes this information in the statistics included in the ASR and submitted to the Department of Education's website.

### Applicable Policy, Laws and Statutes Regarding Alcohol and Drugs

The University of Nebraska has a zero-tolerance policy regarding the illicit use of drugs and alcohol by University students and employees, and any incidents involving these substances will be handled accordingly per state/federal law. Per UNL policy:

The illegal possession, use, or distribution of drugs or alcohol by students and employees is a violation of University rules as well as State and Federal laws. Officers of the University are to cooperate with State and Federal agencies in the prevention of drug abuse. In satisfaction of this mandate and in order to fulfill its obligations under the Drug Free Workplace Act of 1988, 41 U.S.C. § 701, and the Drug Free Schools and Communities Act of 1989, 20 U.S.C. § 1145g, the University has formulated standards of conduct for both its employees and its students which prohibit the following acts:

1. Use, possession, manufacture, distribution, or sale of illegal drugs or drug paraphernalia on University premises or while on University business or at University activities, or in University supplied vehicles either during or after working hours;
2. Unauthorized use, possession, manufacture, distribution, or sale of a controlled substance as defined by the Federal Controlled Substances Act, 21 U.S.C. §§ 801 et seq., or Nebraska Drug Control Laws, Neb. Rev. Stat. §§ 28-401 et seq., on University premises, or while engaged on University business or at University activities or in University supplied vehicles, either during or after working hours;
3. Unauthorized use, manufacture, distribution, possession, or sale of alcohol on University premises or while on University business, or at University activities, or in University supplied vehicles, either during or after working hours;
4. Storing in a locker, desk, vehicle, or other place on University owned or occupied premises any unauthorized controlled substances, drug paraphernalia, or alcohol;
5. Use of alcohol off University premises that adversely affects an employee's or student's work or academic performance, or an employee's or student's safety or the safety of others;
6. Possession, use, manufacture, distribution, or sale of illegal drugs off University premises that adversely affects the employee's work performance or the student's academic performance, or an employee's or student's safety or the safety of others;
7. Violation of State or Federal laws relating to the unauthorized use, possession, manufacture, distribution, or sale of alcohol, controlled substances, or drug paraphernalia;
8. In the case of employees, failure to notify an employee's supervisor of an employee's arrest or conviction under any criminal drug statute as a result of a violation of law which occurs at the University of Nebraska workplace.

[The Standards of Conduct were approved by the Regents in 1990. See Board of Regents of the University of Nebraska, *Minutes*, Vol. 55, p. 204 (October 12, 1990) and Vol. 56, p. 149 (September 6, 1991).] Last revised July 2020.

## Description of Applicable Legal Sanctions Under Federal, State or Local Law for Unlawful Possession or Distribution of Illicit Drugs and Alcohol

The framework for the regulation of most drugs, also called controlled substances, is set out in the Uniform Controlled Substances Act. The following information summarizes selected provisions of Federal, State, and local laws which provide criminal and civil penalties for unlawful possession or distribution of drugs and alcohol. The following penalties may be imposed *in addition* to sanctions handed out by the University:

### Federal Penalties and Sanctions for Illegal Possession of Controlled Substances

#### 21 U.S.C. § 844(a)

First Conviction: Up to 1 year imprisonment and fine of at least \$1,000 or both. After one (1) prior drug conviction: At least 15 days in prison, not to exceed 2 years, and a fine of at least \$2,500. After two (2) or more prior drug convictions: at least 90 days in prison, not to exceed 3 years, and a fine of at least \$5,000.

#### 21 U.S.C. § 853(a) and 881(a)

Forfeiture of tangible and intangible personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. Forfeiture of vehicles, boats, aircraft, or any other conveyance used, or intended for us, to transport or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of controlled substances.

#### 21 U.S.C. § 844a

Civil fine of up to \$10,000 for each violation of 21 U.S.C. § 844 involving controlled substances listed in 21 U.S.C. § 841(b)(1)(A).

#### 21 U.S.C. § 862

Denial of Federal benefits, such as financial aid grants, contracts, student loans, and professional and commercial licenses, for individuals convicted of distributing controlled substances (drug trafficking). The denial can last up to 5 years for the first conviction and up to 10 years for the second conviction. Those who have three or more convictions will be permanently ineligible for all Federal benefits.

#### 18 U.S.C. § 922(g)

Ineligible to receive or possess a firearm or ammunition.

#### Miscellaneous

Authority to revoke certain Federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., is vested with the officials of individual Federal agencies.



The United States Drug Enforcement Administration publishes information that summarizes trafficking penalties under Federal law for various drugs; it is available at: [www.dea.gov/sites/default/files/drug\\_of\\_abuse.pdf](http://www.dea.gov/sites/default/files/drug_of_abuse.pdf).

**Be aware that the above are only Federal penalties and sanctions; additional State penalties and sanctions may apply.**

### Nebraska State Penalties and Sanctions for Illegal Possession of Controlled Substances

**Crimes Involving Minors:** Any person 18 years of age or older who knowingly or intentionally manufactures, distributes, delivers, dispenses, or possesses with intent to manufacture, distribute, deliver or dispense a controlled substance or a counterfeit controlled substance (i) to a person (under the age of 18 years); (ii) in, on, or within 1,000 feet of a school, college, university, or playground; or (iii) within 100 feet of a youth center, public swimming pool, or video arcade shall be punished more severely. The law also provides for an enhanced penalty for anyone 18 years of age or older to knowingly and intentionally employ, hire, use, cause, persuade, coax, induce, entice, seduce, or coerce any person under the age of 18 years to manufacture, transport, distribute, carry, deliver, dispense, prepare for delivery, offer for delivery, or possess with intent to do the same a controlled substance or a counterfeit controlled substance. See Neb. Rev. Stat. § 28-416(4)(a) and (5)(a) (Cum. Supp. 2020). Persons under the age of eighteen who violate the drug laws may be subject to additional sentencing provisions found in Neb. Rev. Stat. § 28-416(18) and (19) (C), these include impounding licenses or permits issued under the Motor Vehicle Operator's License Act, completion of community service, and attending drug education classes.

The law provides immunity from violations of §28-441 or subsection (3) of §28-416 in certain circumstances when a person may need medical assistance as a result of a drug overdose and the evidence for the violation of the laws was obtained as a result of the drug overdose and the request for medical assistance. A penalty may not be imposed on a person who otherwise violated the law if the person (i) made a good faith request for emergency medical assistance in response to the possible drug overdose of themselves or another person as soon as the emergency situation was apparent; (ii) made the request for medical assistance; and (iii) when emergency medical assistance was requested for the possible drug overdose of another person: (A) remained on the scene until the medical assistance arrived; and (B) cooperated with medical assistance and law enforcement personnel. Neb. Rev. Stat. § 28-472.

**Probation Conditions:** Any person convicted of a drug law violation, if placed on probation, shall, as a condition of probation, satisfactorily attend and complete appropriate treatment and counseling on drug abuse. Neb. Rev. Stat. § 28-416 (14) (Cum. Supp. 2020).

**Tax Provisions:** Anyone who possesses or sells the following amounts of controlled substances or imitation controlled substances must pay the appropriate taxes to the Nebraska Department of Revenue and have the stamps attached to the controlled substances. Marijuana is not included in the definition of "controlled substances" here but is also taxed, as follows:

1. Illegal marijuana is taxed at \$100 for each ounce or portion of an ounce. Neb. Rev. Stat. § 77-4303 (Reissue 2018).
2. Any controlled substance that is sold by weight or volume (i.e., cocaine, crack, methamphetamine, etc.) is taxed at \$150 for each gram or portion of a gram. Neb. Rev. Stat. § 77-4303 (Reissue 2018).
3. Any controlled substance that is not sold by weight (i.e., LSD, Quaaludes, methamphetamine in tablets, PCP, etc.) is taxed at \$500 for each 50 dosage units or portion thereof. Neb. Rev. Stat. § 77-4303 (Reissue 2018).
4. Failure to have the proper tax stamps attached to the controlled substance is a Class IV felony, with a criminal penalty of up to a 2-year imprisonment and 12-month post-release supervision or a \$10,000 fine or both. Neb. Rev. Stat. § 28-105(1) (Cum. Supp. 2018) available at <http://nebraskalegislature.gov/laws>; Neb. Rev. Stat. §§ 77-4309 (Reissue 2020).

**Property Forfeiture:** Property used to manufacture, sell, or deliver controlled substances can be seized and forfeited to the State. Property subject to forfeiture may include cash, cars, boats, and airplanes, as well as drug paraphernalia, books, records, and research, including formulas, microfilm, tapes, and data. Neb. Rev. Stat. § 28-431 (Reissue 2016).

**Being Under the Influence of Any Controlled Substance for Unauthorized Purpose:** It is a violation of Nebraska law to be under the influence of any controlled substance for a purpose other than the treatment of a sickness or injury as prescribed or administered by a practitioner. In a prosecution, the State need not prove that the accused was under the influence of a specific controlled substance, only that the accused manifested symptoms or reactions caused by the use of any controlled substance. Neb. Rev. Stat. § 28-417(1)(g) (Reissue 2016).

**Drug Paraphernalia Offenses:** It is a violation of Nebraska law to use, or to possess with intent to use, drug paraphernalia to manufacture, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance. Neb. Rev. Stat. § 28-441(1) (Cum. Supp. 2020). Individuals who make a good faith request for emergency medical assistance in response to their drug overdose or when assisting another person may experience limited immunity from drug possession and paraphernalia charges if they meet certain requirements, such as requesting medical assistance as soon as the drug overdose is apparent and remaining on the scene and cooperating with medical assistance or law enforcement personnel. Neb. Rev. Stat. § 28-441(3) (Cum. Supp. 2020); Neb. Rev. Stat. § 28-472 (Cum. Supp. 2020).

1. "Drug paraphernalia" is defined to include such things as hypodermic syringes, needles, pipes, bongs, roach clips, and other items used, intended for use, or designed for use with controlled substances. Neb. Rev. Stat. § 28-439 (Reissue 2016).
2. It is unlawful to deliver, possess with intent to deliver, or manufacture with intent to deliver drug paraphernalia knowing, or under circumstances in which one should reasonably know, that it will be used to manufacture, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance. This section does not apply to pharmacists, pharmacist interns, pharmacy technicians, and pharmacy clerks who sell hypodermic syringes or needles for the prevention of the spread of infectious diseases. Neb. Rev. Stat. § 28-442 (Cum. Supp. 2020).
3. It is a violation of Nebraska law for a person 18 years of age or older to deliver drug paraphernalia to a person under the age of 18 who is at least three years his or her junior. Neb. Rev. Stat. § 28-443 (Reissue 2016).
4. A violation of Neb. Rev. Stat. § 28-441 (use or possession of drug paraphernalia) is an infraction and is punishable on the first offense by a fine of up to a maximum of \$100; a second offense within two years of the first is punishable by a fine between \$100 and \$300; a third offense within two years of the second is punishable by a fine between \$200 and \$500. Neb. Rev. Stat. §§ 28-441 (Cum. Supp. 2020) and 29-436 (Reissue 2016). The penalty for violation of Neb. Rev. Stat. § 28-442 (delivery or manufacture of drug paraphernalia), which is a Class II misdemeanor, is up to a 6-month imprisonment or a \$1,000 fine or both. Neb. Rev. Stat. § 28-442 (Reissue 2016) and § 28-106(1) (Cum. Supp. 2020). The penalty for violation of Neb. Rev. Stat. § 28-443 (delivery of drug paraphernalia to a minor), a Class I misdemeanor, is imprisonment for up to one year or a \$1,000 fine or both. Neb. Rev. Stat. § 28-443 (Reissue 2016) and § 28-106(1) (Reissue 2016).

**Imitation Controlled Substances:** It is a violation of Nebraska law to knowingly or intentionally manufacture, distribute, deliver, or possess with intent to distribute or deliver an imitation controlled substance. Neb. Rev. Stat. § 28-445 (Reissue 2016). "Imitation controlled substance" is a substance that is not a controlled substance or controlled substance analogue but which is represented to be an illicit controlled substance or controlled substance analogue. Neb. Rev. Stat. § 28-401 (30) (Cum. Supp. 2020). The first violation of this law is a Class III misdemeanor and the penalty may be a 3-month imprisonment or a \$500 fine or both. A second offense violation of this law is a Class II misdemeanor and the penalty may be imprisonment for up to six months or a \$1,000 fine or both. Neb. Rev. Stat. § 28-445 (Reissue 2016) and § 28-106(1) (Reissue 2016).

**Controlled Substance Analogues:** For purposes of Nebraska's Uniform Controlled Substance Act, controlled substance analogues (often called "designer drugs") are treated as controlled substances. Such an analogue is defined as (i) substantially similar in chemical structure to the chemical structure of a controlled substance or (ii) having a stimulant, depressant, analgesic or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the effect of a controlled substance. Neb. Rev. Stat. § 28-401(31)(a) (Cum. Supp. 2020).

To view charts outlining sanctions under Nebraska law for the unlawful possession of or distribution of anabolic steroids, marijuana, and hashish or other substances containing tetrahydrocannabinols and/or illicit drugs, see the University's *Drug Free Campus Policy* at: [police.unl.edu/drug-free-campus-policy](https://police.unl.edu/drug-free-campus-policy).

## Nebraska State Penalties and Sanctions for Selected Alcohol Offenses

**Minor in Possession:** It is against the law for a person under the age of 21 years to sell, dispense, consume, or possess alcohol. Neb. Rev. Stat. § 53-180.02 (Reissue 2010). In general, unless an exception applies, any person under the age of 21 years violating this law is guilty of a Class III misdemeanor; additional consequences may apply if the person is 18 years of age or younger. Neb. Rev. Stat. § 53-180.05(4) and § 53-181 (Cum. Supp. 2020); § 28-106(1) (Reissue 2016). Penalties for violation of this law may include one or more of the following: the impoundment of the offender's license for thirty days or more; the requirement to attend an alcohol education class; the requirement to complete twenty hours or more of community service; submission to an alcohol assessment by a licensed counselor; imprisonment of up to three months; and/or a \$500 fine. Neb. Rev. Stat. § 53-180.05(4) and § 53-181 (Cum. Supp. 2020); § 28-106(1) (Reissue 2016). The law provides immunity from minor in possession alcohol charges when someone underage is in need of medical assistance. A penalty may not be imposed on a person who otherwise violated the law if the person (i) made a good faith request for emergency medical assistance in response to the possible alcohol overdose of themselves or another person as soon as the emergency situation is apparent; (ii) made the request for medical assistance; and (iii) when emergency medical assistance was requested for the possible alcohol overdose of another person: (A) remained on the scene until the medical assistance arrived; and (B) cooperated with medical assistance and law enforcement personnel. Neb. Rev. Stat. § 53-180.05(4) and § 53-181(3) (Cum. Supp. 2020).

**Procuring Alcohol:** It is a violation of Nebraska law to sell, furnish, give away, exchange, deliver, or permit the sale, gift, or procuring of any alcoholic liquors to or for any minor or to any person who is mentally incompetent. Neb. Rev. Stat. § 53-180 (Cum. Supp. 2020). Violation of this law is generally punishable by not more than a one-year imprisonment or a \$1,000 fine or both. Neb. Rev. Stat. § 53-180.05(1) (Cum. Supp. 2020) and § 28-106(1) (Reissue 2016). However, if alcohol is knowingly and intentionally provided to a minor and the minor's consumption of the alcohol or impaired condition attributed to the alcohol leads to the serious bodily injury or death of any person, the person who provided the alcohol shall be guilty of a Class IIIA felony and serve a mandatory minimum of at least 30 days' imprisonment. The penalty for a Class IIIA felony is a 3-year imprisonment and 18-month post release supervision or a \$10,000 fine or both and a minimum of a 9-month post-release supervision if imprisonment is imposed. See Neb. Rev. Stat. § 53-180.05(2) (Cum. Supp. 2020) and Neb. Rev. Stat. § 28-105(1) (Cum. Supp. 2020) available at <http://nebraskalegislature.gov/laws>.

**Consumption on Public Property:** It is a violation of Nebraska law for any person to consume alcoholic liquors upon property owned or controlled by the State or any governmental subdivision thereof, unless authorized by the governing bodies having jurisdiction over such properties. Neb. Rev. Stat. § 53-186 (Cum. Supp. 2020). A violation of this statute is punishable on the first offense by a fine of up to \$100; a second offense within two years of the first is punishable by a fine between \$100 and \$300; a third offense within two years of the second is punishable by a fine between \$200 and \$500. Neb. Rev. Stat. § 53-186 (Cum. Supp. 2020) and § 29-436 (Reissue 2016).



**Driving While Intoxicated:** Operating or being in physical control of a vehicle while under the influence of alcoholic liquors or drugs is a violation of Nebraska law when such person has a concentration of eight $\frac{1}{100}$  hundredths (.08) of 1 gram or more by weight of alcohol per 100 milliliters of blood or per 210 liters of breath. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6,196 (Reissue 2010).

1. Violation of this law is punishable on first offense by seven to 60 days of imprisonment and a \$500 fine. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6,197.03 (Cum. Supp. 2020) and § 28 $\frac{1}{100}$ 106(1) (Reissue 2016). In addition, an offender's driver's license is revoked for 6 months and the offender is ordered not to drive any motor vehicle for any purpose for a like period. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6,197.03(1) (Cum. Supp. 2020). Suspended sentence or probation includes a mandatory requirement that probation or suspension be conditioned on an order that the offender will not drive any motor vehicle for any purpose for 60 days and pay a \$500 fine. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6, 197.03(1) (Cum. Supp. 2020).
2. Penalties for a second conviction include a \$500 fine and a maximum of a 6 $\frac{1}{100}$ month imprisonment, with no less than a mandatory 30 $\frac{1}{100}$ day imprisonment. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6,197.03 (Cum. Supp. 2020) and § 28 $\frac{1}{100}$ 106(1) (Reissue 2016). As part of the judgment of conviction, the offender's operator's license is revoked for 18 months. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6,197.03(3) (Cum. Supp. 2020). If an offender is placed on probation or the sentence is suspended, a mandatory condition is that the offender must not drive any motor vehicle for any purpose for a period of 18 months. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6, 197.03(3) (Cum. Supp. 2020). In addition, the probation order shall include as one of its conditions the payment of a \$500 fine and confinement in the city or county jail for 10 days or the imposition of not less than 240 hours of community service. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6, 197.03(3) (Cum. Supp. 2020).
3. Penalties for a third conviction include a \$1,000 fine and a maximum of a one $\frac{1}{100}$ year imprisonment, with a minimum 90 $\frac{1}{100}$ day imprisonment, and an order of license revocation for 15 years. Neb. Rev. Stat. § 28 $\frac{1}{100}$ 106(1) (Reissue 2016) and Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6,197.03(4) (Cum. Supp. 2020). If an offender is placed on probation, or the sentence is suspended, a mandatory condition is that the offender's operator's license shall be revoked for a period of at least 2 years but not more than 15 years. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6, 197.03(4) (Cum. Supp. 2020). In addition, the probation order shall include the payment of a \$1,000 fine and as one of its conditions confinement in the city or county jail for 30 days. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6, 197.03(4) (Cum. Supp. 2020).
4. Fourth convictions are a Class IIIA felony. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6,197.03(7) (Cum. Supp. 2020). Offenders in this class will have their licenses revoked for a period of 15 years and the offender must spend at least 180 days imprisoned in a city or county jail or an adult correctional facility. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6, 197.03(7) (Cum. Supp. 2020). Probation or suspension of sentence must be conditioned so that the offender's license is revoked for a period of 15 years. The revocation order shall require that the offender not drive for 45 days after which he or she may apply for an ignition interlock permit and installation of such device. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6, 197.03(7) (Cum. Supp. 2020). In addition, the probation order shall include as one of its conditions a \$2,000 fine and confinement in the city or county jail for no less than 90 days with required use of a continuous alcohol monitoring device and abstention from alcohol use for no less than 90 days after release. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6, 197.03(7) (Cum. Supp. 2020).
5. Fifth and subsequent convictions are a Class IIA felony. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6, 197.03(9) (Cum. Supp. 2020). Offenders in this class will have their licenses revoked for a period of 15 years and the offender must spend at least two years' in prison. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6, 197.03(9) (Cum. Supp. 2020). Probation or suspension of sentence must be conditioned so that the offender's license is revoked for a period of 15 years. The revocation order shall require that the offender not drive for 45 days after which he or she may apply for an ignition interlock permit and installation of such device. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6, 197.03(9) (Cum. Supp. 2020). In addition, the probation order shall include as one of its conditions a \$2,000 fine and confinement in the city or county jail for 180 days with required use of a continuous alcohol monitoring device and abstention from alcohol use for no less than 180 days after release. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6, 197.03(9) (Cum. Supp. 2020).

6. Persons with a higher concentration of alcohol, fifteen $\frac{1}{100}$  hundredths (.15) of 1 gram or more by weight of alcohol per 100 milliliters of blood or per 210 liters of breath on a first conviction and subsequent conviction, are subject to even stiffer penalties. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6, 197.03(2), (5), (6), (8) and (10) (Cum. Supp. 2020). Where a person has three prior convictions and then has another conviction involving this higher alcohol concentration, he or she shall be guilty of a Class IIA felony with a minimum sentence of one year of imprisonment, and has his or her license revoked for a period of 15 years. Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6, 197.03(8) (Cum. Supp. 2020). In addition, any probation order shall be applied as previously indicated under Neb. Rev. Stat. § 60 $\frac{1}{100}$ 6, 197.03(7) (Cum. Supp. 2020).
7. Persons convicted of a DWI violation may be ordered to have an ignition interlock device installed at their expense on each motor vehicle operated by the convicted person during the period of revocation. Neb. Rev. Stat. §§ 60 $\frac{1}{100}$ 6, 197.03 and 60 $\frac{1}{100}$ 6, 211.05 (Cum. Supp. 2020). DWI convictions also have an impact on the ability of a person to obtain both automobile and life insurance coverage.
8. Local laws may also make it a crime to operate a motor vehicle under the influence of alcohol or to commit certain acts involving the consumption or possession of alcohol, e.g. "open container" laws.



## Other Applicable Laws to Know

**Fake ID:** It is illegal for minors to misrepresent age to obtain or attempt to obtain alcohol. It is also illegal to give a minor a fake ID for the purpose of obtaining or attempting to obtain alcohol.

1. Up to \$500 fine, up to 90 days in jail, or both
2. Student Code of Conduct violation

([Neb. Rev. Stat. §60-491](#) Prohibited Acts.) ([Lincoln Municipal Code 9.48.030](#) Minors; Misrepresenting Age.; [Lincoln Municipal Code 9.48.020](#) Furnishing False Identification.)

**Hazing:** It is illegal to commit or coerce the act of hazing. "Hazing means any activity by which a person intentionally or recklessly endangers the physical or mental health or safety of an individual for the purpose of initiation into, admission into, affiliation with, or continued membership with any organization. Such hazing activity includes whipping, beating, branding, an act of sexual penetration, an exposure of the genitals of the body done with intent to affront or alarm any person, a lewd fondling or caressing of the body of another person, forced and prolonged calisthenics, prolonged exposure to the elements, forced consumption of any food, liquor, beverage, drug, or harmful substance not generally intended for human consumption, prolonged sleep deprivation, or any brutal treatment or the performance of any unlawful act which endangers the physical or mental health or safety of any person or the coercing of any such activity."

1. Up to 6 months in jail, \$1,000 fine, or both
2. Organizations can be fined up to \$10,000
3. Student Code of Conduct violation

([Neb. Rev. Stat. 28-311.06](#). Hazing, defined; penalty.)

**Disturbing the Peace:** It is illegal to intentionally disturb the peace and quiet of any person, family, or neighborhood. ([Neb. Rev. Stat 28-1322](#)) ([Lincoln Municipal Code 9.20.050](#))

1. \$500 fine, up to 3 months in jail, or both
2. Student Code of Conduct violation

**Disorderly House:** It is illegal for a resident, lessee, owner, or manager to allow illegal activities or disturbing noise in a disorderly house.

1. First offense: \$250-\$500 fine, 6 months in jail or both
2. Student Code of Conduct violation

([Lincoln Municipal Code 9.20.030](#) Disorderly House; Maintaining.)

**Inmate of a Disorderly House:** It is illegal to occupy or visit any disorderly house and knowingly participate in illegal activities in a disorderly house.

1. First offense: \$250-500 fine, 6 months in jail, or both
2. Student Code of Conduct violation

([Lincoln Municipal Code 9.20.040](#) Inmate of Disorderly House.)

**False Reporting:** It is against the law to lie to law enforcement.

1. Up to \$1,000 fine, up to 1 year in jail, or both
2. Student Conduct Code violation

([Neb. Rev. Stat. 28-907](#) False reporting; penalty.)

**Obstructing a Police Officer:** It is illegal to interfere or obstruct law enforcement or a police investigation

1. Up to \$1,000 fine, up to 1 year in jail, or both
2. Not eligible for pre-trial diversion
3. Student Code of Conduct violation

([Nebraska Rev. Stat. 28-906](#); Obstructing a peace officer; penalty.)

**Public Urination/Defecation:** It is illegal for any person to urinate or defecate on a public street, alley, or any other property, public or private, open to or visible to the public.

1. \$100 fine
2. Student Code of Conduct violation

([Lincoln Municipal Code 9.16.210](#) Urinating or Defecating in Public; Prohibited.)

## Disciplinary Sanctions from the University

**Students:** Violations of the Student Code of Conduct may result in the imposition of sanctions up to and including expulsion (see above for specific sanctions and definitions) from the University and referral for prosecution by the proper authorities under local, State and/or Federal law (as identified above).

In residence halls specifically, the minimum responses to first offense alcohol violations include a behavioral requirement and an Alcohol Skills Training Program. Second offenses include an attempt at parental notification. Minimum responses to first offense marijuana violations include an attempt at parental notification, behavioral requirement, education, and conduct probation. Second offense marijuana minimum responses include Housing contract cancellation and attempt at parental notification. Behavioral and educational requirements fit the violation in terms of kind and severity. For example, a student may be required to apologize to residents and custodians affected, spend a Friday night monitoring intakes at The Bridge, accompany the on-call custodian for clean-up in hall bathrooms, floors and stairwells, or work with staff to do a community education program. Minimum responses to both alcohol and marijuana offenses include several hours of community service.

**Faculty and Staff:** In the event a faculty or staff member violates this policy or is convicted of unlawful manufacture, distribution, dispensation, possession or use of controlled substances or alcohol on University property or as part of any University activity, the University will take appropriate action, including one or more of the following:

- Referral to the Faculty/Employee Assistance Program for evaluation and assessment to determine the appropriate treatment for rehabilitation;
- Participation in a drug rehabilitation program;
- Disciplinary action, up to and including termination of employment and referral for prosecution

As required by 41 U.S.C. § 8102(a)(1), part of the Drug-Free Workplace Act of 1988, faculty and staff involved in the performance of federal contracts or grants must notify their supervisor within five days if they are convicted of any criminal drug statute as a result of violation of the law that occurs at the workplace. The term “conviction” means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violation of the Federal or State criminal drug statutes. The supervisor will immediately notify the Academic Affairs Office when faculty members are affected or the Human Resources Office when staff members are affected. The University, in turn, will notify the applicable granting or contracting agency or agencies of the conviction within ten days after receiving notice of an employee’s criminal drug statute conviction.



## Description of Health Risks Associated with Use of Illicit Drugs and Abuse of Alcohol

Serious health risks are associated with the use of illicit drugs and alcohol. The National Institute on Drug Abuse states that most drugs of abuse can alter a person's thinking and judgment, leading to health risks, including addiction, drugged driving and infectious disease. Most drugs could potentially harm an unborn baby; pregnancy-related issues are listed for drugs where there is enough scientific evidence to connect the drug use to specific negative effects. The following are some important facts to know.

**Alcohol:** Below are key points the National Institute on Alcohol Abuse and Alcoholism provides regarding alcohol's effects on the body at <https://www.niaaa.nih.gov>. Drinking too much – on a single occasion or over time – can take a serious toll on your health. Here's how alcohol can affect your body:

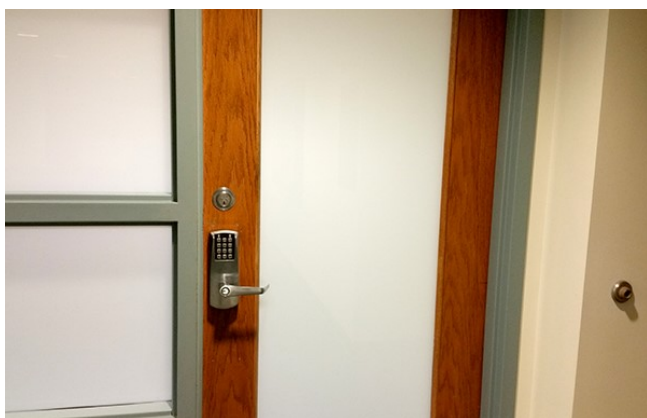
- **Brain:** Alcohol interferes with the brain's communication pathways and can affect the way the brain looks and works. These disruptions can change mood and behavior and make it harder to think clearly and move with coordination.
- **Heart:** Drinking a lot over a long time or too much on a single occasion can damage the heart, causing problems including cardiomyopathy – stretching and drooping of heart muscle; arrhythmias – irregular heart beat; stroke; and high blood pressure.
- **Liver:** Heavy drinking takes a toll on the liver and can lead to a variety of problems and liver inflammations including steatosis, or fatty liver; alcoholic hepatitis; fibrosis; and cirrhosis.
- **Pancreas:** Alcohol causes the pancreas to produce toxic substances that can eventually lead to pancreatitis, a dangerous inflammation and swelling of the blood vessels in the pancreas that prevents proper digestion.
- **Cancer:** Based on extensive reviews of research studies, there is a strong scientific consensus of an association between alcohol drinking and several types of cancer. In its Report on Carcinogens, the National Toxicology Program of the US Department of Health and Human Services lists consumption of alcoholic beverages as a known human carcinogen. The research evidence indicates that the more alcohol a person drinks—particularly the more alcohol a person drinks regularly over time—the higher their risk of developing an alcohol-associated cancer. Based on data from 2009, an estimated 3.5 percent of all cancer deaths in the United States (about 19,500 deaths) were alcohol related. Clear patterns have emerged between alcohol consumption and the development of the following types of cancer: head and neck cancer; esophageal cancer; liver cancer; breast cancer; and colorectal cancer.
- **Immune System:** Drinking too much can weaken your immune system, making your body a much easier target for disease. Chronic drinkers are more liable to contract diseases like pneumonia and tuberculosis than people who do not drink too much. Drinking a lot on a single occasion slows your body's ability to ward off infections – even up to 24 hours after getting drunk.

**Drugs:** With drugs, it has been shown that while initial use may have been voluntary, drugs of abuse alter gene expression and brain circuitry, which affects human behavior and becomes an addiction. Once addiction develops, the brain changes interfere with one's ability to make voluntary decisions, leading to compulsive drug craving, seeking and use. The long-term use of drugs can be far reaching and affect cardiovascular disease, stroke, cancer, HIV/AIDS, hepatitis, and lung disease. Drugs use has respiratory, gastrointestinal and musculoskeletal effects, and can damage kidneys, the liver, the brain and lead to premature death. In addition, the changes that occur in the brain through long-term drug use can lead to paranoia, depression, aggression, and hallucinations. These issues affect not only the individual, but loved ones, fellow students, and the public in general.

The health risks of alcohol and substance abuse are more thoroughly described by the National Institute on Drug Abuse through charts available at: [www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts](http://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts). The link to this chart can also be found in the University's *Drug Free Campus Policy* that is available on-line at: [police.unl.edu/drug-free-campus-policy](http://police.unl.edu/drug-free-campus-policy).

Please also be aware that as of January 1, 2018, the University has banned the use of all smoking, tobacco and vaping products on its properties. The [tobacco-free policy](#) was formed through a student-led initiative and follows a national trend to enact smoke and tobacco-free policies designed to encourage healthier campus and work environments, and aligns with initiatives at a majority of Big Ten institutions and other universities in the state. A survey of students, faculty and staff was conducted to gauge interest in the policy and found that 83.3 percent of students as well as 88.4 percent of faculty and staff supported the enactment of restrictive smoking policies at the University.

### Security of University Buildings



The University of Nebraska-Lincoln takes all available measures to ensure the security of campus buildings. Students, faculty members, staff members, and visitors at the University of Nebraska have access to facilities on campus at appropriate times. Access to some facilities is restricted to selected students, faculty members, or staff members. For example, certain classroom facilities are open only to students, faculty members, and staff members involved with classes taught there or in the operation of those facilities.

Other facilities are open to all students, faculty members, staff members, and the general-public. An example of this type of facility would be the Nebraska Union dining facilities during normal business hours.

The University has developed the following policy to ensure reasonable access to its Lincoln campus facilities while maintaining appropriate levels of security.

### Definitions

- **Authorized Person** – University of Nebraska faculty, staff, student, or affiliate as defined by the NCard Office, and determined by departmental authority to require access to a controlled area for University business.
- **High Security Access** – Access that opens a space that has been determined by the UNLPD, Environmental Health and Safety (EHS), or a University department to require tighter control and additional access restrictions because of the contents or activities conducted within. Because safety and security concerns are heightened during non-business hours, access via exterior entrance doors to buildings is considered High Security Access. When possible, High Security Access is programmed to an individual's campus identification card (NCard). A physical key will be issued when electronic access is not available.
- **Interior Key** – A key that provides access to an interior space that has not been determined by the UNLPD, EHS, or a University department to require tighter control or access restrictions.
- **Key Manager** – A designated person to manage and control keys and access to space assigned to a specific Department and not deemed high security. It is recommended that departments designate one or two backup key managers.

## Facility Access Management

- The Building Systems Maintenance Division (BSM) of the Facilities Management and Planning Department maintains a system of keys and locks to all academic and administrative building doors. No keys may be duplicated by departments or individuals. All access devices remain the property of the University of Nebraska and will not be sold or in any other way transferred to an individual outside the limits of this policy.
- Access into University buildings is managed by the UNLPD, which will maintain the official records of the assignment of High Security Access. Department Key Managers are responsible for the department's records of key assignments to interior spaces and electronic access via NCard. The UNLPD will maintain a centralized database that may be used by departments to track interior, department issued keys.
- Employees should notify their Key Manager when any keys are lost and it is the Key Manager's responsibility to report the lost key to the UNLPD through the online Access Management Program.
- Departments that are assigned interior space shall make the determination of whether interior door security needs to be restored due to a key(s) that has been lost, stolen, improperly duplicated or not returned. For shared spaces, department(s) that originally authorized issuance of an Interior Key or the department for which the employee works who lost the keys may be required to pay the cost to restore interior building security. (The cost to restore building security includes labor and materials required to change the locking mechanism on each door that the missing key operates, and the cost to re-issue keys to all individuals who have authorized access through the affected doors). The UNLPD, after consultation with affected departments, shall make the determination of whether security needs to be restored for all High Security doors if necessary.
- A fee will be assessed to the department for an Interior Key.
- Buildings that are reserved for special events through the Office of the Registrar can be scheduled to be open.

## Department Responsibilities

- University departments are responsible for security of their interior spaces.
- University departments designate the individual(s) who has access to its interior spaces.
- University departments are responsible for maintaining an inventory of keys assigned to individuals. The UNLPD will coordinate with departments annually regarding key assignments and will be available throughout the year for consultation to help effectively manage interior keys.

### High Security Access

- High Security Access is issued to individuals by the UNLPD or its delegates following appropriate Departmental approval. By authorizing issuance of a High Security Access to an individual the Department agrees to:
  - Verify that the individual is authorized to conduct University business within a secure space.
  - Immediately notify the UNLPD when an individual's NCard is lost or stolen.
  - Immediately notify the UNLPD when an individual is no longer authorized for electronic High Security access or the individual is separating from the University.
- Actively attempt recovery of Exterior Keys from individuals who are no longer authorized to use the keys or the individual is separating from the University. Recovered keys should be returned to the UNLPD.

### Interior Keys

- Interior Keys are managed and issued to individuals by the Department that occupies the particular space. By issuing such an Interior Key to an individual, the Department agrees to:
  - Verify that the individual is authorized to conduct University business within a secure space.
  - Immediately notify University Police when any Interior Key is lost or stolen.
  - Secure all Interior Keys not issued to an individual.
- Actively attempt recovery of Interior Keys from individuals who are no longer authorized to use the keys or the individual is separating from the University.
- Maintain accurate and current records for all Interior Keys issued and recovered by the Department.

## Personal Building Access Responsibilities

Individuals issued access rights to a building or interior spaces are responsible to safeguard their NCard and key and to maintain security of the campus building or area that the key opens. By accepting access rights or a key an individual agrees to:

- Protect the NCard and Interior Key from theft or loss.
- Not duplicate, loan or allow any other individual to use the key or NCard for entry.
- Assure that doors are relocked after entering or leaving.
- Assume responsibility for the conduct of any person the key holder allows to enter a locked facility.
- Immediately notify University Police when the individual's NCard or key is lost or stolen.
- Return Interior Keys to the issuing department on demand and prior to separation from the University.

## Acquiring Facility Access

### High Security Access

- High Security Access is issued by the UNLPD or its delegates. Procedures to obtain a High Security Access are:
- The Key Manager is responsible for managing the High Security Access for its personnel.
- Electronic High Security Access will be granted via activation of the individual's NCard. Physical key will be issued to the individual when electronic access is not available.

### Non-High Security Access

- Key Managers may request Interior Keys and electronic control for areas assigned to their Department. Key Managers distribute and manage interior keys for department personnel.
- The Key Manager is responsible for tracking the key distribution to its personnel.
- The Key Manager submits a Key Order with the department's cost object to the UNLPD.
- Issued Interior Keys are picked up at the UNLPD by requesting department's Key Manager(s).

To obtain a physical key for roof access; a Work Order and valid NCard will need to be presented to the Key Shop. Roof keys will only be available to be checked out during normal business hours at the Key Shop, Monday – Friday, 7:00 am – 4:30 pm. All roof keys need to be back each day by 4:30 pm, unless written approval has been given by UNLPD. To obtain written approval for roof keys past normal business hours; requests will need to be submitted with at least two (2) business days prior for proper approval.

It is the policy of the University of Nebraska-Lincoln that all buildings should be locked to maintain security of the buildings and their contents after normal business hours (hours may vary among buildings), or when not in use for University classes, activities and/or special events. Faculty, students and staff members may be issued access to University buildings upon recommendation of the department Key Manager, in accordance with established procedures. Keys or access cards are issued for entry to University buildings for conducting University business only. Most non-residential campus buildings and facilities are accessible to members of the campus community and guests and visitors during normal hours of business, and some buildings for limited designated hours on Saturday and Sundays. Access times will vary depending upon the nature of the building and activity. Except for those students, faculty and staff with keys or appropriately-authorized access cards, access is generally restricted to University-affiliated personnel during recognized holidays.

## Crime Prevention & Safety Programs and Information

A high percentage of campus crimes are incidents of opportunity. Often people contribute to situational crimes by needlessly placing themselves or their property at risk. Crime will occur wherever there is opportunity, but prevention efforts can be effective in reducing these opportunities. You play an essential role in crime prevention efforts. Be cautious, careful, and alert to your own safety; protect your possessions and University property.

The University of Nebraska-Lincoln Police Department is involved in providing crime prevention functions to the University community, including the provision of educational programming and the conduction of security surveys (e.g. looking at lighting, identifying trees blocking views of security cameras, reviewing incident locations, etc.). One of the missions of those involved in crime prevention is to educate the members of the University community on safety, security and crime prevention. Knowing how to protect yourself and being aware of your environment are the best ways to prevent you from becoming a victim. The UNLPD offers various presentations centered on security awareness and crime prevention, free to anyone affiliated with the University. These programs include:

- **Personal Safety:** Presentation on keeping yourself and your belongings safe in your day to day life, such as when you are working in an office, jogging on campus, etc. It also highlights how to handle suspicious persons and others that may be a potential threat.
- **Situational Awareness:** Presentation about how to handle a major incident on campus, such as major weather events or an active shooter, how to protect oneself in these situations, and the measures that should be taken. The presentation follows the Department of Homeland Security's model.
- **Theft Prevention:** Presentation addressing steps that can be taken to avoid having items stolen. It includes tips on measures one can take (keep things locked up, don't leave valuables unattended, etc.), along with information on registering bikes and electronics in the case that they are stolen.
- **Threat Assessment Partnership:** Presentation about the Threat Assessment Partnership and how it functions. It addresses how each person can be a part of an assessment, even if not

These programs are available for presentation anywhere upon request, and may be scheduled at various times throughout the year, open to anyone who would like to attend. To find out more information on a program, to register or to schedule a program, please contact the UNLPD at (402) 472-2222 or go to <http://police.unl.edu>.



Theft is the most common crime on the University of Nebraska-Lincoln campus. Many, if not most thefts occur during the daylight hours. In your residence, living group or office, exchange information about your schedule and watch your neighbors' rooms and work areas. The UNLPD provides the following tips on personal safety and security:

### **Walking on Campus**

- Think ahead and plan your journey, avoiding unpopulated areas.
- Try to avoid walking alone at night, stay on well-lit main roads where possible, and try to avoid short cuts like alleyways.
- Stay alert: Be aware of what's going on around you.
- It is always worth letting someone know where you are going, the route you intend to take and when you expect to return.
- Consider investing in a mobile phone. There are various services available for light users.
- Try to avoid wearing headphones; your ability to hear traffic, strangers and potential trouble can be restricted.
- Report parking lot lights that are out to Facilities Management or the UNLPD.
- Report suspicious person(s) or activity to the UNLPD immediately.

### **Safety in Buildings**

- Being aware of your surroundings and the possibility of danger is your best defense. Be alert, and stay aware (but don't become paranoid).
- Always know where the TWO nearest exits are in any building you visit.
- If you become aware of danger (fire, violence, etc.):
  - Move to the nearest exit that takes you away from the danger.
  - Be aware of the risk from a panicked crowd, all trying to escape through a single exit.
  - Don't forget about using fire exits, delivery areas, and "employee only" exits to escape the danger.
  - If you can't get out of the building your next best option is to go to a safe area or, in the case of violence and you can't get out of the building, lock yourself in away from the danger.
  - Call 911.

### **Automobile Security**

#### **Always:**

- Close windows and sunroof, lock the doors and activate any security devices when leaving your car unattended.
- Park with care, particularly at night or if you are leaving for a long time. If possible, park in a busy, well-lit area.
- Check on your vehicle daily and check possible hit and run damage.
- Keep your keys safe in a secure place in your office or residence hall and **never** leave them in the car, even for a second. Treat them as you would your credit cards.

#### **Never:**

- Leave cash, credit cards, check books, mobile phones, vehicle documents or other valuables in the car (if you have no choice make sure they are hidden well out of sight).
- Store weapons in your vehicle. Contact the UNLPD to set up a free storage unit for your weapons.

## Identity Theft

### Magazine Sales

- In the event there are magazine sales representatives in your residence hall, contact the UNLPD immediately. This solicitation is not permitted and is against the law. Protect your information and contact magazine clearing houses directly if you wish to subscribe.

### Checks

- The next time you order checks, have only your initials instead of first name and last name put on them. If someone takes your checkbook, they will not know if you sign your checks with just your initials or your first name, but your bank will know how you sign your checks.

### Wallets and Credit Cards

- Place the contents of your wallet on a photocopy machine, do both sides of each license, credit card, etc. You will then know what you had in your wallet and all of the account numbers and phone numbers to call and cancel. Keep the photocopy in a safe place. Here is some critical information on limiting the damage in the event that your wallet, check book, credit cards, etc. are stolen:
- Cancel your credit cards immediately. The key is having the toll free numbers and your card numbers handy so you know whom to call. Keep those where you can find them easily.
- File a police report immediately in the jurisdiction where it was stolen, as this proves to the credit providers you were diligent, and is a first step toward an investigation.
- **Here is the most important:** Call the three national credit reporting organizations immediately to place a fraud alert on your name and Social Security number. The alert means any company that checks your credit knows your information was stolen, and they have to contact you by phone to authorize new credit. Some reporting organizations are:
  - Equifax: 1-800-525-6285
  - Experian: 1-800-397-3742
  - Trans Union : 1-800-680-7289
  - Social Security Administration Fraud Line: 1-800-269-0271

The University understands that a secure environment is made possible through community involvement in crime prevention. The purpose of community crime prevention is simple: to help you recognize your own vulnerability to crime, and reduce your risk through preventive action and cooperation with the University of Nebraska-Lincoln Police Department.

The University is continually working to maintain and improve campus facility security. Landscaping and outdoor lighting on campus are frequently surveyed and modified for pedestrian safety and security. Landscape Services trim shrubs from sidewalks, walkways, and building entrances to enhance lighting and visibility. Campus safety walks are conducted at regular intervals (generally about every eighteen months, so one will occur in spring and one in the fall) to identify areas of campus which could use additional safety or security attention. These “walks” are coordinated by the UNLPD, and are open to any campus member or city officials to attend.

It is important to make sure one knows where they are going if unfamiliar with a location. Maps showing buildings and walkways thorough UNL’s campus are available at: [maps.unl.edu](https://maps.unl.edu). Printed maps may be requested from the UNLPD.



## Bicycle Security

- Be aware that most bicycles stolen at the University are either **UNLOCKED** or secured with **POOR QUALITY LOCKS**.
- **ALWAYS** secure your bike in a well-lighted public bike rack.
- **NEVER** secure your bike to an access rail or park it on a ramp - Access rails and ramps are provided to help people with disabilities enter buildings. You may find your bike has been impounded by the University if secured to an access rail or parked on a ramp.
- **REGISTER your bike online** with the University of Nebraska-Lincoln Police Department. This provides important information to assist in recovering your bike if it is stolen which in turn helps the police get it back to you if it is recovered - and it's **FREE!**
- **REPORT** suspicious activity and/or persons loitering around bike racks. Help us get them before they get your bike.
- **USE** a high quality lock (a "U type" lock is recommended).
- If your bike has quick release wheels, release the front wheel and include it with the rear wheel and frame when locking your bike to the rack.
- Bikes without quick release wheels should be secured by putting the lock through both a tire and the frame when locking your bike to the rack.
- When using a cable or chain lock:
  - Use a cable or chain at least 3/8" in diameter.
  - Use a key with a 3/8" hardened shackle with heel and toe locking.
  - Pull up all slack in the cable or chain and make sure the lock is as high off the ground as possible.



## Trespassing Policy

In order to further protect the safety of its students, employees and visitors, and the security of its facilities, the University has developed a specific policy concerning trespassing in order to address issues with unauthorized persons on campus or on University property. When necessary, UNL will, through the UNLPD, ban certain persons from campus due to their behavior and/or actions for a set amount of time. If this person returns to campus while banned, they are subject to arrest. The policy reads as follows:

### **Section 1: Persons Not Authorized in Non-Public Areas of University Buildings.**

The areas of University academic, research, public service, and administrative buildings of the University used for classrooms, laboratories, faculty and staff offices, and the areas of University student residence buildings used for student living quarters are not open to the general public. Any person not authorized to be or remain in any such building area will be deemed to be trespassing on University property, and may be cited and subject to prosecution for criminal trespass in violation of Neb. Rev. Stat. § 28-520 or § 28-521.

### **Section 2: Persons on University Property Between the Hours of 11:00 p.m. and 6:00 a.m.**

Persons who are not students, faculty, staff, tenants, licensees, agents or contractors of the University, or their employees, visitors or guests, shall not be permitted on University property between the hours of 11:00 p.m. and 6:00 a.m. Visitors and guests are expected to conduct themselves in a proper and lawful manner while on University property, and failure to do so may result in imposition of personal restrictions relating to their presence on University property. Specifically, the right of a visitor or guest to be present on University property will be restricted when the visitor or guest has harmed or has threatened to harm a member of the student body, faculty or staff. The right of a visitor or guest to be on University property will also be restricted when the visitor or guest has damaged or poses a risk of damage or loss to University property or to the property of others located on University property.

### **Section 3: Persons in University Buildings After Closing to the Public.**

Many University Buildings are open to the public at designated times which are posted at building entrances. Some University buildings are closed and locked during the times they are not open to the public. Also, some University buildings, such as student unions, are closed to the public at designated times which are posted at building entrances, but remain unlocked for access and use by students, faculty, staff and other authorized persons. Persons who are not authorized by the University to be in a University building after the posted time of closing to the public will be deemed to be trespassing on University property, and may be cited and subject to prosecution for criminal trespass in violation of Neb. Rev. Stat. § 28-520 or § 28-521.

### **Section 4: Ban and Bar Notices.**

University law enforcement or security personnel may issue written notices to any person who has been contacted or observed on University property while engaged in any unlawful or unauthorized activity banning and barring such person from University property, except as may be specifically authorized in such notice. Violation of any such notice will be deemed to be trespassing on University property, and the offending party may be cited and subject to prosecution for criminal trespass in violation of Neb. Rev. Stat. § 28-520 or § 28-521. The term "unlawful or unauthorized activity" shall mean any conduct, act or omission by any person that is in violation of (i) any law, rule, regulation or order of the State of Nebraska or of the United States, or (ii) any policy, rule or regulation of the University of Nebraska-Lincoln.

## General Campus Emergency & Evacuation Information

The University's emergency and evacuation procedures are tailored for each type of building and situation, as each one is different. Campus buildings have placards that identify evacuation procedures. University Housing has its own emergency procedure guide, which is available to each campus security authority in the residence halls (all CSAs are trained on the guide). It lays out the procedures to follow in situations ranging from weather issues, to sexual assaults, to the death of a student. The guide also clearly defines who should be contacted in each incident, and in what order. In many cases, the University's various systems will be used to help provide alerts. In the case of tornados, for example, there will be outdoor sirens (operated by Lincoln-Lancaster County Emergency Management), voice announcements provided through building public address systems, and weather radio and designated staff alerting building occupants. Below are some specific actions that should be taken in certain emergency situations.

In cases such as a hostile intruder or external hazardous materials release, where a shelter-in-place strategy is best, the following procedures are to be followed as applicable:

- Remain calm.
- If it's possible to flee the area and avoid danger, do so.
- Notify anyone you encounter to exit the building immediately. Evacuate to a safe area away from the danger and take protective cover. Stay there until help arrives.
- Call UNLPD or 911 with your location if possible.
- If you cannot get through by phone and have text message capability, text the UNLPD at 69050. Enter the letters UNLPD and then type your message. Dispatch will receive and respond to the message.
- If flight is impossible, secure yourself in your space. Barricade doors and block windows. Turn off all the lights, close blinds and close and lock all windows and lock and barricade all doors.
- Seek protective cover for yourself and any others (concrete walls, thick desks, filing cabinets may protect you from bullets).
- Keep calm, quiet and out of sight.
- For active shooters, silence cell phones (mute or turn off ringer). Consider turning off radios and computer monitors.
- Do not answer the door. If you do not recognize the voice that is giving instructions, do not change your status; stay put. Unknown or unfamiliar voices may be false and designed to give false assurances.
- Place signs in exterior windows to identify the location of injured persons.
- DO NOT APPROACH EMERGENCY RESPONDERS—let them come to you.
- Remain where you are until you receive further instruction by a first responder or authorized known voice.

In cases where evacuation is needed (fire, hazardous materials release, etc.), the following procedures are to be followed:

- Always evacuate the building if the fire alarm sounds.
- In the event of an evacuation gather your personal belongings quickly (purse, keys, cell phone, NCard, etc.) and proceed to the nearest exit.
- Do not use the elevator.
- Move away from the problem and use alternative exits when necessary.
- Help those who need assistance moving.
- Be ready to be guided by additional instructions.
- In cases of hazardous material releases in buildings, once outside, move away from any apparent source or at right angles to the prevailing wind. If wind direction is variable, try to move away from the source of the leak if known.
- Gather at a safe distance from the building.

For tornados, the following procedures are to be followed:

- When sirens active, move to the lowest, interior area of building or designated tornado shelter.
- Stay away from windows.
- Do not use elevators.
- Stay near inside wall when possible.
- Keep calm. Even though a warning is issued, the chance of a tornado striking your building or location is slight.



## Three (3) Year Clery Act Crime, Arrest and Referral Statistics

## Reported Crimes

| Clery Act Crime Type  | Year | On-Campus        | On-Campus Housing | Non-Campus       | Public Property |
|---|------|------------------|-------------------|------------------|-----------------|
| <b>*Criminal Homicide:</b>  |      |                  |                   |                  |                 |
| Murder/Non-negligent Manslaughter   | 2020 | 0                | 0                 | 0                | 0               |
|   | 2019 | 0                | 0                 | 0                | 0               |
|   | 2018 | 0                | 0                 | 0                | 0               |
| Manslaughter by Negligence  | 2020 | 0                | 0                 | 0                | 0               |
|   | 2019 | 0                | 0                 | 0                | 0               |
|   | 2018 | 0                | 0                 | 0                | 0               |
| <b>Sex Offenses:</b>  |      |                  |                   |                  |                 |
| Rape  | 2020 | 26 - See 2 below | 24 - See 2 below  | 0                | 0               |
|   | 2019 | 13               | 12                | 2                | 0               |
|   | 2018 | 16               | 11                | 0                | 0               |
| Fondling  | 2020 | 5                | 2                 | 1                | 0               |
|   | 2019 | 1                | 0                 | 1                | 0               |
|   | 2018 | 8                | 7                 | 0                | 0               |
| Incest  | 2020 | 0                | 0                 | 0                | 0               |
|   | 2019 | 0                | 0                 | 0                | 0               |
|   | 2018 | 0                | 0                 | 0                | 0               |
| Statutory Rape  | 2020 | 0                | 0                 | 0                | 0               |
|   | 2019 | 0                | 0                 | 0                | 0               |
|   | 2018 | 0                | 0                 | 0                | 0               |
| Robbery:  | 2020 | 0                | 0                 | 0                | 0               |
|   | 2019 | 0                | 0                 | 0                | 0               |
|   | 2018 | 0                | 0                 | 2                | 0               |
| Aggravated Assault:   | 2020 | 0                | 0                 | 0                | 0               |
|   | 2019 | 4                | 0                 | 0                | 1               |
|   | 2018 | 8                | 2                 | 1                | 0               |
| Burglary:   | 2020 | 5                | 1                 | 4                | 0               |
|   | 2019 | 5                | 1                 | 3                | 0               |
|   | 2018 | 11               | 6                 | 14 - See 1 below | 0               |
| Motor Vehicle Theft:  | 2020 | 0                | 0                 | 4                | 0               |
|   | 2019 | 6                | 0                 | 2                | 0               |
|   | 2018 | 3                | 0                 | 2                | 0               |
| **Arson:  | 2020 | 1                | 0                 | 0                | 0               |
|   | 2019 | 0                | 0                 | 0                | 0               |
|   | 2018 | 1                | 0                 | 0                | 0               |
| **Dating Violence:  | 2020 | 23 - See 2 below | 23 - See 2 below  | 1                | 1               |
|   | 2019 | 7                | 5                 | 0                | 0               |
|   | 2018 | 7                | 5                 | 3                | 0               |
| **Domestic Violence:  | 2020 | 0                | 0                 | 1                | 0               |
|   | 2019 | 1                | 1                 | 2                | 0               |
|   | 2018 | 3                | 2                 | 1                | 1               |
| **Stalking  | 2020 | 13               | 10                | 3                | 0               |
|   | 2019 | 14               | 6                 | 2                | 0               |
|   | 2018 | 17               | 8                 | 1                | 0               |
| *If a homicide occurred during the commission of a sex offense, both the sex offense and homicide will appear in the statistics.  |      |                  |                   |                  |                 |
| **These crimes are non-hierarchical, meaning they are reported separately; the crime may have occurred in conjunction with one of the above-noted crimes.   |      |                  |                   |                  |                 |
| <ol style="list-style-type: none"> <li>The 2018 totals for Burglary were elevated due to a rash of break-ins at the University's Agricultural Research &amp; Development Center (ARDC) in Mead and the number of buildings entered (burglaries are counted per number of buildings entered for Non-campus property). Out of the 14 non-campus burglaries reported, 8 occurred at the ARDC from a total of 6 reports (2 buildings entered per 2 of the reports). There was 1 report from a location in Plattsmouth that involved 3 burglaries (3 buildings entered). Excluding the reports for these two locations, there were 3 Non-campus burglaries reported.</li> <li>The 2020 totals for Rape and Dating Violence were elevated due to a single report: A student belatedly reported that they were subjected to unwanted sexual encounters with a partner during the time they were dating (incidents must be reported in both categories), as well as instances of physical violence. The total number of incidents was estimated from information provided by the reporting party. Excluding this report, there were 16 reported incidents of Rape on-campus and 14 reported incidents in on-campus housing, and 8 reported incidents of Dating Violence both on-campus and in on-campus housing in 2020.</li> </ol> |      |                  |                   |                  |                 |

## Reported Hate Crimes

### On Campus:

**2020:** One (1) intimidation based on Race; One (1) intimidation based on Ethnicity  
**2019:** One (1) simple assault based on Ethnicity; Two (2) destruction/damage/vandalism of property based on Race; Two (2) intimidation based on Race; One (1) intimidation based on National Origin  
**2018:** One (1) Intimidation based on Race

### On-campus Housing:

**2020:** One (1) intimidation based on Race; One (1) intimidation based on Ethnicity  
**2019:** Two (2) intimidation based on Race; One (1) intimidation based on National Origin; One (1) destruction/damage/vandalism of property based on Race.  
**2018:** No hate crimes were reported.

### Non-campus Property:

**2020:** No hate crimes were reported.  
**2019:** No hate crimes were reported.  
**2018:** No hate crimes were reported.

### Public Property:

**2020:** No hate crimes were reported.  
**2019:** No hate crimes were reported.  
**2018:** No hate crimes were reported.

## Unfounded Crimes

Under the regulations of the Clery Act, an institution may withhold, or subsequently remove, a reported crime from its crime statistics if, after a full investigation, a sworn or commissioned law enforcement officer makes a formal determination that the crime is false or baseless and therefore “unfounded.” Below are the crimes that were unfounded by the UNLPD and the justification for the crime being unfounded:



| Year | Crime Type                          | Location   | Justification  |
|------|-------------------------------------|------------|--|
| 2020 |                                     |            |  |
|      | Burglary                            | On-campus  | The original report indicated that an unknown person had entered a private office and taken a computer. It was later determined that a student had legal possession of the computer and it was not stolen. |
| 2019 |                                     |            |  |
|      | No Clery Act crimes were unfounded. |            |  |
| 2018 |                                     |            |  |
|      | Rape                                | Non-campus | The original report indicated that a child was sexually assaulted at the location. After investigation, it was determined that there was miscommunication and a sexual assault did not occur.              |

| Arrests For:   | Year | On-Campus | On-Campus Housing | Non-Campus | *Public Property |
|--|------|-----------|-------------------|------------|------------------|
| Weapons Law Violations   | 2020 | 1         | 0                 | 1          | 3                |
|  | 2019 | 0         | 0                 | 0          | 3                |
|  | 2018 | 4         | 0                 | 0          | 6                |
| Drug Law Violations  | 2020 | 43        | 26                | 1          | 11               |
|  | 2019 | 96        | 66                | 4          | 22               |
|  | 2018 | 172       | 103               | 4          | 76               |
| Alcohol Law Violations   | 2020 | 27        | 17                | 0          | 14               |
|  | 2019 | 101       | 73                | 3          | 13               |
|  | 2018 | 155       | 103               | 5          | 54               |
| Referrals For:   |      |           |                   |            |                  |
| Weapons Law Violations   | 2020 | 0         | 0                 | 0          | 0                |
|  | 2019 | 0         | 0                 | 0          | 0                |
|  | 2018 | 0         | 0                 | 0          | 0                |
| Drug Law Violations  | 2020 | 31        | 29                | 0          | 0                |
|  | 2019 | 37        | 37                | 0          | 0                |
|  | 2018 | 70        | 48                | 2          | 0                |
| Alcohol Law Violations   | 2020 | 431       | 431               | 0          | 1                |
|  | 2019 | 520       | 519               | 2          | 0                |
|  | 2018 | 422       | 421               | 8          | 0                |
| *The numbers for arrests on public property include violations identified in traffic stops of vehicles on the public streets that run through campus, so may not involve students, staff or faculty. |      |           |                   |            |                  |

Thank you for reading this report. Please contact the UNLPD with any questions or concerns regarding this report and/or safety and security on UNL's campus:

(402) 472-2222

[unl.police@unl.edu](mailto:unl.police@unl.edu)

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