



2022  
ANNUAL SECURITY REPORT  
2022-2023 Academic Year  
2019-2021 Crime Statistics  
\*Updated December 9<sup>th</sup>, 2022

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Rich Lloyd, PhD  
President  
Bryan College of Health Sciences

## Statement of Mission, Vision, Values

### Mission

The Mission of Bryan College of Health Sciences is to provide education in the health professions emphasizing clinical and academic excellence through collaboration with Bryan Health System and the healthcare community.

### Vision

The Vision of Bryan College of Health Sciences is to provide a College of Health Sciences recognized as a leader in health professions education by qualified applicants, graduates, and employers.

### Purpose

The purpose of Bryan College of Health Sciences is to educate healthcare professionals for service to the global community.

### Goals

The Goals of Bryan College of Health Sciences are:

To prepare graduates who:

1. Qualify for diverse careers in healthcare, academic, or scientific environments
2. Illustrate respect for their own and others' unique individualities
3. Demonstrate professionalism in their field of study
4. Practice life-long learning as a means of personal and professional growth
5. Exhibit service-oriented citizenship within their communities

### Values

**Integrity** - Be honest, trustworthy, accountable and ethical

**Caring** - Be compassionate, empathetic and respectful

**Equity** – Be adaptive and just

**Learning** - Be insightful, knowledgeable and open to change

## Equity Statement

The Bryan College of Health Sciences' mission and core values compel us to create a community in which we collaborate with others to form mutually beneficial relationships. Our community is at its best when we all practice inclusion and adaptation. Community engagement begins when individuals explore unique identities and recognize the mix of strengths, biases, privileges, perspectives, and skills they and others bring to the community. Members of the community are also called to apply the concepts of *cultural humility*, *transparency*, and *social justice* in their interactions. We acknowledge that these concepts can be challenging to practice, but through consistent engagement with one another we will become a more equitable community.

## Non-Discrimination Policy

Bryan College of Health Sciences is committed to providing equal opportunities for all persons and an environment free from discrimination, harassment, or related retaliation. Bryan College of Health Sciences does not discriminate on the basis of race, ethnicity, color, national origin or ancestry, religion, sex, genetic information, gender identity or expression, age, marital or family status, pregnancy, sexual orientation, disability, veteran status, source of income, or any other protected class recognized by state or federal law in its programs, activities, employment and admissions.

The College complies with all applicable federal, state, and local laws relating to equal opportunity, including the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA), as applicable.

The following person has been designated to handle inquiries regarding the non-discrimination policies: Dr. Alethea Stovall, Dean of Students/Title IX Coordinator, 1535 S. 52nd St., office #233, Lincoln, NE 68506, 402-481-3804, [alethea.stovall@bryanhealth.org](mailto:alethea.stovall@bryanhealth.org). Contact information for the Bryan College of Health Sciences Deputy Title IX Coordinator, who can receive inquiries about Title IX-related issues if the Title IX Coordinator is not available, and the ADA Coordinator, who can address ADA-related issues, is also provided below.

For additional information on discrimination and harassment-related issues, you may visit <https://www2.ed.gov/about/offices/list/ocr/addresses.html> for the address and phone number of the United States Department of Education Office for Civil Rights office that serves your area, or call 1-800-421-3481.



### **Title IX Coordinator:**

Dr. Alethea Stovall, Dean of Students,  
1535 S. 52nd St., office #233, Lincoln, NE 68506,  
402-481-3804 or [alethea.stovall@bryanhealth.org](mailto:alethea.stovall@bryanhealth.org)



### **Deputy Title IX Coordinator:**

Dr. Sue Pilker, Assistant Dean of Undergraduate Nursing  
1535 S. 52nd St., office #321, Lincoln, NE 68506,  
402-481-8712 or [sue.pilker@bryanhealth.org](mailto:sue.pilker@bryanhealth.org)



### **ADA Coordinator**

Sarah Frankel, Academic Support Services, Director  
1535 S. 52nd St., office #219, Lincoln, NE 68506  
402-481-8782 or [sarah.frankel@bryanhealth.org](mailto:sarah.frankel@bryanhealth.org)

## **2021/2022 Annual Security Report Introduction**

Bryan College of Health Sciences is a college community of approximately 750 students and approximately 75 regularly employed faculty and staff, located in Lincoln, Nebraska. The population of Lincoln is approximately 290,000. The Bryan College of Health Sciences is a commuter campus located on the Bryan East Campus. The College also utilizes space at Bryan West Campus, located three miles west of the College. As part of this larger community the College shares many of the same interests and problems, including concerns about crime. Bryan College of Health Sciences fortunately has not experienced significant numbers of crimes on any of its campus locations.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal law that requires colleges and universities to publish an annual security and campus safety report containing campus security and campus safety policies and procedures, as well as crime statistics. The report provides information to the campus community about crime reporting procedures, various policies, crime prevention programs, and campus crime statistics. By October 1st of each year, this report is made available to all current students and employees and upon request to any applicant for enrollment or employment.

The Clery Act was enacted in 1990, and amended in 1992, 1998, 2000, and 2008. In 2013, the Violence Against Women Reauthorization Act (VAWA) amended the Clery Act to require institutions to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking and to include certain policies, procedures, and programs pertaining to these incidents in their annual security reports. All statistics in this Annual Security Report are presented and updated in compliance with all amendments to the act, under the supervision of the Dean of Students in collaboration with Student Services, Bryan Medical Center Safety Officer and Bryan Medical Center Security

The Dean of Students sends an email to every enrolled student and current employee on an annual basis informing them of the availability of the Annual Security and Campus Safety Report prior to October 1st. The email and letter include a brief summary of the contents of this report. The email also include the web address where the Annual Security and Campus Safety Report can be found online, and notification that a physical copy may be obtained by making a request to Dean of Students Office by calling (402) 481-3904 or in person at the Dean of Students Office. Prospective students can access the Annual Security and Campus Safety Report through a link when applying for admissions to Bryan College of Health Sciences.

Bryan College of Health Sciences is concerned about the safety and welfare of the entire Bryan College community and its guests. The College has developed a number of procedures, polices, and programs to help promote a safe and secure learning and working environment.



**Clery Reportable Crimes:**

**Murder & Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Criminal Homicide, including Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Manslaughter by Negligence:** The killing of another person through gross negligence.

**Sexual Assault:** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent

**Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

**Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

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

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by other means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used.)

**Burglary:** The unlawful entry into a structure to commit a felony or theft. For reporting purposes, this definition includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safe-cracking; and any other type attempts to commit any of the aforementioned.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Motor vehicle theft is classified as all cases where automobiles are taken by persons not having lawful access, even though said vehicles are later



abandoned. Motor vehicle theft includes joyriding.)

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another.

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

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

**Liquor Law Violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness. Referrals for Disciplinary Action: The referral of any person to any official who initiates a disciplinary action of which a record is kept, and which may result in the imposition of a sanction. Only referrals that are alleged violations of law and are not campus policy are put on the Clery report. The institution maintains a daily crime report where all crimes and incidents are recorded.

**Domestic Violence:** Includes felony or misdemeanor crimes of violence committed by current or former spouse of the victim, by a person with whom the victim shared a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other persons against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Nebraska.

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

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others or (b) suffer substantial emotional distress.

**For purposes of this definition—**

- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Hate Crimes:** A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

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

### **Categories of Bias:**

Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, gender identity, ethnicity, or national origin.

**Race:** A performed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair, facial features, etc.) genetically transmitted descent and heredity, which distinguished them as a distinct division of humankind (e.g., Asians, blacks or African Americans, whites).

**Gender:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived gender, e.g., male or female.

**Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.

**Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g. Catholics, Jews, Protestants, atheists.

**Sexual orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual attraction. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

**Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.

**National Origin:** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

**Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

**Nebraska State Laws/Definitions of VAWA Crimes** (<https://nebraskalegislature.gov>)

**Chapter 79-2,140. Dating Violence.**

For purposes of the Lindsay Ann Burke Act, unless the context otherwise requires:

- (1) Dating partner means any person, regardless of gender, involved in an intimate relationship with another person primarily characterized by the expectation of affectionate involvement whether casual, serious, or long-term;
- (2) Dating violence means 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;
- (3) Department means the State Department of Education; and
- (4) School district has the same meaning as in section 79-101.

**Chapter 28-323. Domestic assault; penalties.**

- (1) A person commits the offense of domestic assault in the third degree if he or she:
  - (a) Intentionally and knowingly causes bodily injury to his or her intimate partner;
  - (b) Threatens an intimate partner with imminent bodily injury; or
  - (c) Threatens an intimate partner in a menacing manner
- (2) A person commits the offense of domestic assault in the second degree if he or she intentionally and knowingly causes bodily injury to his or her intimate partner with a dangerous instrument.
- (3) A person commits the offense of domestic assault in the first degree if he or she intentionally and knowingly causes serious bodily injury to his or her intimate partner.
- (4) Violation of subdivision (1)(a) or (b) of this section is a Class I misdemeanor, except that for any subsequent violation of subdivision (1)(a) or (b) of this section, any person so offending is guilty of a Class IIIA felony.
- (5) Violation of subdivision (1)(c) of this section is a Class I misdemeanor.
- (6) Violation of subsection (2) of this section is a Class IIIA felony, except that for any second or subsequent violation of such subsection, any person so offending is guilty of a Class IIA felony.
- (7) Violation of subsection (3) of this section is a Class IIA felony, except that for any second or subsequent violation under such subsection, any person so offending is guilty of a Class II felony.
- (8) For purposes of this section, intimate partner 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 dating relationship. For purposes of this subsection, dating relationship means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement, but does not include a casual relationship or an ordinary association between persons in a business or social context.

**Chapter 28-318. Sexual Assault and Consent**

As used in sections [28-317](#) to [28-322.05](#), unless the context otherwise requires:

- (1) Actor means a person accused of sexual assault;
- (2) Intimate parts means the genital area, groin, inner thighs, buttocks, or breasts;
- (3) Past sexual behavior means sexual behavior other than the sexual behavior upon which the sexual assault is alleged;
- (4) Serious personal injury means great bodily injury or disfigurement, extreme mental anguish or mental trauma, pregnancy, disease, or loss or impairment of a sexual or reproductive organ;
- (5) Sexual contact means 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 actor's sexual or intimate

parts or the clothing covering the immediate area of the actor's sexual or intimate parts when such touching is intentionally caused by the actor. Sexual contact includes only such conduct which can be reasonably construed as being for the purpose of sexual arousal or gratification of either party. Sexual contact also includes the touching of a child with the actor's sexual or intimate parts on any part of the child's body for purposes of sexual abuse by a school employee under section [28-316.01](#) or sexual assault of a child under sections [28-319.01](#) and [28-320.01](#);

(6) Sexual penetration means sexual intercourse in its ordinary meaning, cunnilingus, fellatio, anal intercourse, or any intrusion, however slight, of any part of the actor's or victim's body or any object manipulated by the actor into the genital or anal openings of the victim's body which can be reasonably construed as being for nonmedical, non-health, or nonlaw enforcement purposes. Sexual penetration shall not require emission of semen;

(7) Victim means the person alleging to have been sexually assaulted;

(8) **Without consent means:**

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

(b) The victim need only resist, either verbally or physically, so as to make the victim's refusal to consent genuine and real and so as to reasonably make known to the actor the victim's refusal to consent; and

(c) A victim need not resist verbally or physically where it would be useless or futile to do so; and

(9) Force or threat of force means

(a) the use of physical force which overcomes the victim's resistance or

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

### **Chapter 28-311.03. Stalking.**

Any person who willfully harasses another person or a family or household member of such person with the intent to injure, terrify, threaten, or intimidate commits the offense of stalking.

Under Nebraska's laws, a person commits the crime of first degree sexual assault of child (the most serious type of statutory rape) by:

Subjecting a child under the age of 12 to sexual penetration when the defendant is over the age of 19, or

Subjecting a child over the age of 12 but under the age of 16 to sexual penetration when the defendant is over the age of 25.

## Clery Geography

### **Geography Definitions from the Clery Act**

**On-Campus** *defined as:* (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or retail vendor).

**Non-Campus Building or Property** *defined as:* (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution (i.e. privately owned fraternity); or (2) Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

The **Non-Campus geography** definition includes buildings or properties under temporary control during institutionally sponsored short-stay-away domestic or international trips for students of more than one night, or buildings or properties under temporary control during institutionally sponsored domestic or international trips for students to repeated locations.

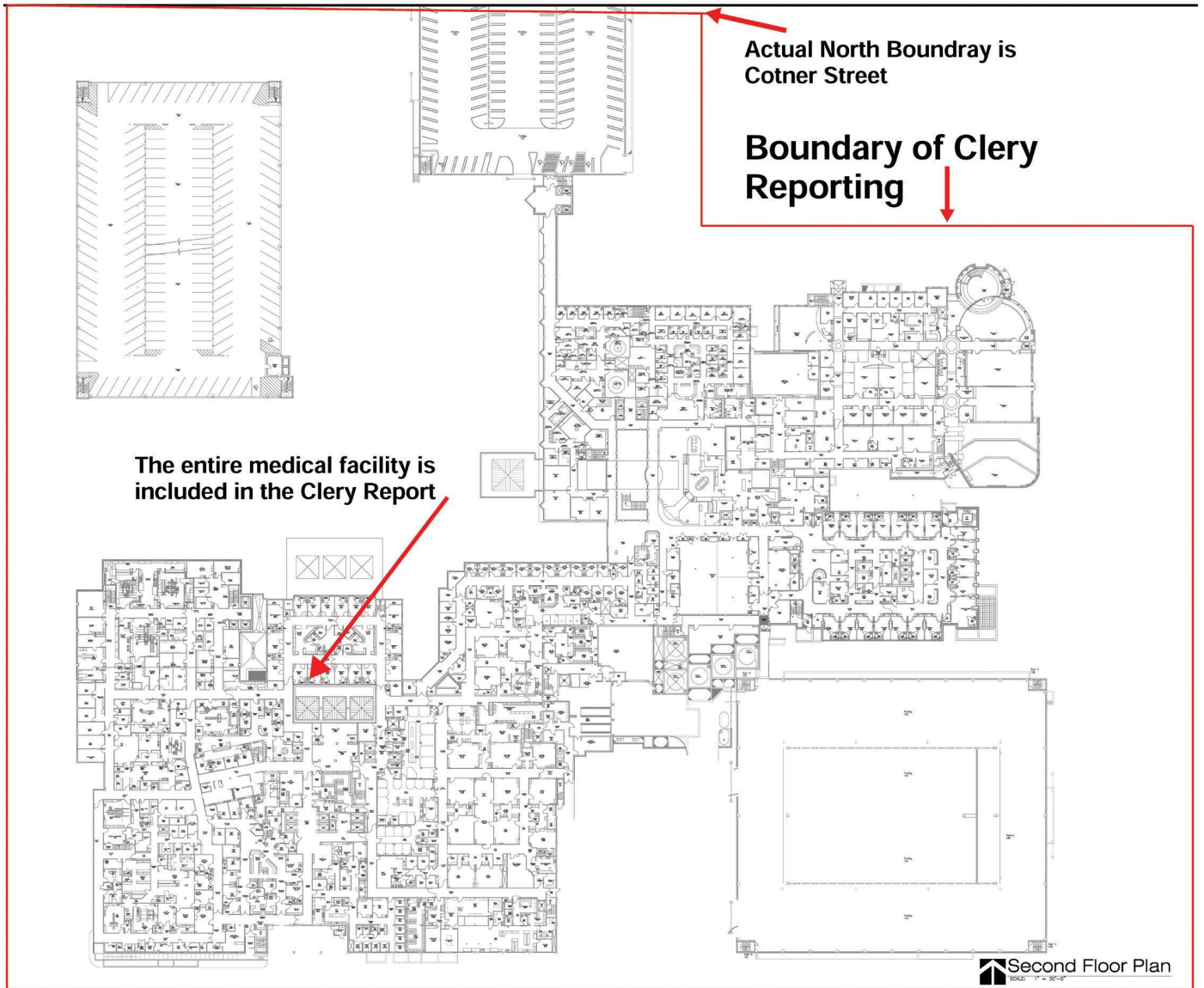
**Public Property** *defined as:* All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus or on-campus property/facilities. Bryan College of Health Sciences crime statistics do not include crimes that occur in privately-owned homes or businesses within or adjacent to the campus boundaries.

**On-Campus Student Housing Facility** defined as: Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility. This category is considered a subset of the On-Campus category. Bryan College of Health Sciences does not have on-campus student housing facilities.

**Reasonability Contiguous** is defined as: Any building or property an institution owns or controls that is in a location that students consider to be, and treat as, part of the "campus." Bryan College does not have on-campus student housing facilities.

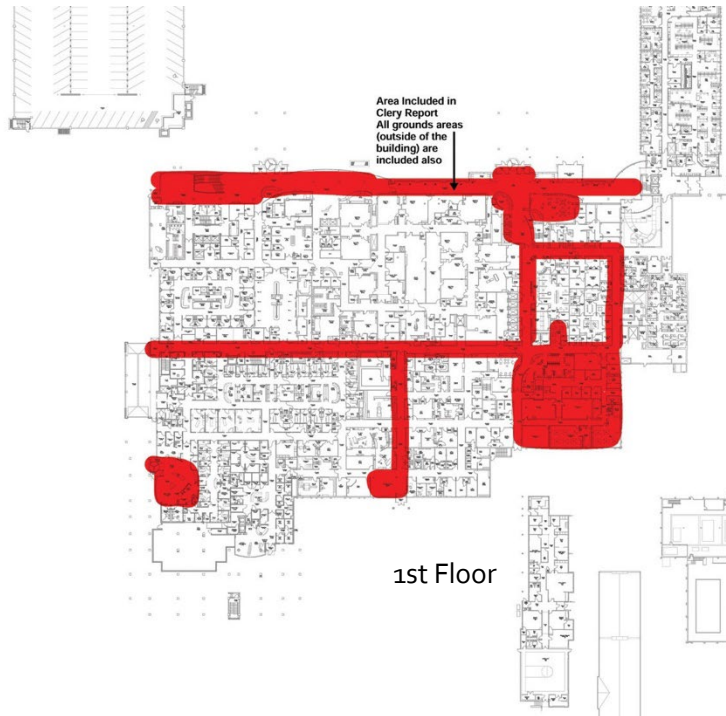
# Bryan Medical Center, Bryan East Campus

Located at 48th and Cotner  
Blvd. 1600 S. 48th St.,  
Lincoln, NE 68506 402-481-  
1111



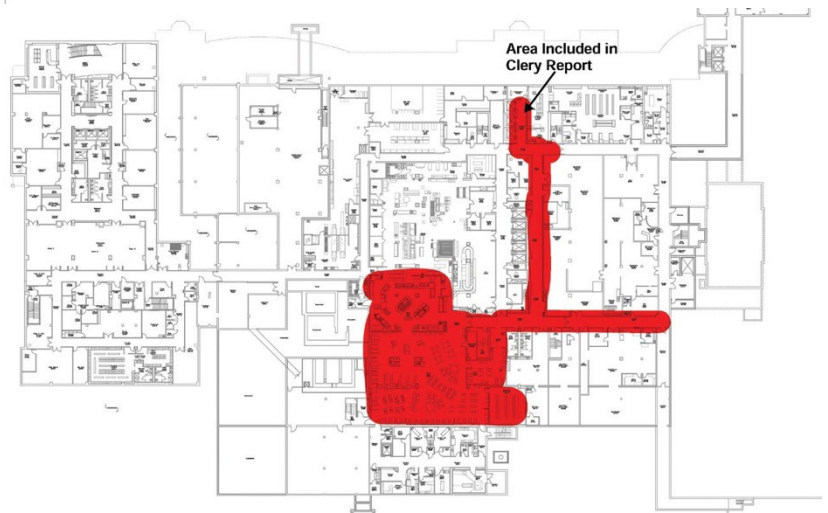


Bryan Medical Center, Bryan West Campus  
Located at 16th and South Sts. 2300 S. 16th St.,  
Lincoln, NE 68502  
402-481-1111



1st Floor

The area highlighted in red  
are included in the Clery Reporting Area



Basement Floor

## **Crime/Emergency Reporting and College Response**

Campus community members are encouraged to report all criminal actions, emergencies, suspicious behavior or other public safety related incidents occurring within the College's Clery geography to the Campus Security in an accurate, prompt and timely manner. The College's Clery geography which is the on-campus property as well as all public property, including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus or immediately adjacent to and accessible from the campus.

Bryan Medical Center Security is Bryan College of Health Sciences' Campus Security (hereafter will be referred to as "Campus Security") has been designated by Bryan College as the official office for campus crime and emergency reporting. Campus Security strongly encourages the accurate and prompt reporting of crimes. Accurate and prompt reporting will ensure Campus Security is able to evaluate, consider and send timely warnings notices, disclose crimes through ongoing disclosure processes such as the posting of crimes in the Daily Crime Log and accurately documenting reportable crimes in its annual statistical disclosure. Bryan College of Health Sciences further encourages accurate and prompt reporting to the Lincoln Police Department when the victim of a crime elects to, or is unable to, make such report.

Campus Security has the primary responsibility for patrolling the Bryan College of Health Sciences campus and it has been designated at the institution primary reporting structure for crimes and emergencies. However, criminal incidents or incidents off campus can be reported to the local Lincoln Police Department. The College has outlined below a list of primary campus security authorities (CSA or preferred receivers) of reports to whom crimes can be reported.

### **Primary Campus Security Authorities (CSA) or Preferred Receivers of reports:**

Lincoln Police Department - Emergency	911
Lincoln Police Department - Non Emergency	402-441-6000
Bryan Medical Center Security Department	402-481-8488 East 402-481-5802 West
Dean of Operations	402-481-3967
Dean of Students/Title IX Coordinator	402-481-3804
Title IX Deputy Coordinator	402-481-8712

### **Response to Reports**

Bryan security services are available 24 hours a day, seven days a week, including holidays. To contact a security officer at the Bryan East Campus, dial extension 18488 from a medical center phone or 402-481-8488 from an off-campus phone. To contact a security officer at Bryan Medical Center West, dial extension 15802 or 402-481-5802.

### **Responsibilities of the Bryan College of Health Sciences community for their own personal safety and security and the safety and securities of others**

Campus safety is every individual's concern and responsibility. The success of the security staff is largely measured by the degree of support and cooperation it receives from the people it serves. All members of the campus community are expected to support the efforts of the Security Officers in developing and maintaining a safe and secure learning environment. Campus Security is managed by the Facilities Management Department of the Bryan Medical Center. The administrative office for Facilities Management is located in the basement of Bryan East Campus. If at any time an employee or a student believes that appropriate security procedures are not being followed, or that the Medical Center/Bryan College of Health Sciences environment is not safe, please call extension 18990 from a medical center phone or 402-481-8990 from an off campus phone to speak to the Director of Facilities Management.

Bryan security is available to escort individuals to/from the medical center or college or to/from their vehicles when requested. Assistance also will be provided to jump start vehicles and inflate tires. Vehicle registration and parking regulations at Bryan Medical Center/Bryan College of Health Sciences are enforced by the Medical Center Security Officers.



## Safety Tips

The following safety tips are provided to help reduce the potential for crime:

- Always keep your car, house, apartment, or room locked. Keeping doors open for even short periods of time could affect your personal safety or result in theft or vandalism of your belongings.
- Keep valuables out of sight. If in your house/room, lock them in a safe place. If in car, lock them in your trunk.
- Do not leave purses, books, or backpacks unattended in classrooms, lounges, or in the library. Lockers are available at the College for student use.
- Do not walk, run, or jog alone. This is especially important at night and early in the morning when it is dark and there are few people around.
- Use sidewalks whenever possible and stay in well-traveled and well lighted areas.
- Walk with a purpose. This will show you are confident and are not likely to be an easy victim.
- Let someone know where you are and when you plan to return. If you are missed, someone can look for you.

## Voluntary Confidential Reporting

Bryan College of Health Sciences encourages anyone who is the victim or witness of any crime to promptly report the incident to Campus Security or the Local Lincoln Police Department. Campus Security does not have a voluntary confidential reporting process. Campus Security reports are not law enforcement reports, therefore Campus Security cannot hold reports of crime in confidence.

## Confidential Reporting

Students may make confidential reports to Pastoral Counselors and/or Professional Counselors. Pastoral Counselors and Professional Counselors when acting in their capacity and function as Bryan College of Health Sciences Counselors do not make identifiable reports of incidents to the Official On-Campus Resources unless the student specifically requests them to do so; however, the College encourages counselors, if and when they deem it appropriate, to inform studies they can report incidents of crime to Campus Security.

## Anonymous Reporting

The College will attempt to respond to reports of Prohibited Conduct brought anonymously or brought by third parties not directly involved in the reported conduct, to the greatest extent practical. However, the response to such reports may be limited if information presented in the report cannot be verified by independent facts. The Anonymous Online Reporting form [may be found here](#).

## Statistical Disclosure of Reported Incidents

Incidents report to Campus Security that fall into one of the required reporting classifications as defined by the Clery Act that occur within the College's Clery geography will be disclosed as a statistic in the appropriate crime table within this Annual Security Report.

### Professional Counselors

#### Professional Development Counselor

216B; 402-481-3831

#### Continuum EAP

3401 Village Drive, Suite 210

Lincoln, NE 68516

402-476-0186 or 1-800-755-7636

#### Pastoral Care

Bryan Health

East Campus - 402-481-3404

West Campus – 402-481-5130

## **Reporting a Crime to the Lincoln Police Department**

A person reporting a crime to Campus Security has the right to report the crime to the Lincoln Police Department and/or Nebraska State patrol by calling 911. Campus Security regularly discuss the option with the victim of a crime and will assist the victim with that process.

## **Off Campus Crime**

If Campus Security is contacted about criminal activity off-campus involving Bryan College of Health Sciences students, information is shared with the Dean of Students. Students will be notified and maybe subject to an investigation, which may lead to a student code of conduct violation.

## **Monitoring and Recording Criminal Activity at Non – Campus locations of Student Organizations**

The College does not have officially recognized student organizations with off-campus address locations.

## **Public Safety Authority and Jurisdiction**

### **Public Safety Enforcement Authority**

Bryan Security Officers have been authorized by the College to help ensure safety, carry out security duties and assist with enforcing rules and regulations on the campus of the medical center and college. All persons leaving or entering the premises may be checked. Any person on Bryan property may be required to show identification to a security officer or medical center/college personnel. All problems or incidents involving Bryan College of Health Sciences students, will be forwarded to the college's administration for review and action.

### **Public Safety Arrest Authority**

Campus Security personnel are non-sworn security personnel for Bryan Medical Center and have no official powers of arrest authority. Campus Security will summon support from the Lincoln Police Department or other applicable law enforcement entities to affect an arrest on or with in campus owed property.

### **Public Safety Jurisdiction**

Campus Security's Jurisdiction encompasses its Clery geography.

### **Criminal Background Checks**

Bryan College of Health Sciences conducts state and/or federal criminal background investigations as well as The State of Nebraska Adult and Child Abuse Registry check on all incoming students. Any College employee is subject to criminal background check as sell as the State of Nebraska Adult and Child Abuse Registry check when hired.

## **Security of and Access to Campus Facilities**

The main door to the Bryan College of Health Sciences is open from 6:00 a.m. to 6:00 p.m., Monday-Friday. The east entrance to the college between rooms 200 and 202 allows for prox. access for students, Monday – Friday 5:40 a.m. to 7:45 p.m., and the north entrance is always locked. These entrances can be opened only by individuals with an authorized badge reader. All Bryan Medical Center main entrances are accessible 24-7. Main business hours for employees are 8-4:30 p.m. Offices are closed during Holidays.

## **Security Considerations used in the Maintenance of Campus Facilities**

Bryan College of Health Sciences facility and landscaping are maintained in a manner that minimizes hazardous and usage conditions. Proper lighting is a major factor in reducing crime on campus. Facilities Management maintains the college's buildings and grounds with a concern for safety and security. Bryan Security completes campus lighting checks on a nightly basis, and reports outages to Facilities Management. This inspection provides maximum lighting for the public at night. All outages are corrected within 7-10 days or earlier depending on availability of the bulbs required. The campus' overall safety and security program is supplemented by a variety

of technological systems including: access control; closed circuit television; emergency phone; and reporting systems.

### **Campus Security Training**

The Safety and Security Manager and Security consultant is primarily responsible for conducting intensive and continuing training for campus security safety officers. Training topics may include criminal law, civil law, federal law, the Clery Act and campus security authority, Title IX, sexual assault, and gender violence response and investigation, trauma informed investigation, public relations, race relations and implicit bias, interpersonal communications, crisis intervention and de-escalation, critical incident response and incident command system, emergency operations, emergency medical training, and all facets of protection of persons and property.

### **Campus Security's Working Relationship with Other Local and State Law Enforcement Agencies**

Campus Security maintains a positive professional relationship with the Lincoln Police Department, as well as with state and federal agencies in matters concerning their specific jurisdiction. Although a written memorandum of understanding does not exist, local police will respond to calls for service to the campus community to investigate alleged criminal offenses. The Lincoln Police Department and Medical Center Security openly exchange information concerning security and crime related matters and continue to maintain a pro-active stance with respect to the welfare of Bryan Medical Center/ Bryan College of Health Sciences and the Lincoln community.

### **Campus Timely Warning Notices**

The Executive Committee of the College in conjunction with Bryan Medical Center Security using their professional judgment will issue a timely warning for any serious incident when it represents a serious or continuing threat to students and employees and enough information is known about the crime to determine what information to release. The primary method of warnings will be through the College email system. The College may also issue timely warnings through posting of flyers around campus, in-class announcements, Bryan College mobile app, public address system, or other appropriate means.

Warnings will generally include the nature of the threat, source of the information, and suggested precautions to be taken. The College would not immediately issue a notification for a serious incident if doing so will compromise efforts to assist a victim, contain the emergency, respond to the emergency or otherwise mitigate the emergency. An example of not compromising efforts to mitigate the emergency might be agreeing to a request of local law enforcement. Whether or not to issue a timely warning will be decided on a case by case basis in light of all the factors surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts.

## Campus Safety Alert Distribution Matrix

Methods	Primary Message Creator	Backup Message Creator	Authority to Approve/Send	Primary Message Sender	Backup Message Sender
<b>App Notification</b>	Dean of Students or Campus Security	Provost	If time allows, consult with President; or their designee; or, if time does not permit, the primary or backup creator sender can proceed.	Student/Alumni Services Director	Dean of Enrollment Management
<b>Email Notification</b>	Dean of Students or Campus Security	Provost	If time allows, consult with President; or their designee; or, if time does not permit, the primary or backup creator sender can proceed.	Dean of Students; or their designee.	Student/Alumni Services Director
<b>Website</b>	Dean of Students	Dean of Enrollment Management	Dean of Students	Dean of Enrollment Management	Recruitment Coordinator
<b>Posting on Entrance Doors, Lobby Areas</b>	Dean of Students	Student/Alumni Services Director	Dean of Students	Student/Alumni Services Director	Executive Staff
<b>Social Media Platforms</b>	Dean of Students	Dean of Enrollment Management	Dean of Students	Dean of Enrollment Management	Recruitment Coordinator
<b>Press Release</b>	Director of Advancement	Dean of Students	If time allows, consult with President; or their designee; or, if time does not permit, the primary or backup creator sender can proceed.	Dean of Enrollment Management	Dean of Students

### Public Safety Notices

A Public Safety Notice may be sent to the campus community for general crime prevention purposes, to inform the community of crimes and/or incidents that are not generally time sensitive or considered to be a continuing threat, but important to be aware of, and/or to inform the campus of incidents occurring on, around, or even off campus that do not meet the requirements or specifications for distribution of a Campus Safety Alert.

A Public Safety notice may be sent to the campus community via the Bryan App, or they may be sent via email to all students and employees on campus. A Public Safety Notice is generally written and distributed to the campus community by the Dean of Students or Campus Security.

Updates to the campus community about any particular case resulting in a Public Safety Notice, when deemed necessary and may be distributed by the Dean of Students or Campus Security as deemed necessary and appropriate.

### **Daily Crime Log**

Campus Security makes the Daily Crime log open to public inspection during normal business hours (typically Monday – Friday from 8:00 a.m.-4:30 p.m., except holidays) by requesting from the Dean of Students. The information in the crime log typically includes the B-Safe incident number, crime classicization, date occurred, general location of crime, and disposition of each reported crime.

Unless the disclosure is prohibited by law or would jeopardize the confidentiality of the victim, newly reported crimes/incidents within the college's Clery geography ns updated information regarding previously reported crimes are entered onto the Daily Crime log within two business days of when it is reported to Campus Security. It is important to note the Campus Security has no expanded patrol jurisdiction outside of its identified Clery Geography.

### **Preparation of Annual Disclosure of Crime Statistics and Clery Compliance**

#### **Classifying Crime Statistics**

The statistics in this brochure are published in accordance with the definitions and many of the standards and guidelines used by the FBI Uniform Crime Reporting (UCR) Handbook, relevant Federal law (the Clery Act), and applicable State law.

#### **Clery Act Reporting**

For Clery Act reporting purposes, the number of victims involved in a particular incident is indicated in the statistics column for the following crime classifications: Murder/Non-Negligent Manslaughter, Manslaughter by Negligence, Sex Offenses, and Aggravated Assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart. The number reflected in the statistics for the following crime categories includes one offense per distinct operation: Robbery, Burglary, Larceny, Vandalism, and Arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart. In cases of Motor Vehicle Theft, each vehicle stolen is counted as a statistic. In cases involving Liquor Law, Drug Law, and Illegal Weapons Law violations, the statistics indicate the number of people arrested by law enforcement or referred to the Office of Student Rights and Responsibilities or Human Resources for possible disciplinary action for violations of those specific laws.

Hate crimes are reported in narrative form and are separated by category of prejudice. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense that was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of their bias against the victim's race, sexual orientation, gender, religion, ethnicity, national origin, gender identity, or disability, the assault is then also classified as a hate crime. For Clery Act Purposes, Hate Crimes include any of the following offenses that are motivated by the offender's bias: Murder and Non-negligent Manslaughter, Sexual Offenses (rape, fondling, incest and statutory rape), Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/ Vandalism of Property.

Campus SaVE was signed into law on March 7, 2013, as part of the reauthorization of the Violence Against Women Act (VAWA); it covers students and staff of institutions of higher education and amends the Jeanne Clery Act to include new reporting requirements for Domestic Violence, Dating Violence, and Stalking and additional policy statements and training requirements.

## Campus Crime statistics for Bryan College of Health Sciences

Calendar Years 2019-2021

Statistics concerning the occurrence on campus from January 1 to December 31, of the following criminal offenses reported to campus security authorities or local police agencies are as follows:

Type of Offense	On Campus	Non-Campus Building or Property	Public Property	Unfounded by Police
<b>Criminal</b>				
<b>Murder/Non-negligent Manslaughter</b>				
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0
<b>Negligent Manslaughter</b>				
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0
<b>Robbery *</b>				
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0
<b>Aggravated Assault</b>				
2019	0	0	0	0
2020	0	0	0	0
2021	3	0	0	0
<b>Burglary *</b>				
2019	0	0	0	0
2020	1	0	0	0
2021	0	0	0	0
<b>Motor Vehicle Theft</b>				
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0
<b>Arson</b>				
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0

\* Occurrences do not include theft

### Hate Crimes

Hate Crimes may include larceny/theft, simple assault, intimidation, or vandalism.

2019: There were no hate crimes reported in 2019

2020: There were no hate crimes reported in 2020

2021: There were no hate crimes reported in 2021

Type of Offense	On Campus	Non-Campus Building or Property	Public Property	Unfounded by Police
<b>Sex Offenses</b>				
<b>Forcible</b>				
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0
<b>Non Forcible</b>				
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0
<b>Rape</b>				
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0
<b>Fondling</b>				
2019	3	0	0	0
2020	2	0	0	0
2021	2	0	0	0
<b>Statutory Rape</b>				
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0
<b>Incest</b>				
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0
<b>VAWA Offenses</b>				
<b>Domestic Violence</b>				
2019	0	1	0	0
2020	0	0	0	0
2021	1	0	0	0
<b>Dating Violence</b>				
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0
<b>Stalking</b>				
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0
<b>Arrests</b>				
<b>Liquor Law Violations</b>				
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0
<b>Drug Law Violations</b>				
2019	1	2	0	0
2020	1	0	0	0
2021	0	0	0	0
<b>Illegal Weapons Possession</b>				
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0

NOTE: The College made a reasonable and good faith effort to request and retrieve statistics from all local law enforcement agencies with jurisdiction over the College's identified Clery geography. Reportable Clery crime data received from agencies who responded to these requests are included in the Table Two crime statistics noted above. Not all of these agencies responded to these requests for crime statistics.





Tornado Warning will only be announce if it affects the city of Lincoln

- When a warning is issued the Command Center is opened.
- **Move** patients to safe areas according to Form #502, *Patient Fire/Tornado/Evacuation Sheet*.
  - Protect patients who can not be moved from rooms with windows (pillows, blankets, head of bed toward window)
  - Keep medical record with patient
- **Close** doors.
- **Do not** use elevators.
- Patient care providers protect patients and then **seek shelter**.
- All other personnel, not involved in patient care, **move to** a safe area immediately.
- **Please DO NOT** call the switchboard during this time except for emergencies.
- **Stay in the safe area** until "**All Clear**" is announced overhead
  - Do not follow all clear announcements on the radio or TV
  - After returning to your work area, be sure all patients and staff are accounted for.

Active Shooter – EC.A.82

To Implement – Active Shooter will be implemented when a person or persons enter our building or grounds armed with a firearm with the intent to do harm or threatening to do harm to those present or is actively shooting.

- If an armed intruder enters our building the first response will be to protect as many of our patients, visitors and staff as possible. At the same time we will summon help from internal and external resources.
- Your personal response may need to be made in a hurry. Difficult decisions will need to be acted on quickly. Make the best response decisions you can and try to limit the harm inflicted on yourself and those around you.

Notification by observing person/employee

- Make the best decision you can as to order of notifications
- Call "6" (if in a hospital building or a building attached to the hospital)
- Call 9-911 (Medical Center) or 911 if not connected to the switch board
- Notify your Manager or Supervisor, if possible
- Provide this information:
  - The 911 Call say; "This is Bryan Medical Center (give location, plus area) we have an armed intruder in the building, gunshots (not) fired."
  - The "6" Call say; "We have an Active Shooter in the building (provide area), gunshots (not) fired."
  - If possible provide a description of the person(s) and their location

Announcement

- The Telecommunications Operator will announce three times: "**Active Shooter + Location + Do not go near this area, leave the building if safe to do so**".

Personal Response, follow this as a guide; your response may vary depending on the circumstances.

- **Remember ADD, it may add to your chances for survival**
  - **A – Avoid**, the goal is to completely stay away from the armed intruder
    - Do NOT respond to the area of the armed intruder
    - Leave the armed intruders area
    - Help visitors and patients to safe areas
    - Leave the building if possible, unless involved in patient care
  - **D – Deny Access**, the goal is to keep the armed intruder moving and not finding victims

- Move into a room with a locked door
  - Lock your door, turn off lights, make no noise
  - Barricade doors, make entry as difficult as possible
  - Patient care areas;
    - Block or lock entry doors, including stairwells
    - Close patient doors
    - Stay out of hallways as much as possible
    - If possible place one person in each occupied patient room, close door and block it with everything available
  - Do not come out until the all clear is announced.
- **D – Defend**, the goal is to survive a face to face encounter with an armed intruder
  - If you can not avoid or deny access, you may have few options, and may include:
    - Play dead among the other victims
    - Fight back, this is very dangerous and may be your last option
      - Use anything handy as a weapon (fire extinguisher, piece of a file cabinet, pen, letter opener, stapler etc.)
    - Follow their directions
  - Make your decision based on what you think is best for the circumstances you are in.
  - At this point we can only provide suggestions, you will need to do what you think is best
- **Personal Response to police**
  - The police may not know who is the armed intruder so be prepared to be treated as a suspect until things are sorted out
    - Raise your hands, keep your hands in view
    - Do not brandish weapons when encountering police or exiting the building
    - Ensure that you do not appear to be a threat
    - Follow directions
    - Provide as much information as possible

#### Violent Intruder (Weapon Involved – Not a Firearm) – EC.A.99

**To Implement** – A Violent Intruder announcement may be requested when any person is threatening or using a weapon other than a firearm. This could be a blunt object, knife or other object, but NOT a firearm. Do not use Violent Intruder for a situation involving a firearm (Active Shooter) or no weapon (Security Assistance).

- Dial “6” and ask operator to announce “Violent Intruder” and give the specific location of the disturbance
- The Telecommunications Operator will announce three times: **“Violent Intruder, the location, do not go near this area”**.

**Intervention** – Employees who have been trained and approved to respond to a Violent Intruder may respond to the area and institute the intervention. Other staff; provide the following:

- Stop entry to the area by anyone other than the responders
- Assure the safety of others in the area by removing them from the scene or isolating the perpetrator
- Restraints/seclusion may be used for the protection of the patient and others
- The Administrative Manager may notify police if further assistance is needed
- Have gloves available for personnel who respond
- Assist in collecting potentially harmful objects in the possession of the responders
- Attend to the needs/reassurances of others in the area (other patients, visitors, family members, and staff)

If “Violent Intruder” involves a patient: Other than a patient, Administrative Manager:

- Notify patient’s physician
- Notify Director of PR if visitor
- Document appropriately in the patient’s chart
- Notify Director of HR if employee or student

## Complete a B-SAFE report

Post "Violent Intruder" – have anyone with injuries be evaluated and treated. The Administrative Manager will initiate a Critical Incident Debriefing as needed.

## Bomb Threat – EC.A.25

### IF YOU RECEIVE A TELEPHONE BOMB THREAT:

- Do not hang up.
- Indicate to someone else to dial "6" (off sites call 9-911).
- Remain calm. Remember most phone call bomb threats are hoaxes.
- Try to prolong the conversation and get as much information as possible.
- Ask questions listed on the Bomb Threat Checklist located at the back of this Guide, under the FOMS tab.
- Document the call on the checklist. Write directly on the form
- Note what you hear.
  - Are there background noises, such as music, voices, or cars?
  - How does the caller's voice sound? Any accent? What sex? What age? Any unusual words or phrases?
  - Does the caller seem to know about the medical center? How is the bomb location described? Does the caller use a person's name? Does the caller give his/her name?
- When the call is over; person receiving the call reports to the Command Center to relay the information noted on the checklist. Off sites would give the information to the police or fire when they arrive.
- Notify your Manager/Supervisor immediately if it has not already been done.
- Hospital operators will announce: **"Bomb Threat + Location (if known)+ Avoid this area"**

### WHEN BOMB THREAT IS NOT A PHONE CALL:

- If a suspicious item or note is found, notify the Administrative Manager and Security immediately
- Handle the items as little as possible
- Do not delete threatening e-mails, print a copy and notify the Administrative Manager
- Administrative Manager will notify Security about the suspicious item or note
- **DO NOT** leave suspicious items unattended until Security arrives.

### WHAT TO DO WHEN "BOMB THREAT" IS ANNOUNCED:

- Immediately search your area because you are most familiar with it. Search in three tiers
  - First – search floor to waist
  - Second – waist to head
  - Third – search head to ceiling
  - Fourth, Above ceiling, if needed
- Let your Manager know results of your search and the Manager will let Command Center know your area is "all clear."
- Once a room has been inspected, place a sticky note on the door to the room, include your name and time
- If directed to evacuate your area, refer to Procedures #EC.A.25, EC.A.31, and your area evacuation procedure.
- An external grounds search will be conducted as directed by the Command Center

### ANY TIME YOU FIND A SUSPICIOUS PACKAGE OR ITEM, NOTIFY SECURITY

## Suspect or Confirmed Bioterrorism Event

- Refer to Procedure # EC.A.32.
- Contact the Administrative Manager by paging 71-2620 at East and 71-1163 at West., if you suspect or hear of a terroristic threat

## Fire Emergency – EC.A.35

If you see smoke, smell something burning, or see fire, initiate the fire plan **(R-A-C-E)**

**Announced** overhead as “**A Fire Alarm has been activated in+ Location + Please avoid this area**”

**R – Remove** those in immediate danger to a safe area.

### **A – Alarm**

- Activate the nearest **fire pull** station.
- **Call “6”** (off sites call 9-9-1-1) and give:
  - Exact location of fire (room number and building)
  - Your name, and
  - Type of fire (if known).

**C – Contain** the fire by closing doors to the area of the fire.

- **Close all** doors and windows (even in areas remote from the fire but in the same building).

**E –Evacuate** if fire or smoke is discovered:

- Evacuate as follows:
  - First, evacuate the area of the fire, adjoining rooms, and rooms above and below.
  - If necessary to leave the area, evacuate horizontally away from the fire through the fire doors into another fire/smoke compartment.
  - Business occupancies should evacuate the building.
  - If needed, evacuate vertically.
  - Use evacuation tools if needed (MedSled, ParaSlyde, Stair Chair)
- Inpatient, outpatient, and diagnostic care areas complete Form #502, *Patient Fire/Tornado/Evacuation Sheet* (obtain from Distribution, online in electronic “Policies and Procedures,” or print out from the EMR, also behind the Forms Tab at the back of this guide).
- Elevators may be used if they are working.
- Do not run.
- Follow the evacuation routes and plans outlined in the unit specific fire plan.

**E – Or Extinguish**, if you can do it safely and you feel comfortable doing so. Use a fire extinguisher by initiating **P-A-S-S**: Do not put yourself in danger to extinguish a fire.

- **Pull** the pin by twisting and pulling (do not have thumb on upper handle or pin will not come out)
- **Aim** at the base of the fire (if you hit the fire it is apt to come back on you and cause burns)
- **Squeeze** the handle, and
- **Sweep** back and forth to suffocate the fire.

The College’s emergency response and evacuation procedures are tested on at least an annual basis. Tests may be announced or unannounced. The tests are scheduled, contain drills, contain exercises, contain follow through activities, and are designed for assessment and evaluation of emergency plans and capabilities.

The College publicizes its emergency response and evacuation procedures in conjunction with at least one test per calendar year. Each test is documented, including a description of the exercise, the date, the time, and whether it was announced or unannounced.

## Emergency Response

In consult with Bryan Medical Center, the College Safety is responsible for developing emergency response and continuity of operations plans for their areas and staff. The College Safety Committee provides resources and

guidance for the development of these plans. Emergencies occurring on campus should be reported to Campus Security by dialing:

- (402) 481-8488 (East Campus) or on-campus extension 1-8488,
- (402)-481-5802 (West Campus) or on-campus extension 1-5802,
- or by dialing 911 for outside emergency responders.

In conjunction with other emergency agencies, the college conducts emergency response drills and exercises each year, such as fire, tornado, and active shooter along with tests of the emergency notification systems on campus. These tests, which may be announced or unannounced are designed to assess and evaluate the emergency plans and capabilities of the institution. After action reviews will be conducted following each test and/or exercise that documents the test/exercise, provides a description for each test/exercise, the date, time, whether the test was announced or unannounced. And an assessment of the lessons learned from the exercise.

### Emergency Evacuation Procedures

The purpose of evacuation drills is to prepare Bryan College students, faculty, and staff for an organized evacuation in case of a fire or other emergency. At Bryan College of Health Sciences, evacuation drills are used as a way to educate and train campus community safety measures. Safety measure education and training deliverables are held once a semester during Fall and Spring terms at Bryan College of Health Sciences.

### General Evacuation Procedures

At the sound of a fire alarm if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify campus security or on-campus extension or by dialing 911 for outside emergency responders.

- Remain Calm
- Do NOT use Elevators, Use the Stairs.
- Assist the physically impaired. If they are unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform Campus Security or the responding Fire Department of the individual's location.
- Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
- Make sure all personal are out of the building.
- Do not re-enter the building.

### Shelter-in – place Procedures-What It Means to “Shelter-in-Place”

College authorities may instruct campus community members to “shelter-in-place” if a condition exists that is potentially life threatening and has an immediate threat to the health and personal safety of the campus community. Immediate threats would include, but not limited to: active shooter incidents, mass acts of violence, tornadoes, terror attacks, or hazardous materials incidents. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside. Community members should remain in a shelter-in-place status until the all-clear is communicated by emergency response personnel via an emergency rapid communications system(s).

### Basic “Shelter-in-Place” Guidance

In an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If you building is damaged, take your personal belonging (purse, wallet, ID Badge, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs

instead of the elevators). Once you have evacuated, seek shelter at the nearest safe location. If police or fire department personnel are on the scene, follow their directions.

### How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources, campus security, a text on your phone, other college employees, local law enforcement or outside emergency services, or other authorities utilizing the College’s emergency communication tools.

### How to “Shelter-in-Place”

No matter where you are, the basics steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency protocol.

- If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closets building quickly or follow instructions from emergency personnel on the scene.
- Locate a room to shelter inside. It should be:
  - An interior room;
  - The lower in the building the better; and
  - Without windows or with the least amount of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.
- Shut and lock all windows (tighter seal) and close exterior doors.
- Turn off air conditioners, heaters, and fans.
- Make a list of the people with you and ask someone (faculty or staff) to call the list in to Campus Security so they know where you are sheltering. If only students are present, one of the students should call in the list.
- Turn on a radio or TV and listen for further instructions.
- Make yourself comfortable.

### Off-Campus Emergencies

Bryan Medical Center Security Department works closely with Lincoln Police Department, including notification of incidents that could imminently impact the safety of Bryan College of Health Sciences. When appropriate, LPD notifies Bryan Medical Center Security Department of off-campus emergencies where the potential of a threat arises that would disrupt the health and safety of students or employees.

### Emergency/Immediate Notification

With the assistance of Bryan Medical Center Security Department, and In the event of an emergency or dangerous situation involving an imminent threat to the health or safety of students or employees occurring on campus, the Executive Committee of the College will confirm that there is a significant emergency or dangerous situation. The Executive Committee will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system unless issuing a notification will, in their professional judgment, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. In consultation with Bryan Medical Center Security Department, the Executive Committee will determine the appropriate segment or segments of the campus community to receive a notification; determine the content of the notification; and utilize the College’s mass notification (mobile app alert/or public address) systems to notify the campus community. If necessary, the Executive Committee will disseminate information about an on-campus emergency situation to the larger community by contacting local first responder authorities.

### Emergency/Immediate Distribution Matrix

Methods	Primary Message Creator	Backup Message Creator	Authority to Approve/Send	Primary Message Sender	Backup Message Sender
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<b>App Notification</b>	Dean of Students or Campus Security	Provost	If time allows, consult with President; or their designee; or, if time does not permit, the primary or backup creator sender can proceed.	Student/Alumni Services Director	Dean of Enrollment Management
<b>Email Notification</b>	Dean of Students or Campus Security	Provost	If time allows, consult with President; or their designee; or, if time does not permit, the primary or backup creator sender can proceed.	Dean of Students; or their designee.	Student/Alumni Services Director
<b>Website</b>	Dean of Students	Dean of Enrollment Management	Dean of Students	Dean of Enrollment Management	Recruitment Coordinator
<b>Posting on Entrance Doors, Lobby Areas</b>	Dean of Students	Student/Alumni Services Director	Dean of Students	Student/Alumni Services Director	Executive Staff
<b>Social Media Platforms</b>	Dean of Students	Dean of Enrollment Management	Dean of Students	Dean of Enrollment Management	Recruitment Coordinator
<b>Press Release</b>	Director of Advancement	Dean of Students	If time allows, consult with President; or their designee; or, if time does not permit, the primary or backup creator sender can proceed.	Dean of Enrollment Management	Dean of Students

### Emergency mass Notification System - Testing and Registration

Students, faculty, and staff can register to receive real-time notifications of these emergency events by downloading and logging into the Bryan College of Health Sciences mobile app. This notification system will also be used in the event that an evacuation is required. The mobile app alert system is tested campus wide at least once each year.

### Drug and Alcohol Policy and Procedure

Bryan College of Health Sciences is committed to providing a drug and alcohol free educational environment which supports the mission of the College. The College's primary role in dealing with the use or potential use of drugs or alcohol is that of prevention, counseling, and education.

The risks associated with the use of illicit drugs and the abuse of alcohol are numerous and include physical and mental impairment, emotional and psychological deterioration, and devastating effects on family and friends. There are obvious risks, such as being charged with driving under the influence or while intoxicated, and sustaining or causing personal injury. There

are a number of less obvious risks associated with alcohol and other drug abuse: poor academic performance; poor job performance; unwanted sexual activity; sexually transmitted diseases, including HIV/AIDS; and jeopardizing future career prospects. In addition, alcohol and drug abuse put the user at considerable health risk, which can include: nausea, vomiting, cancer, liver damage, elevated blood pressure, psychotic episodes, hallucinations and, in some cases death.

It is the policy of the College that the unlawful manufacture, distribution, dispensation, possession, use of a controlled substance, or the purchase, sale, possession, use or consumption of alcohol is strictly prohibited on College premises, extension of the College campus, and at all College-sponsored events and activities on and off campus. A College-sponsored student event is any gathering that is arranged or endorsed by the College, where students are in attendance. Attendance at any school activity, either curricular or extra-curricular, while under the influence of alcohol, shall constitute misconduct, unless prior permission from Bryan College administration has been obtained and the alcohol is sold off campus by a licensed independent vendor via a "cash bar" and only to persons of legal age. Any student or student organization that violates this policy will be subject to disciplinary action up to and including dismissal from the College. Disciplinary sanctions may also include the completion of an appropriate rehabilitation program. Students may be placed on suspension until the required program is completed.

The College reserves the right to notify an appropriate law enforcement agency when violation of the alcohol and drug policy is also a violation of the law.

If there is a reasonable suspicion of alcohol or drug consumption prior to or while in class or at a College-sponsored activity, the student may be removed from the class or activity. If there is a suspicion of drug or alcohol consumption prior to or after reporting to clinical activities, the student will be removed from the clinical setting.

At the discretion of the faculty or College Administrator, the student may be taken to the Health Office for evaluation, which may include alcohol or drug screening test(s).

**Reason to suspect impairment and/or withdrawal** include personal observations of, but not limited to, the following signs: poor neuromuscular coordination, diaphoresis, tremors, muscle cramps, gastrointestinal cramps/diarrhea, irritability, restlessness, difficulty concentrating, drowsiness, confusion, slurred speech, blurred vision. Acute behavioral changes such as severe mood swings, panic, severe depression, excessive physical activity, difficulty with authority and poorly explained errors, accidents or injuries are reasons to suspect impairment or withdrawal. Signs, behavior changes or other evidence of impairment and/or withdrawal will be documented by program administration, faculty or clinical preceptors and will include dates, times, locations, and names of witnesses.

**Reason to suspect substance use disorder** can be based on personal observations documented by administration, faculty or clinical preceptors. Documentation of concerns related to attendance (frequent or unexplained tardiness, absences, illnesses; ), behavior (see behavior changes above), performance (underperformance, errors or elaborate excuses), physical signs (see signs above) and use of controlled substances (consistently uses more drugs than colleagues, heavy wastage of drugs, drugs carried outside of clinical area) will include dates, times, locations, and names of witnesses.

### **Intervention by School**

#### **Assessment for Chemical Dependence or Substance Use Disorder**

A student is required to complete an assessment for chemical dependence/substance use disorder if a drug screening is positive or based on reason to suspect impairment, withdrawal or substance use disorder. The assessment method must be preapproved by the Dean of Students. The results of the assessment must be provided to the Dean of Students and Program Dean. The student is placed on administrative/medical leave of absence until the assessment results are reviewed by the Dean of Students and Program Dean.

#### **Reentry**

A safe return to the program will be facilitated on an individual basis. A student placed on administrative/medical leave of absence for substance use disorder may not be able to reenter the program if reentry is a threat to the student's or patient safety. Readiness for reentry is a collaborative decision of any applicable monitoring/treatment programs, a certified drug and alcohol counselor, the Dean of Students, and the Program Dean.

A reentry contract with conditions to reenter the program will be written and agreed upon by the Dean of Students, Program Dean and affected student prior to return the classroom or clinical activities. A reentry contract is required for a student placed on administrative/medical leave of absence for assessment and/or treatment of chemical dependence or substance use



disorder. Conditions likely will include evaluation by a certified drug and alcohol counselor, successful completion of a rehabilitation program if recommended, compliance with any follow-up care such as taking prescribed naltrexone or participating in a 12-step program, and participation in a monitoring program with random drug testing at the student's expense, with results reported to the Dean of Students. The student is required to comply with all conditions of any monitoring contract the student has entered into with a state licensing authority. Additional conditions may be included in the reentry contract on a case by case basis.

Drug Violations can render students ineligible for federal student aid.

If you or someone you know is having difficulties because of alcohol or substance abuse, please seek assistance. The College and the Lincoln community include individuals and agencies with the resources to help. Professional Development Services (Mel Stutzman, 402-481-3831) or Continuum EAP (402-476-0186) are resources that can provide information and access to counseling, treatment, support groups and rehabilitation programs.

### **City and State Laws on Violations and Penalties for Abuse of Alcohol and Drugs Liquor/Alcohol**

#### **Sale to minors and incompetents; prohibited. (53-180.)**

No person shall sell, give away, dispose of, exchange, or 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.

#### **Minor misrepresenting age; unlawful. (53-180.01.)**

No minor shall obtain, or attempt to obtain, alcoholic liquor by misrepresentation of age, or by any other method, in any tavern or other place where alcoholic liquor is sold.

#### **Prohibited acts relating to minors and incompetents; violations; penalties; possible alcohol overdose; actions authorized; false identification; penalty; law enforcement agency; duties. (53-180.05)**

(1) Except as provided in subsection (2) of this section, any person who violates section [53-180](#) shall be guilty of a Class I misdemeanor.

(2) Any person who knowingly and intentionally violates section [53-180](#) shall be guilty of a Class IIIA felony and serve a mandatory minimum of at least thirty days' imprisonment as part of any sentence he or she receives if serious bodily injury or death to any person resulted and was proximately caused by a minor's (a) consumption of the alcoholic liquor provided or (b) impaired condition which, in whole or in part, can be attributed to the alcoholic liquor provided.

(3) Any person who violates any of the provisions of section [53-180.01](#) or [53-180.03](#) shall be guilty of a Class III misdemeanor.

(4)(a) Except as otherwise provided in subdivisions (b), (c), and (d) of this subsection, any person older than eighteen years of age and under the age of twenty-one years violating section [53-180.02](#) is guilty of a Class III misdemeanor.

(b) Subdivision (a) of this subsection shall not apply if the person:

(i) Made a good faith request for emergency medical assistance in response to the possible alcohol overdose of himself or herself or another person as soon as the emergency situation is apparent after such violation of section [53-180.02](#);

(ii) Made the request for medical assistance under subdivision (b)(i) of this subsection as soon as the emergency situation is apparent after such violation of section [53-180.02](#); 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.

(c) The exception from criminal liability provided in subdivision (b) of this subsection applies to any person who makes a request for emergency medical assistance and complies with the requirements of subdivision (b) of this subsection.

(d) Subdivision (a) of this subsection shall not apply to the person experiencing a possible alcohol overdose if a request for emergency medical assistance in response to such possible alcohol overdose was made by another person in compliance with subdivision (b) of this subsection.

(e) A person shall not initiate or maintain an action against a peace officer or the employing state agency or political subdivision based on the officer's compliance with subdivision (b), (c), or (d) of this subsection.

(5) Any person eighteen years of age or younger violating section [53-180.02](#) is guilty of a misdemeanor as provided in section [53-181](#) and shall be punished as provided in such section.

(6) Any person who knowingly manufactures, creates, or alters any form of identification for the purpose of sale or delivery of such form of identification to a person under the age of twenty-one years shall be guilty of a Class I misdemeanor. For purposes

of this subsection, form of identification means any card, paper, or legal document that may be used to establish the age of the person named thereon for the purpose of purchasing alcoholic liquor.

(7) When a minor is arrested for a violation of sections [53-180](#) to [53-180.02](#) or subsection (6) of this section, the law enforcement agency employing the arresting peace officer shall make a reasonable attempt to notify such minor's parent or guardian of the arrest.

**Minor; prohibited acts; exception; governing bodies; powers. (53-180.02.)**

The governing bodies of counties, cities, and villages shall have the power to, and may by applicable resolution or ordinance, regulate, suppress, and control the transportation, consumption, or knowing possession of or having under his or her control beer or other alcoholic liquor in or transported by any motor vehicle, by any person under twenty-one years of age, and may provide penalties for violations of such resolution or ordinance.

**Consumption of liquor on public property; forbidden; exceptions; license authorized. (53-186.)**

1. Except as provided in subsection (2) of this section, it shall be unlawful for any person to consume alcoholic liquor upon property owned or controlled by the state or any governmental subdivision thereof unless authorized by the governing bodies having jurisdiction over such property.
2. The commission may issue licenses for the sale of alcoholic liquor at retail (a) on lands owned by public power districts, public power and irrigation districts, the Bureau of Reclamation, or the Corps of Army Engineers or (b) for locations within or on structures on land owned by the state, cities, or villages or on lands controlled by airport authorities. The issuance of a license under this subsection shall be subject to the consent of the local governing body having jurisdiction over the site for which the license is requested as provided in the Nebraska Liquor Control Act.

**Consumption of liquor in public places; license required; exception; violations; penalty. (53-186.01.)**

1. It shall be unlawful for any person owning, operating, managing, or conducting any dance hall, restaurant, cafe, or club or any place open to the general public to permit or allow any person to consume alcoholic liquor upon the premises except as permitted by a license issued for such premises pursuant to the Nebraska Liquor Control Act.
2. It shall be unlawful for any person to consume alcoholic liquor in any dance hall, restaurant, cafe, or club or any place open to the general public except as permitted by a license issued for such premises pursuant to the act.
3. This section shall not apply to a retail licensee while lawfully engaged in the catering of alcoholic beverages.
4. Any person violating subsection (1) of this section shall, upon conviction thereof, be subject to the penalties contained in section 53-1,100.
5. Any person violating subsection (2) of this section shall be guilty of a Class III misdemeanor.

**Controlled Substances**

**Prohibited acts; violations; penalties. (28-416.)**

1. Except as authorized by the Uniform Controlled Substances Act, it shall be unlawful for any person knowingly or intentionally:
  - (a) To manufacture, distribute, deliver, dispense, or possess with intent to manufacture, distribute, deliver, or dispense a controlled substance; or
  - (b) to create, distribute, or possess with intent to distribute a counterfeit controlled substance.
2. Except as provided in subsections (4), (5), (7), (8), (9), and (10) of this section, any person who violates subsection (1) of this section with respect to:
  - (a) A controlled substance classified in Schedule I, II, or III of section 28-405 which is an exceptionally hazardous drug shall be guilty of a Class II felony;
  - (b) any other controlled substance classified in Schedule I, II, or III of section 28-405 shall be guilty of a Class III felony; or
  - (c) a controlled substance classified in Schedule IV or V of section 28-405 shall be guilty of a Class IIIA felony.
3. A person knowingly or intentionally possessing a controlled substance, except marijuana, unless such substance was obtained directly or pursuant to a medical order issued by a practitioner authorized to prescribe while acting in the course of his or her professional practice, or except as otherwise authorized by the act, shall be guilty of a Class IV felony.
4. (a) Except as authorized by the Uniform Controlled Substances Act, any person eighteen 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 eighteen years,
  - (ii) in, on, or within one thousand feet of the real property comprising a public or private elementary, vocational, or secondary school, a community college, a public or private college, junior college, or university, or a playground, or
  - (iii) within one hundred feet of a public or private youth center, public swimming pool, or video arcade facility

shall be punished by the next higher penalty classification than the penalty prescribed in subsection (2), (7), (8), (9), or (10) of this section, depending upon the controlled substance involved, for the first violation and for a second or subsequent violation shall be punished by the next higher penalty classification than that prescribed for a first violation of this subsection, but in no event shall such person be punished by a penalty greater than a Class IB felony.

(b) For purposes of this subsection:

- (i) Playground shall mean any outdoor facility, including any parking lot appurtenant to the facility, intended for recreation, open to the public, and with any portion containing three or more apparatus intended for the recreation of children, including sliding boards, swingsets, and teeterboards:
- (ii) Video arcade facility shall mean any facility legally accessible to persons under eighteen years of age, intended primarily for the use of pinball and video machines for amusement, and containing a minimum of ten pinball or video machines: and
- (iii) Youth center shall mean any recreational facility or gymnasium, including any parking lot appurtenant to the facility or gymnasium, intended primarily for use by persons under eighteen years of age which regularly provides athletic, civic, or cultural activities.

5. (a) Except as authorized by the Uniform Controlled Substances Act, it shall be unlawful for any person eighteen 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 eighteen 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.

(b) Except as authorized by the Uniform Controlled Substances Act, it shall be unlawful for any person eighteen 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 eighteen years to aid and abet any person in the manufacture, transportation, distribution, carrying, delivery, dispensing, preparation for delivery, offering for delivery, or possession with intent to do the same of a controlled substance or a counterfeit controlled substance.

(c) Any person who violates subdivision (a) or (b) of this subsection shall be punished by the next higher penalty classification than the penalty prescribed in subsection (2), (7), (8), (9), or (10) of this section, depending upon the controlled substance involved, for the first violation and for a second or subsequent violation shall be punished by the next higher penalty classification than that prescribed for a first violation of this subsection, but in no event shall such person be punished by a penalty greater than a Class IB felony.

6. It shall not be a defense to prosecution for violation of subsection (4) or (5) of this section that the defendant did not know the age of the person through whom the defendant violated such subsection.

7. Any person who violates subsection (1) of this section with respect to cocaine or any mixture or substance containing a detectable amount of cocaine in a quantity of:

- (a) One hundred forty grams or more shall be guilty of a Class IB felony;
- (b) At least twenty-eight grams but less than one hundred forty grams shall be guilty of a Class IC felony; or
- (c) At least ten grams but less than twenty-eight grams shall be guilty of a Class ID felony.

8. Any person who violates subsection (1) of this section with respect to base cocaine (crack) or any mixture or substance containing a detectable amount of base cocaine in a quantity of:

- (a) One hundred forty grams or more shall be guilty of a Class IB felony;
- (b) At least twenty-eight grams but less than one hundred forty grams shall be guilty of a Class IC felony; or
- (c) At least ten grams but less than twenty-eight grams shall be guilty of a Class ID felony.

9. Any person who violates subsection (1) of this section with respect to heroin or any mixture or substance containing a detectable amount of heroin in a quantity of:

- (a) One hundred forty grams or more shall be guilty of a Class IB felony;
- (b) At least twenty-eight grams but less than one hundred forty grams shall be guilty of a Class IC felony; or
- (c) At least ten grams but less than twenty-eight grams shall be guilty of a Class ID felony.

10. Any person who violates subsection (1) of this section with respect to amphetamine, its salts, optical isomers, and salts of its isomers, or with respect to methamphetamine, its salts, optical isomers, and salts of its isomers, in a quantity of:

- (a) One hundred forty grams or more shall be guilty of a Class IB felony;
- (b) At least twenty-eight grams but less than one hundred forty grams shall be guilty of a Class IC felony; or
- (c) At least ten grams but less than twenty-eight grams shall be guilty of a Class ID felony.

11. Any person knowingly or intentionally possessing marijuana weighing more than one ounce but not more than one pound shall be guilty of a Class III misdemeanor.

12. Any person knowingly or intentionally possessing marijuana weighing more than one pound shall be guilty of a Class IV felony.

13. Any person knowingly or intentionally possessing marijuana weighing one ounce or less shall:

(a) For the first offense, be guilty of an infraction, receive a citation, be fined three hundred dollars, and be assigned to attend a course as prescribed in section 29-433 if the judge determines that attending such course is in the best interest of the individual defendant:

(b) For the second offense, be guilty of a Class IV misdemeanor, receive a citation, and be fined four hundred dollars and may be imprisoned not to exceed five days; and

(c) For the third and all subsequent offenses, be guilty of a Class IIIA misdemeanor, receive a citation, be fined five hundred dollars, and be imprisoned not to exceed seven days.

14. Any person convicted of violating this section, if placed on probation, shall, as a condition of probation, satisfactorily attend and complete appropriate treatment and counseling on drug abuse provided by a program authorized under the Nebraska Behavioral Health Services Act or other licensed drug treatment facility.
15. Any person convicted of violating this section, if sentenced to the Department of Correctional Services, shall attend appropriate treatment and counseling on drug abuse.
16. Any person knowingly or intentionally possessing a firearm while in violation of subsection (1) of this section shall be punished by the next higher penalty classification than the penalty prescribed in subsection (2), (7), (8), (9), or (10) of this section, but in no event shall such person be punished by a penalty greater than a Class IB felony.
17. A person knowingly or intentionally in possession of money used or intended to be used to facilitate a violation of subsection (1) of this section shall be guilty of a Class IV felony.

**Unlawful acts; violations; penalty. (28-417.)**

1. It shall be unlawful for any person:
  - (g) 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 under this subdivision, it shall not be necessary for the state to prove that the accused was under the influence of any specific controlled substance, but it shall be sufficient for a conviction under this subdivision for the state to prove that the accused was under the influence of some controlled substance by proving that the accused did manifest physical and physiological symptoms or reactions caused by the use of any controlled substance.
2. Any person who violates this section shall be guilty of a Class III misdemeanor.

**Intentional violations; penalty. (28-418.)**

1. It shall be unlawful for any person knowingly or intentionally:
  - (a) Who is a registrant to distribute a controlled substance classified in Schedule I or II of section 28-405 in the course of his or her legitimate business except pursuant to an order form as required by section 28-413;
  - (b) To use in the course of the manufacture or distribution of a controlled substance a registration number which is fictitious, revoked, suspended, or issued to another person;
  - (c) To acquire or obtain or to attempt to acquire or obtain possession of a controlled substance by theft, misrepresentation, fraud, forgery, deception, or subterfuge;
2. Any person who violates this section shall be guilty of a Class IV felony.

**Inhaling or drinking certain intoxicating substances; unlawful. (28-419.)**

No person shall breathe, inhale, or drink any compound, liquid, or chemical containing acetate, acetone, benzene, butyl alcohol, cyclohexanone, ethyl acetate, ethyl alcohol, ethylene dichloride, ethylene trichloride, hexane, isopropanol, isopropyl alcohol, methyl alcohol, methyl cellosolve acetate, methyl ethyl ketone, methyl isobutyl ketone, pentachlorophenol, petroleum ether, toluene, toluol, trichloroathane, trichloroethylene, or any other substance for the purpose of inducing a condition of intoxication, stupefaction, depression, giddiness, paralysis, inebriation, excitement, or irrational behavior, or in any manner changing, distorting, or disturbing the auditory, visual, mental, or nervous processes, For the purposes of sections 28-419 to 28-424, any such condition so induced shall be deemed an intoxicated condition.

**Selling or offering for sale certain compounds; use; knowledge of seller unlawful. (28-420.)**

No person shall knowingly sell or offer for sale, deliver or give to any person any compound, liquid or chemical or any other substance which will induce an intoxicated condition as defined in section 28-419. when the seller, offerer or deliverer knows or has reason to know that such compound is intended for use to induce such condition.

**Violations; penalty. (28-424.)**

Any person who violates any provision of section 28-419, 28-420, 28-422, or 28-423 shall be guilty of a Class III misdemeanor.

**Additional penalties. (28-427.)**

Any penalty imposed for violation of the Uniform Controlled Substances Act shall be in addition to, and not in lieu of, any civil or administrative penalty or sanction authorized by law. A conviction or acquittal under federal law or the law of another state having a substantially similar law shall be a bar to prosecution in this state for the same act. If any person is convicted for violation of the Uniform Controlled Substances Act, in addition to any penalty imposed by the court, the court may order that such person make restitution to any law enforcement agency for reasonable expenditures made in the purchase of any controlled substances from such person or his or her agent as part of the investigation leading to such conviction.

**Drug paraphernalia; use or possession; unlawful; penalty. (28-441.)**

1. It shall be unlawful for any person 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 in violation of sections 28-101, 28-431, and 28-439 to 28-444.
2. Any person who violates this section shall be guilty of an infraction.

**Drug paraphernalia; deliver or manufacture; unlawful; exception; penalty. (28-442.)**

1. It shall be unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver, drug paraphernalia, knowing, or under circumstances in which one reasonably should know, that it will be used to manufacture, inject, ingest, or inhale or otherwise be used to introduce into the human body a controlled substance in violation of sections 28-101, 28-431, and 28-439 to 28-444.
2. This section shall not apply to pharmacists who sell hypodermic syringes or needles for the prevention of the spread of infectious diseases.
3. Any person who violates this section shall be guilty of a Class II misdemeanor.

**Delivery of drug paraphernalia to a minor; penalty. (28-443.)**

Any person eighteen years of age or older who violates section 28-442 by delivering drug paraphernalia to a person under eighteen years of age who is at least three years his or her junior shall be guilty of a Class I misdemeanor.

**Imitation controlled substance; prohibited acts; determination; penalties; seizure. (28-445.)**

1. Any person who knowingly and intentionally manufactures, distributes, delivers, or possesses with intent to distribute or deliver an imitation controlled substance shall:
  - (a) For the first offense, be guilty of a Class III misdemeanor; and
  - (b) For the second and all subsequent offenses, be guilty of a Class II misdemeanor.

Federal Trafficking Penalties (PDF) Located on the web at [www.bryanhealthcollege.edu](http://www.bryanhealthcollege.edu)

Uses and Effects of Controlled Substances (PDF) Located on the web at [www.bryanhealthcollege.edu](http://www.bryanhealthcollege.edu)

NOTE: Bryan College of Health Sciences complies with the Drug-Free School and Communities Act Amendments of 1989 (Public Law 101-226) through the publication of the Alcohol and Drugs Policy and other written materials distributed annually to students and employees.

**Drug Free Schools and Communities Act (DFSCA) Compliance**

Bryan College of Health Science's Drug and Alcohol Abuse Prevention is emailed to all employees and all students at the beginning of the fall academic semester.

Information related to alcohol and other drug use can be found in the Bryan College Student Handbook. Additional alcohol and drug policies, standards of conduct, applicable disciplinary sanctions, health risks, counseling, processes, goals, and objectives can be found on the Bryan College of Health Sciences website. The biennial report, developed in accordance with the Drug Free Schools and Communities Act (DFSCA) of 1989, can be also obtained by contacting the Dean of Students Office.

- Contact the Dean of Students Office by dialing (402) 481-3804 or on-campus extension 3804, or in person at Bryan College Health Sciences, East Campus Office 233.

### Alcohol and Other Drugs (AOD) Education and Outreach

<u>Program Name</u>	<u>Date</u>	<u>Target Audience</u>
Title IX Training	Spring 2020	Faculty
VAWA and Bystander Intervention Training	January, 2020	New Student Orientation Students
Drug & Alcohol Speaker	January, 2020	New Student Orientation Students
Campus/Community Safety	January, 2020	New Student Orientation Students
National Stalking Awareness Month	January, 2020	Campus Wide-Flyer Poster
Spring Health Fair-booths on Alcohol Use, Intimate Partner Violence, Substance Abuse	March, 2020	Various Campus Wide Presentations
How Does Alcohol Affect College Students	April, 2020	Campus Wide Email
I Ask for Consent	April, 2020	Social Media Posting-Facebook/Campus Wide Email
VAWA and Bystander Intervention	August, 2020	New Student Orientation
Drug and Alcohol Speaker-Prevention	August, 2020	New Student Orientation
National Domestic Violence Awareness Month	October, 2020	Bulletin Board Display in College
Intimate Partner Violence	October, 2020	YouTube Video-Campus Wide/Social Media campaign
Drug Take Back Day	October, 2020	Campus Wide Email
Fall Student Health Fair – Topics Included: Alcohol Use/Abuse Substance Abuse Domestic/Interpersonal Violence Sexual Health	November, 2020	Virtual format-Student Presenting.
What is Consent Preventing Sexual Assault Brochures	Year Round	Campus Wide
Voices of Hope Campus Advocate Brochures	Year Round	Campus Wide

### Violence Against Women (VAWA) Reauthorization

#### Sexual Misconduct Policies, Services, Resources, and Protocols

Bryan College of Health Sciences prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the college community. Toward that end, BCHS issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on our off campus when it is reported to a College official.

#### Federal Clery Acts of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

- Domestic Violence:
  - A Felony or misdemeanor crime of violence committed by-
    - A current or former spouse or intimate partner of the victim;
    - A person with who the victim shares a child in common;
    - A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
    - A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
    - Any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime or violence occurred.
  - For the purposes of complying with the requirements of the section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- Definition of a **Crime of Violence**: According to Section 16 of Title 18 of the United States Code, the term “crime of violence” means:
  - An offense that has an element of the use , attempted use, or threatened use of physical force against the person or property of another; or,
  - Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.
- **Dating violence**: Violence committed by a person who is or has been in a social relationship of a romantic of interaction between the persons involved in the relationship.
  - The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
  - For the purposes of this definition-
    - Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    - Dating violence does not include acts covered under the definition of domestic violence.
    - For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purpose of Clery Act reporting.
- **Sexual Assault**: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.”
  - Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
  - Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
  - Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.
- **Stalking**:
  - i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- A) Fear for the person's safety or the safety of others; or,
- B) Suffer substantial emotional distress.

ii. For purposes of this definition—

- **Course of conduct** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.
- **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

iii. For the purposes of complying with the requirements of this section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

## Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

### Nebraska State Laws/Definitions of VAWA Crimes (<https://nebraskalegislature.gov>)

#### **Chapter 79-2,140. Dating Violence.**

For purposes of the Lindsay Ann Burke Act, unless the context otherwise requires:

- (1) Dating partner means any person, regardless of gender, involved in an intimate relationship with another person primarily characterized by the expectation of affectionate involvement whether casual, serious, or long-term;
- (2) Dating violence means 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;
- (3) Department means the State Department of Education; and
- (4) School district has the same meaning as in section 79-101.

#### **Chapter 28-323. Domestic assault; penalties.**

- (1) A person commits the offense of domestic assault in the third degree if he or she:
  - (a) Intentionally and knowingly causes bodily injury to his or her intimate partner;
  - (b) Threatens an intimate partner with imminent bodily injury; or
  - (c) Threatens an intimate partner in a menacing manner
- (2) A person commits the offense of domestic assault in the second degree if he or she intentionally and knowingly causes bodily injury to his or her intimate partner with a dangerous instrument.
- (3) A person commits the offense of domestic assault in the first degree if he or she intentionally and knowingly causes serious bodily injury to his or her intimate partner.
- (4) Violation of subdivision (1)(a) or (b) of this section is a Class I misdemeanor, except that for any subsequent violation of subdivision (1)(a) or (b) of this section, any person so offending is guilty of a Class IIIA felony.
- (5) Violation of subdivision (1)(c) of this section is a Class I misdemeanor.
- (6) Violation of subsection (2) of this section is a Class IIIA felony, except that for any second or subsequent violation of such subsection, any person so offending is guilty of a Class IIA felony.
- (7) Violation of subsection (3) of this section is a Class IIA felony, except that for any second or subsequent violation under such subsection, any person so offending is guilty of a Class II felony.
- (8) For purposes of this section, intimate partner 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 dating relationship. For purposes of this subsection, dating relationship means frequent, intimate associations primarily characterized by the expectation of affectional or sexual



involvement, but does not include a casual relationship or an ordinary association between persons in a business or social context.

### **Chapter 28-318. Sexual Assault and Consent**

As used in sections [28-317](#) to [28-322.05](#), unless the context otherwise requires:

- (1) Actor means a person accused of sexual assault;
- (2) Intimate parts means the genital area, groin, inner thighs, buttocks, or breasts;
- (3) Past sexual behavior means sexual behavior other than the sexual behavior upon which the sexual assault is alleged;
- (4) Serious personal injury means great bodily injury or disfigurement, extreme mental anguish or mental trauma, pregnancy, disease, or loss or impairment of a sexual or reproductive organ;
- (5) Sexual contact means 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 actor's sexual or intimate parts or the clothing covering the immediate area of the actor's sexual or intimate parts when such touching is intentionally caused by the actor. Sexual contact includes only such conduct which can be reasonably construed as being for the purpose of sexual arousal or gratification of either party. Sexual contact also includes the touching of a child with the actor's sexual or intimate parts on any part of the child's body for purposes of sexual abuse by a school employee under section [28-316.01](#) or sexual assault of a child under sections [28-319.01](#) and [28-320.01](#);
- (6) Sexual penetration means sexual intercourse in its ordinary meaning, cunnilingus, fellatio, anal intercourse, or any intrusion, however slight, of any part of the actor's or victim's body or any object manipulated by the actor into the genital or anal openings of the victim's body which can be reasonably construed as being for nonmedical, non-health, or nonlaw enforcement purposes. Sexual penetration shall not require emission of semen;
- (7) Victim means the person alleging to have been sexually assaulted;
- (8) **Without consent means:**
  - (a)(i) The victim was compelled to submit due to the use of force or threat of force or coercion, or
  - (ii) the victim expressed a lack of consent through words, or
  - (iii) the victim expressed a lack of consent through conduct, or
  - (iv) the consent, if any was actually given, was the result of the actor's deception as to the identity of the actor or the nature or purpose of the act on the part of the actor;
  - (b) The victim need only resist, either verbally or physically, so as to make the victim's refusal to consent genuine and real and so as to reasonably make known to the actor the victim's refusal to consent; and
  - (c) A victim need not resist verbally or physically where it would be useless or futile to do so; and
- (9) Force or threat of force means
  - (a) the use of physical force which overcomes the victim's resistance or
  - (b) the threat of physical force, express or implied, against the victim or a third person that places the victim in fear of death or in fear of serious personal injury to the victim or a third person where the victim reasonably believes that the actor has the present or future ability to execute the threat.

### **Chapter 28-311.03. Stalking.**

Any person who willfully harasses another person or a family or household member of such person with the intent to injure, terrify, threaten, or intimidate commits the offense of stalking.

### **Bryan College's Definition of Consent as it relates to Sexual Activity is as follows:**

**Consent:** For purposes of this policy, consent means words or actions demonstrating a knowing and voluntary agreement to engage in mutually agreed upon sexual activity. Consent cannot be coerced, obtained by force, by ignoring or acting in spite of the objections of another, or by taking advantage of the incapacitation of another. In

the case of drugs, alcohol, or other impairing substances, incapacitation is determined by how the person's decision-making ability is affected and the ability of the person to make informed judgments. The relevant standard for review is whether the person alleged to have engaged in sexual misconduct knew, or a sober, reasonable person in the same position should have known, that the complainant was incapacitated. Consent to one form of activity is not consent to another. Consent can be withdrawn at any time. Incident specific consent is required even if the two partners are in a relationship.

### How to be an Active Bystander

Bystander Intervention involves safe and positive options that may be carried out to prevent harm or intervene when there is a risk of harm such as dating violence, domestic violence, sexual assault, or stalking. Bystander Intervention refers to finding a way to safely intervene in potentially dangerous situations. The bystander needs to: notice that an event is taking place, identify the event as some form of emergency, take responsibility for helping, decide on the appropriate helping response, and implement that response.

#### **Bystander Intervention techniques include:**

- **Direct:** Step in and address the situation directly. This might look like saying, "That's not cool. You need to stop." or "You need to leave them alone." This technique tends to work better when the person that you're trying to stop is someone that knows and trusts you. It does not work well when drugs or alcohol are being used because someone's ability to have a conversation with you about what is going on may be impaired, and they are more likely to become defensive
- **Distract:** Distract either person in the situation to intervene. You might say, "Aren't you in one of my classes?" or "Who wants to go get pizza?" This technique is especially useful when drugs or alcohol are being used because people under the influence are more easily distracted than those that are sober.
- **Delegate:** Find others who can help you to intervene in the situation. Asking a friend to distract one person in the situation while you distract the other or, asking someone to go sit with them and talk, or going and starting a dance party in the middle of their conversation. If you didn't know either person in the situation, you could also ask around to see if someone else does and check in with them. See if they can go talk to their friend, text their friend to check in, or intervene.
- **Delay:** At times you may not be able to do something right in the moment. For example, if you're feeling unsafe or if you're unsure whether or not someone in the situation is feeling unsafe. In this case, you can combine a distraction technique by asking the person to use the bathroom with you or go get a drink with you to separate them from the person that they are talking with. Then asking "Are you okay?" or "How can I help you get out of this situation?" You could also text the person, either in the situation or after you see them leave and ask, "Are you okay?" or "Do you need help?"

All College constituents have the responsibility to look out for one another. Making the choice to intervene is always the right thing to do. If you see something, say something! Don't hesitate to call 911 if you are concerned for someone's safety.

### Risk Reduction

The following risk reduction strategies have been adapted from the Rape, Abuse, and Incest National Network at [www.rainn.org](http://www.rainn.org) and Love is Respect at [www.loveisrespect.org](http://www.loveisrespect.org).

- **Go to a social gathering go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Know where you are and who is around you.
- **Don't leave your drink unattended while dancing, talking, or using the restroom.** If you have left your drink unattended get a new one. At parties do not drink from the punch bowl or other large common open containers.

- **Don't accept drinks from people you don't know or trust.** If you do accept a drink, go with the person to the bar to order it and carry it yourself.
- **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately by calling 911.
- **Don't allow yourself to be isolated** with someone you don't know.
- **Watch out for your friends, and vice versa.** If a friend appears way too intoxicated for the amount of alcohol they've had, or is acting out of character, get them to safe place immediately.

**If you are in an uncomfortable or scary situation:**

- **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
- **Be true to yourself.** Don't feel obligated to do anything you don't want to do. Do what feels right to you and what you are comfortable with.
- **Have a code word with your friends or family.** If you feel uncomfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be.
- **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around you might be able to help you?
- **If you or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

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

The College engages in intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

BCHS educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students that:

- Clearly communicate that the institution prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act);
- Provide the definitions of domestic violence, dating violence, sexual assault, and stalking according to any applicable jurisdictional definitions of these terms;
- Define consent and describe what behaviors and actions constitute consent, in reference to sexual activity as defined by the student and employee codes of conduct;
- Provide a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- Provide information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence;

- Provide an overview of information contained in the Annual Security and Fire Safety Report in compliance with the Clery Act;
- Provide information regarding:
  - procedures victims should follow if a crime of domestic violence, dating violence, sexual assault, or stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this Annual Report);
  - how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this Annual Report);
  - existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both in the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this Annual Report); and
  - options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this Annual Report);
  - procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking

### Primary Prevention and Awareness Programs

The College provides primary prevention and awareness programs to all incoming students and employees that involves the distribution of educational materials to new students, participating in and presenting information and material during new student and employee orientations, providing programs by invitation at staff meetings or academic programs, and requiring incoming first-year students to take online courses related to high risk drinking awareness and education. These training include:

- Clearly articulated statements that the College prohibits the crimes of domestic violence, dating violence, sexual assault and stalking;
- The Federal and State definitions of domestic violence, dating violence, sexual assault and stalking;
- The College and State definitions of consent;
- A description of safe and positive options for bystander intervention;
- Information on specific risk strategies.

### Ongoing Prevention and Awareness Campaigns

The College provides an annual educational campaign for all students and employees designed to provide ongoing education and programming around issues of sexual violence – including sexual assault, domestic violence, dating violence, and stalking. Campaign strategies employed include face-to-face presentations, online training programs, printed materials, self-defense programming, tabling displays and related lectures. The college additionally provides educational/information “snack and learn” information sessions on Clery Act-specific policies and crime reporting practices, along with information related to the Department of Education’s Office of Civil Rights Title IX Guidance.

**NOTE:** Due to the pandemic and a portion of the College’s classes were held over zoom, our programming schedule was limited.

### **Procedures Victims Should Follow If a Crime of Domestic Violence, Dating Violence, Sexual Assault, or Stalking Occurs**

The College encourages any person who has a concern regarding alleged Prohibited Conduct to report it to the Title IX Coordinator (Dean of Students) as soon after the incident as possible. However, there is no time limit on when an

incident may be reported to the Title IX Coordinator or other College administrator. Complaints may be made by the following methods:

- Title IX Coordinator/Dean of Students: Dr. Alethea Stovall; 402-481-3804, [alethea.stovall@bryanhealthcollege.edu](mailto:alethea.stovall@bryanhealthcollege.edu);
- Deputy Director to Title IX: Dr. Sue Pilker, 402-481-8712, [sue.pilker@bryanhealthcollege.edu](mailto:sue.pilker@bryanhealthcollege.edu);
- Professional Development Counselor: Mel Stutzman, 402-481-3831, [mel.stutzman@bryanhealthcollege.edu](mailto:mel.stutzman@bryanhealthcollege.edu);
- College Health Nurse: Melissa Jones, 402-481-8468, [Melissa.jones@bryanhealthcollege.edu](mailto:Melissa.jones@bryanhealthcollege.edu);
- College Health Nurse: Melinda White, 402-481-8468, [Melinda.white@bryanhealthcollege.edu](mailto:Melinda.white@bryanhealthcollege.edu);

The Title IX Coordinator will begin an initial assessment within five (5) calendar days of receiving the complaint unless there are mitigating circumstances. The first step of the assessment will usually be a preliminary meeting with the complainant. The purpose of the preliminary meeting is to gain a basic understanding of the nature and circumstances of the report. It is not intended to be a full review. At this meeting the complaint will be provided with any additional necessary information about resources, procedural options, and Supportive Measures.

### Involvement of Law Enforcement and Campus Authorities

#### Primary Campus Security Authorities (CSA) or Preferred Receivers of reports:

Lincoln Police Department - Emergency	911
Lincoln Police Department - Non Emergency	402-441-6000
Bryan Medical Center Security Department	402-481-8488 East 402-481-5802 West
Dean of Operations	402-481-3967
Dean of Students/Title IX Coordinator	402-481-3804
Title IX Deputy Coordinator	402-481-8712

### Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

If you have been the victim of domestic violence, dating violence, sexual assault, and stalking, you should report the incident promptly to the Title IX Coordinator/Dean of Students (East Campus, Office 233; phone: 402-481-3804). By calling, writing or coming into the office to report in person. Reports of all domestic violence, dating violence, sexual assault, and stalking made to Campus Safety will automatically be referred to the Title IX Coordinator for review. The Title IX Coordinator is not a confidential reporting entity and is required to report criminal incidents to Public Safety.

### Procedures the College Will Follow When A Crime of Domestic Violence, Dating Violence, Sexual Assault, or Stalking is Reported

The College has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their rights to file criminal charges; as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, and other services on and/or off-campus; as well as additional remedies to prevent contact between a complainant and an accused party, such as academic accommodations, if reasonably available.

### Steps in Initiating and Investigating a Complaint of Prohibited Conduct

All proceedings will include prompt, fair, and impartial processes from the initial investigation to the final result, and will be completed within a reasonably prompt timeframe as described below. The College will provide written notice to the parties where extensions of timeframes are granted for good cause, and the reason for the extension. Proceedings will be conducted in a manner that is consistent with College policy and transparent to the parties, timely notice of meetings will be provided to the parties, the parties will have equal access to any information that will be used during the meetings and other proceedings, and College officials involved will not have a conflict of interest or bias for or against any party.

All proceedings will be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct procedures that protect the safety of the victims and promote accountability. Training includes, but is not limited to, topics such as relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest.

The complainant and respondent are entitled to the same opportunities to have others present during a disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. The College will not limit the choice of advisor or the advisor's presence for either party.

Both the complainant and the respondent will be simultaneously informed, in writing: a) of the outcome of any College disciplinary proceeding that arises from an allegation of Prohibited Conduct; b) of the College's procedures for the complainant and respondent to appeal the results of the College disciplinary proceeding; c) of any change to the results that occurs prior to the time that such results become final; and d) when such results become final.

## Facilitated Anonymous Reporting Through Professional Counselors Privileged and Confidential Communication

### **\*Professional Counselors**

Professional, licensed counselors who provide mental-health counseling to members of the College community are not required to report any information about the incident to the Title IX Coordinator without a client's permission. There are currently no procedures to encourage professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

### **\*Non-professional Counselors and Advocates**

Individuals who work in the on-campus Professional Development Services and Health and Wellness Services, and Bryan Medical Center, Employee Health can generally talk to a client without revealing any personally identifying information about an incident to the College. A client can seek assistance and support from these individuals without triggering a College investigation that could reveal the client's identity or that the client has disclosed the incident.

While maintaining a client's confidentiality, these individuals or their office should report the nature, date, time, and general location of an incident to the Title IX Coordinator. This limited report, which includes no information that would directly or indirectly identify the client, helps keep the Title IX Coordinator informed of the general extent and nature of sexual violence on and off campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before reporting any information to the Title IX Coordinator, these individuals will consult with the client to ensure that no personally identifying details are shared with the Title IX Coordinator. These individuals or their office will also report the nature, date, time and general location of an incident (but not the identity of the client, unless necessary to promote safety) to the Security Department so that the report can be included in the College's crime statistics.

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

These counselors and advocates will assist the client in receiving necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health, or mental health services, and changes to working or course schedules. A client who at first requests confidentiality may later decide to file a complaint with the College or report the incident to local law enforcement, and thus have the incident fully investigated. These counselors and advocates will provide the client with assistance if the client wishes to do so.

### **Professional Counselors**

#### **Professional Development**

Mel Stutzman

Bryan College of Health Sciences

Office 216b 402-481-3831

#### **Continuum EAP**

1135 M Street, Suite 400

Lincoln, NE 68508

402-476-0186 or 1-800-755-7636

#### **Pastoral Care**

Bryan Health

East Campus - 402-481-3404

West Campus – 402-481-5130

### **Non-professional Counselors and Advocates**

#### **Health and Wellness Services**

Melinda White & Melissa Jones

Bryan College of Health Sciences

Office 214b 402-481-8468

#### **Employee Health Services**

Bryan Health

East Campus

West Campus

402-481-8622



## Anonymous Online Reporting

The College will attempt to respond to reports of Prohibited Conduct brought anonymously or brought by third parties not directly involved in the reported conduct, to the greatest extent practical. However, the response to such reports may be limited if information presented in the report cannot be verified by independent facts. The Anonymous Online Reporting form [may be found here](#).

## Anonymous Reporting to Law Enforcement:

There are options to report a sexual assault or other crimes to law enforcement anonymously. These processes vary depending on the police department receiving the report. Please note, law enforcement may be limited in their ability to respond to anonymous reports. Lincoln Police Department:

- To make an anonymous report of sexual assault to the Lincoln Police Department, visit <https://www.lincoln.ne.gov/City/Departments/Police/Services/Report-Sex-Assault-Anonymously> or call (402) 441-3866. Individuals can choose to report as much information as they would like.
- Victims who choose to receive a forensic examination by a sexual assault nurse examiner may request that the evidence be collected anonymously, meaning they can choose whether to report their name and other information to law enforcement.

## Employee Assistance Program

Bryan College of Health Sciences provides Continuum Employee Assistance Program (EAP) for use by students and employees. The Continuum EAP is available to provide students and employees with such problems as sexual or physical abuse, depression, marital and relationship conflict, stress, grief, critical incident stress, anxiety, and other personal matters. All students and employees, regardless of performance, are eligible. The contact number of the Continuum EAP is listed above

## Assistance for Victims – Rights and Options

Counselors and advocates will assist the individual in receiving necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health, or mental health services, and changes to working or course schedules. An individual who at first requests confidentiality may later decide to file a complaint with the College or report the incident to local law enforcement, and thus have the incident fully investigated. These counselors and advocates will provide the individual with assistance if the individual wishes to do so.

## Accommodations and Protective measures available for Victims

Bryan College of Health Sciences takes strong responsive action to protect the safety of an individual. The Title IX coordinator is responsible in gathering sensitive information dealing with sexual misconduct. In every report of sexual misconduct, the Title IX Coordinator will conduct a Title IX inquiry. At the conclusion of the Title IX inquiry, in consideration of the Complainant's wishes and the safety of the campus community, the report may be referred for supportive measures and/or a Title IX Complaint may be filed. Supportive measures address a Complainant's safety and well-being and continued access to educational and employment opportunities. Protective measures involve action against a respondent.

## Confidentiality

The College is committed to fair and prompt procedures to investigate and adjudicate reports of sexual misconduct and to the education of the College community about the importance of responding to all forms of sexual misconduct. Special emphasis is placed on the rights, needs, and privacy of the student with a complaint, as well as the rights of the accused while adhering to all federal, state, and local requirements for intervention and crime reporting related to sexual misconduct. The College strives to create an environment which encourages students to come forward if they feel they have been the victim of sexual misconduct. While the College strives to protect the confidentiality of both complainant and respondent, complete confidentiality cannot be guaranteed. The College will take all reasonable steps to investigate and respond to the complaint consistent with the request for



confidentiality or request not to pursue an investigation, but its ability to do so may be limited based on the nature of the request. The College must balance the needs of the individual student with its obligation to protect the safety and well-being of the community at large. Therefore, depending on the seriousness of the alleged incident and individual circumstances, further action may be necessary including a campus security alert, timely warning and/or notification of local law enforcement. Personally identifying information about complainants will not, however, be released in campus security alerts or timely warnings.

Victims may request that directory information on file with the College be withheld by request. This request can be made to the Registrar's Office in person or by calling (402) 481-8718. Regardless of whether a victim has opted out of allowing the College to share "directory information," personally identifiable information (PII) about the victim and other necessary parties will be treated as confidential and only shared with person who have a specific need to know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

### ON- and OFF-Campus Services for Victims

Professional, licensed counselors who provide mental-health counseling to members of the College community are not required to report any information about the incident to the Title IX Coordinator without a individual's permission. There are currently no procedures to encourage professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Following is the contact information for these individuals:

- Professional Development Mel Stutzman Bryan College of Health Sciences Office 216b 402-481-3831
- Continuum EAP 3401 Village Drive, Suite 210, Lincoln, NE 68516 402-476-0186 or 1-800-755-7636
- Pastoral Care Bryan Health East Campus - 402-481-3404 West Campus – 402-481-5130

Individuals who work in the on-campus Professional Development Services and Health and Wellness Services, and Bryan Medical Center, Employee Health can generally talk to an individual without revealing any personally identifying information about an incident to the College. An individual can seek assistance and support from these individuals without triggering a College investigation that could reveal the individual's identity or that the individual has disclosed the incident.

Following is contact information for these non-professional counselors and advocates:

- Health and Wellness Services Melinda White Melissa Jones Bryan College of Health Sciences Office 208 402-481-8468
- Employee Health Services Bryan Health East Campus West Campus 402-481-8622

Title IX Coordinator:

- Alethea Stovall, Dean of Students, 1535 S. 52nd St., office #233, Lincoln, NE 68506, 402-481-3804 or [alethea.stovall@bryanhealth.org](mailto:alethea.stovall@bryanhealth.org)

Deputy Title IX Coordinator:

- Sue Pilker, Assistant Dean of Undergraduate Nursing 1535 S. 52nd St., office #321, Lincoln, NE 68506, 402-481-8712 or [sue.pilker@bryanhealth.org](mailto:sue.pilker@bryanhealth.org)

### Adjudication of Violations

All proceedings will include prompt, fair, and impartial processes from the initial investigation to the final result, and will be completed within a reasonably prompt timeframe as described below. The College will provide written notice to the parties where extensions of timeframes are granted for good cause, and the reason for the extension.

Proceedings will be conducted in a manner that is consistent with College policy and transparent to the parties, timely notice of meetings will be provided to the parties, the parties will have equal access to any information that will be used during the meetings and other proceedings, and College officials involved will not have a conflict of interest or bias for or against any party. All proceedings will be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct procedures that protect the safety of the victims and promote accountability. Training includes, but is not limited to, topics such as relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest. The complainant and respondent are entitled to the same opportunities to have others present during a disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. The College will not limit the choice of advisor or the advisor's presence for either party. Both the complainant and the respondent will be simultaneously informed, in writing: a) of the outcome of any College disciplinary proceeding that arises from an allegation of Prohibited Conduct; b) of the College's procedures for the complainant and respondent to appeal the results of the College disciplinary proceeding; c) of any change to the results that occurs prior to the time that such results become final; and d) when such results become final.

#### If the victim does not wish to pursue resolution

If the complainant declines to move forward with the complaint process, the Title IX Coordinator will explain to the complainant that there may be circumstances in which the College is unable to abide by requests for confidentiality or inaction. In certain circumstances the College may decide that it needs to investigate the complainant's allegations and to take appropriate responsive measures even where the complainant does not wish to pursue a complaint against the respondent or has decided to withdraw a pending complaint. Additionally, the complainant may request that the investigation be stopped at any time. The College and/or the Title IX Coordinator will determine whether the investigation can be stopped, or whether, due to countervailing concerns of campus safety, it is unable to honor the complainant's request to stop the investigation.

### **Student and Employee Disciplinary Proceedings utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault, and Stalking**

#### Organizational Behavior

Student groups are subject to the conduct expectations detailed throughout this policy. Any behavior, patterns of behavior, or information suggesting patterns of behavior that creates or contributes to the creation of hostile environment, retaliation, discrimination, or harassment will be investigated and could result in organizational and/or individual charges.

Any member of the College community may bring allegations against a student group/organization for violation of the Sexual Harassment/Interpersonal Violence Policy. The College will conduct a preliminary investigation into an incident.

An investigation will be conducted to determine if the allegations have merit and have met the threshold (defined below) to move forward with charges. The Title IX Coordinator or Deputy Title IX Coordinator may confer with the student group/organization's advisor(s), and/or other faculty and staff with a relationship to the student group/organization to solicit advice and recommendations regarding the case. Ultimately, the College is responsible for determining if the organization and/or individuals will be charged and the process for adjudication. All sections of this policy apply to groups and organizations.

#### Statement on Privacy

To protect the integrity of the investigation, complainants, respondents, witnesses, affected parties and advisors shall not, except as specifically permitted below, disclose any information discussed or revealed during the investigation while the investigation and adjudication process is still pending, other than to the investigator, and/or a confidential resource such as their mental health counselor or attorney (who also must not disclose such information), or a nonattorney advisor (who also must not disclose such information).

## Investigation of Reports of Sexual Misconduct Not Covered Under Title IX Grievance Process

Conduct that does not meet this strict definition for Title IX Sexual Harassment is still prohibited by this policy if it otherwise constitutes Prohibited Conduct as defined in this policy.

If it appears based upon initial review or upon information gathered during an investigation that the matter does not satisfy and/or no longer satisfies Title IX process, the College will, as required by the May 2020 Title IX regulations, dismiss the matter for purposes of the Title IX Sexual Harassment process, and will transfer it for handling under the Non-Title IX Prohibited Conduct procedures outlined below or under other College procedures, as deemed appropriate by College. Investigation and resolution of a matter that does not fall within the definition of Title IX Sexual Harassment may be pursued, dismissed altogether, or transferred to another College process, as deemed appropriate in the College's discretion and/or as appropriate under applicable law.

### Interim Measures and Supportive Measures Overview

It is not necessary to file a complaint, participate in an adjudication process, or file a criminal complaint in order to request Supportive Measures from the College. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to College's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College's educational environment, or deter Prohibited Conduct.

### Types of Interim and Supportive Measures

Supportive measures are non-disciplinary, non-punitive supports, and accommodations that are designed to preserve access to education programs and activities. Supportive Measures are reasonably available without fee or charge, and without unreasonably burdening the other party.

### Supportive Measures may include but are not limited to:

- No Contact Orders restricting encounters and communications between the parties;
- No Trespass Notices prohibiting the presence of an individual on College property, or other properties on which College programs are occurring;
- Academic accommodations, including but not limited to deadline extensions, incompletes, course changes or late drops, or other course-related adjustments and arrangements as appropriate;
- Changing transportation or working situations arrangements or providing other employment accommodations, and/or leaves of absence, as appropriate;
- Assisting the individual in accessing support services, including, as available, victim advocacy, academic support, counseling, confidential resources, disability, health or mental health services, visa and immigration assistance, student financial aid services, and legal assistance both on and off campus, as applicable;
- increased security and monitoring of certain areas of the campus;
- campus escort services; and/or
- Informing the individual of the right to report a crime to local law enforcement and/or seek orders of protection, restraining orders, or relief from abuse orders, and providing assistance if the individual wishes to do so. The College will also work with complainants and others as appropriate to respect and implement the requirements of such orders on premises that it owns or controls, as necessary and appropriate.

### Informal Resolution for Sexual Misconduct Grievance Process

The following steps apply exclusively to the investigation and resolution of reports of conduct that, if proved, would constitute Prohibited Conduct under this policy but that would not fall within the definition of **Title IX Sexual Harassment** provided above.

### **Investigating the Complaint**

Following the initial meeting between the complainant and the Title IX Coordinator, the complaint will be investigated by the Title IX Coordinator. If the complainant has declined to proceed with the complaint process, then the matter will be pursued only after consideration of the factors set forth in Section B.2 Conducting the Initial Assessment of this policy. The purpose of this investigation is to determine whether good cause exists to proceed with either informal or formal resolution of the complaint and shall be completed within thirty (30) calendar days. Failure to comply with the investigator's requests may result in disciplinary action.

### **Notification of the Respondent**

A respondent will be notified when the College seeks action that would impact a respondent, such as protective measures that restrict the respondent's movement on campus, the initiation of an investigation or the decision to involve the respondent in the informal resolution process.

The Title IX Coordinator shall notify the respondent, in writing, of the complaint, advise the respondent of the need for confidentiality, and instruct the respondent to not engage in any retaliatory behavior. The notice to the respondent will also include a summary of the allegations, the possible sanctions, and a brief description of the facts presented to support the allegations. For all allegations which could result in dismissal, the notice will include this possibility and will specify that dismissal prevents any future readmission to the College.

Both the complainant and the respondent will be given a copy of this policy.

Both the complainant and the respondent may provide information relevant to the complaint, including the names of any witnesses, to the Title IX Coordinator. In addition to interviewing the complainant and the respondent, the investigator will make reasonable attempts to contact and interview all of the individuals who are identified as witnesses with information relevant to the allegations of harassment or sexual misconduct.

The Title IX Coordinator's investigation will determine whether there is good cause to proceed to informal or formal resolution of the complaint. In order to make this determination, the investigator shall consider the record as a whole, including the nature of the alleged conduct and the context in which it occurred, and determine whether it is more likely than not that this policy has been violated.

The Title IX Coordinator will promptly investigate and prepare a confidential investigation report within thirty (30) calendar days of receiving the complaint, unless an extension of time is necessary in order to conduct a thorough and accurate investigation. If an extension of time is required, the Title IX Coordinator will provide written notification of the revised date for completing the investigation concurrently to both parties.

- Preponderance of The Evidence Standard

In the event that the investigation report concludes that it is more likely than not that this policy has been violated, the complainant may proceed with either informal resolution or formal resolution. The Title IX Coordinator will provide information regarding these processes to the complainant. In the event that the complainant elects not to move forward with the complaint at this stage, the College reserves the right to pursue the complaint in accordance with the formal resolution process.

- Finding of No Preponderance of The Evidence Standard

In the event that the investigation report concludes that it is not more likely than not that this policy has been violated, the complaint will be dismissed. The complainant may, however,

appeal the determination of no good cause to the College President. A complainant who wishes to file an appeal must file a petition no later than ten (10) calendar days from delivery of the complainant of the investigation report. An appeal petition shall consist of a detailed written statement specifying the precise grounds for appeal and indicate with precision the supporting facts, and shall be signed by the complainant.

The College President will consider the appeal petition and the investigation report to determine whether the original complaint is supported by the preponderance of the evidence standard within five (5) days of receiving the appeal petition. If the College President concludes that it is more likely than not that this policy has been violated, the President will inform both parties concurrently in writing of his/her decision, with a copy to the Title IX Coordinator. The Title IX Coordinator will then meet with the complainant to discuss the complainant's options for pursuing his/her complaint. Alternatively, if the President concurs with the Title IX Coordinator's determination that the complaint is not supported by the Preponderance of The Evidence Standard, the complaint will be dismissed, and no further action will be taken with respect to the complaint. The decision of the College President regarding whether a complaint demonstrates good cause is final and is not subject to appeal.

### **Resolution Process**

#### **1. Informal Resolution Procedure**

Informal resolution is a process through which a complaint may be resolved promptly and discreetly, through communication, education and/or mutual agreement.

Participating in the informal resolution process is optional and voluntary by the parties. The parties can end the informal process at any time and stop the proceedings or begin the formal resolution process. The goal of informal resolution is to resolve concerns at the earliest stage possible, with the cooperation of the parties involved.

The Title IX Coordinator will meet separately with both the complainant and the respondent to gather any additional information regarding the conduct alleged. The Title IX Coordinator will identify and recommend an appropriate sanction to address the respondent's conduct. The proposed finding of responsibility and sanction recommendation will be concurrently communicated in writing to both the complainant and the respondent. The complainant and the respondent will then have the opportunity to either accept or reject the proposed resolution.

If the matter is resolved informally to the satisfaction of all parties, the parties will document their acceptance in writing, and the informal resolution process will terminate, the sanctions (if any) will be imposed, and no further appeal shall be available to either party. The Title IX Coordinator will maintain a record of the complaint and its resolution.

If either party rejects the proposed resolution, the informal resolution process will terminate, and the complainant or the College will have the right to pursue the complaint through the formal resolution process. Upon the conclusion of the informal resolution process, the Title IX Coordinator will meet with the complainant to advise the complainant regarding the formal resolution process. If the complainant chooses to pursue the formal resolution process, he/she shall notify the Title IX Coordinator of this intention within five (5) days of terminating the informal resolution process. The College reserves the right to pursue the complaint in the event that the complainant declines to take further action.

In the interim between the conclusion of the informal resolution and the initiation of the formal resolution processes, the Title IX Coordinator may implement or extend interim protective measures, as appropriate.

### Formal Resolution for Sexual Misconduct Grievance Process

The non-Title IX formal resolution process at Bryan College of Health Sciences involves a Formal Appeal Panel review. The panel review is comprised of members of the College's Executive Committee and the program dean/director.

The following panel review procedures regarding presentation of evidence will be in effect:

- If either party intends to present forensic evidence, a trained forensic examiner must be present and available to testify regarding the nature of the evidence. No witness or exhibit may be presented if the identity of the witness or a copy of the exhibit was not submitted to the other party by the established deadline.
- A party shall not have the right to question another party directly; however, each party may submit proposed questions to the Formal Appeal Panel members to ask of the other party if the Formal Appeal Panel members determine, at their sole discretion, that the proposed questions are designed to elicit relevant information. The Formal Appeal Panel may also independently question the parties and witnesses in order to acquire additional information about the complaint.
- Evidence of the Complainant's sexual behavior or history may not be presented unless the behavior or history:
  - was between the complainant and the respondent
  - is offered for the purpose of showing that the act or acts charged were not committed by the respondent is evidence of an occurrence or occurrences of sexual behavior so distinctive and so closely resembling the respondent's account of the alleged encounter with the complainant as to tend to establish that the complainant consented to the act or acts charged
  - Sexual behavior otherwise admissible under this section may only be proved by evidence of specific acts and may not be proved by reputation or opinion. Until a determination is made under this section that specific evidence is admissible, no reference to the complainant's alleged sexual behavior or history shall be made in the presence of the committee, and no evidence of this behavior or history shall be introduced at any time during the hearing.

The Formal Appeal Panel will use the preponderance of the evidence standard to resolve the complaint. Decisions made by the Formal Appeal Panel are final pending the right to request an appeal based on new evidence or violation of due process.

### **Title IX Student & Employee Grievance Process (includes cases of Sexual Assault, Dating Violence, Domestic Violence, and Stalking)**

#### Sexual Harassment/Interpersonal Violence Policy Statement

This policy covers all Bryan College of Health Sciences students, regardless of sexual orientation, gender identity or expression, including part-time and full-time students, in all degree seeking and certificate programs and students

at-large. This policy also applies to the College's administrators, faculty, staff, visitors, and applicants for employment or admission. The College prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as those terms are defined for purposes of the Clery Act. It is important to note: If an employee is either the respondent or complainant, Bryan Medical Center Human Resources or designee, will be consulted throughout the entirety of the Interpersonal Violence Process as discussed.

The disciplinary process for sexual misconduct will be available to a student with a complaint and enforced against a person found to have engaged in the behavior. Students engaged in Prohibited Conduct may also be subject to criminal and civil procedures at state and/or federal levels. The College is committed to fair and prompt procedures to investigate and adjudicate reports of sexual misconduct and to the education of the College community about the importance of responding to all forms of sexual misconduct. Special emphasis is placed on the rights, needs, and privacy of the student with a complaint, as well as the rights of the accused while adhering to all federal, state, and local requirements for intervention and crime reporting related to sexual misconduct.

The College strives to create an environment which encourages students to come forward if they feel they have been the victim of sexual misconduct. While the College strives to protect the confidentiality of both complainant and respondent, complete confidentiality cannot be guaranteed. The College will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation, but its ability to do so may be limited based on the nature of the request. The College must balance the needs of the individual student with its obligation to protect the safety and well-being of the community at large. Therefore, depending on the seriousness of the alleged incident and individual circumstances, further action may be necessary including a campus security alert, timely warning and/or notification of local law enforcement. Personally identifying information about complainants will not, however, be released in campus security alerts or timely warnings.

Reasonable steps will be taken to protect the complainant, the respondent and other participants in the reporting, investigation, and resolution process from retaliation. Any individual who engages in retaliation will be subject to prompt and appropriate disciplinary action under this policy.

Inquiries about sexual harassment and/or interpersonal violence need not begin with a formal complaint, nor do they necessarily result in a complaint. Inquiries can be made without disclosing specific details such as names and places. Inquiries are appropriate whether sexual harassment or interpersonal violence has just begun or the complainant has already made efforts to resolve the problem him/herself. Any activity perceived as sexual harassment or interpersonal violence should be reported to the College's Title IX Compliance Coordinator: Dr. Alethea Stovall, Dean of Students, who is identified and authorized as the Title IX Coordinator and is responsible for coordinating the College's efforts to comply with Title IX, or a member of the College's administration, for investigation and action.

A complaint of alleged sexual harassment or interpersonal violence may not always be able to be substantiated, but the lack of corroborating evidence should not discourage an individual from seeking relief through procedures outlined in this policy. However, it is a violation of the policy to falsely and in bad faith accuse faculty, staff or students of sexual harassment or interpersonal violence.

The College encourages individuals who have experienced Prohibited Conduct and/or complainants to talk to somebody about what happened so they can get the support they need, and so the College can respond appropriately. Different employees on campus have different abilities to maintain a person's confidentiality.

#### Notice of Allegations for Title IX Grievance Process

The following steps apply exclusively to the investigation and resolution of reports of conduct that, if proved, would constitute Prohibited Conduct under this policy but that would not fall within the definition of **Title IX Sexual Harassment** provided above.

#### Investigating the Complaint

Following the initial meeting between the complainant and the Title IX Coordinator, the complaint will be investigated by the Title IX Coordinator. If the complainant has declined to proceed with the complaint process, then the matter will be pursued only after consideration of the factors set forth in Section B.2 Conducting the Initial Assessment of this policy. The purpose of this investigation is to determine whether good cause exists to proceed with either informal or formal resolution of the complaint and shall be completed within thirty (30) calendar days. Failure to comply with the investigator's requests may result in disciplinary action.

### **Notification of the Respondent**

A respondent will be notified when the College seeks action that would impact a respondent, such as protective measures that restrict the respondent's movement on campus, the initiation of an investigation or the decision to involve the respondent in the informal resolution process.

The Title IX Coordinator shall notify the respondent, in writing, of the complaint, advise the respondent of the need for confidentiality, and instruct the respondent to not engage in any retaliatory behavior. The notice to the respondent will also include a summary of the allegations, the possible sanctions, and a brief description of the facts presented to support the allegations. For all allegations which could result in dismissal, the notice will include this possibility and will specify that dismissal prevents any future readmission to the College.

Both the complainant and the respondent will be given a copy of this policy.

Both the complainant and the respondent may provide information relevant to the complaint, including the names of any witnesses, to the Title IX Coordinator. In addition to interviewing the complainant and the respondent, the investigator will make reasonable attempts to contact and interview all of the individuals who are identified as witnesses with information relevant to the allegations of harassment or sexual misconduct.

The Title IX Coordinator's investigation will determine whether there is good cause to proceed to informal or formal resolution of the complaint. In order to make this determination, the investigator shall consider the record as a whole, including the nature of the alleged conduct and the context in which it occurred, and determine whether it is more likely than not that this policy has been violated.

The Title IX Coordinator will promptly investigate and prepare a confidential investigation report within thirty (30) calendar days of receiving the complaint, unless an extension of time is necessary in order to conduct a thorough and accurate investigation. If an extension of time is required, the Title IX Coordinator will provide written notification of the revised date for completing the investigation concurrently to both parties.

- Preponderance of The Evidence Standard

In the event that the investigation report concludes that it is more likely than not that this policy has been violated, the complainant may proceed with either informal resolution or formal resolution. The Title IX Coordinator will provide information regarding these processes to the complainant. In the event that the complainant elects not to move forward with the complaint at this stage, the College reserves the right to pursue the complaint in accordance with the formal resolution process.

- Finding of No Preponderance of The Evidence Standard

In the event that the investigation report concludes that it is not more likely than not that this policy has been violated, the complaint will be dismissed. The complainant may, however,



appeal the determination of no good cause to the College President. A complainant who wishes to file an appeal must file a petition no later than ten (10) calendar days from delivery of the complainant of the investigation report. An appeal petition shall consist of a detailed written statement specifying the precise grounds for appeal and indicate with precision the supporting facts, and shall be signed by the complainant.

The College President will consider the appeal petition and the investigation report to determine whether the original complaint is supported by the preponderance of the evidence standard within five (5) days of receiving the appeal petition. If the College President concludes that it is more likely than not that this policy has been violated, the President will inform both parties concurrently in writing of his/her decision, with a copy to the Title IX Coordinator. The Title IX Coordinator will then meet with the complainant to discuss the complainant's options for pursuing his/her complaint. Alternatively, if the President concurs with the Title IX Coordinator's determination that the complaint is not supported by the Preponderance of The Evidence Standard, the complaint will be dismissed, and no further action will be taken with respect to the complaint. The decision of the College President regarding whether a complaint demonstrates good cause is final and is not subject to appeal.

#### Dismissal of Formal Complaint for Title IX Grievance Process

Even if the initial allegations of a matter fall within the definition of **Title IX Sexual Harassment**, the College may (but is not required to) dismiss a formal complaint or any allegations therein if at any time during the investigation or resolution process:

- 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 at or employed by the College; or
- Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

#### Consolidation of Formal Complaints for Title IX Grievance Process

The College may consolidate formal complaints as to allegations of **Title IX Sexual Harassment** 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 such **Title IX Sexual Harassment** 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.

#### Investigation of Formal Complaint for Title IX Grievance Process

The Title IX Coordinator or designee will appoint an investigator or investigators (referred to here in the singular as "investigator" for the sake of convenience), who may be College employees or outside investigators, to investigate a complaint. The College will provide notice to the parties of the identity of the investigator. If a party believes that an investigator has a bias against or for complainants or respondents generally or them particularly as a party, or a conflict of interest, the party may submit a written objection to the Title IX Coordinator that outlines the basis for their objection to the investigator's service. The Title IX Coordinator will make a decision on such objections, and will appoint any alternate investigator, and follow this process as necessary, until an investigator is selected to conduct the investigation.

The investigator will conduct a thorough fact-finding investigation. The investigation will usually include meetings with the complainant and the respondent separately, as well as witnesses who may have material information about the events that are the basis of the complaint. The investigator may also collect and examine any physical evidence or documents, emails, text messages, etc. that may be relevant to the events in question. At any time during the investigation, the complainant and respondent may provide written statements or other supporting materials that may be helpful to the investigator.

The complainant and respondent are entitled to be accompanied by an advisor of their choice whenever meeting with the investigator. Advisors can confer privately with their advisee, but cannot question the process nor address the investigator. The parties will be given periodic status updates throughout the investigation.

To protect the integrity of the investigation, complainants, respondents, witnesses, affected parties and advisors shall not, except as specifically permitted below, disclose any information discussed or revealed during the investigation while the investigation and adjudication process is still pending, other than to the investigator, and/or a confidential resource such as their mental health counselor or attorney (who also must not disclose such information), or a non-attorney advisor (who also must not disclose such information).

The College will endeavor to complete the investigation portion of the process within 90 days of issuing a notice of investigation as described above, but this may be extended at the College's discretion due to factors such as the complexity of the matter, the availability of witnesses, requests by a law enforcement agency for a temporary delay in the investigation process, including, College breaks, and other legitimate reasons.

The following general investigation-related provisions are applicable only to the investigation of matters that fall within the definition of **Title IX Sexual Harassment**, as required by 2020 Title IX regulations. In such matters, the following provisions will apply:

- Parties' equal opportunity to present witnesses may include evidence from fact and expert witnesses; and
- Parties are not restricted in their ability to discuss the allegations under investigation or to gather and present relevant evidence; and
- Parties whose participation is invited or expected will receive written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

#### Live Hearings for Title IX Grievance Process

Live hearings will be provided in **Title IX Sexual Harassment** matters, as required by the May 2020 Title IX regulations.

#### Hearing Officers

Hearings will be presided over by a hearing officer, who will make the decision as to whether or not the respondent violated the policy provisions at issue. This decision will be made using the preponderance of the evidence standard, which means that a policy violation will only be found if the evidence establishes that it is more likely than not that the violation occurred. The hearing officer has broad authority to determine the process, timing and conduct of a hearing. For example, the hearing officer will determine the order of presentation, timing and overall duration of the hearing, what information and evidence will be heard, what information and questions are relevant to the determination of the matter, and what cross-examination questions will or will not be permitted.

Hearing officers will be appointed by the Title IX Coordinator. In selecting a hearing officer for a particular matter, the Title IX Coordinator will take care to select an individual who does not have a conflict of interest or bias against complainants or respondents generally or an individual complainant or respondent. The College will notify the parties of the identity of the hearing officer in advance of the hearing, and parties may, within 3 calendar days of such notice, object to the service of the hearing officer by providing a written statement (which may be transmitted electronically) as to why the party believes that the hearing officer has a conflict of interest or bias. The Title IX Coordinator or designee will make decisions regarding such objections and the appointment of an alternate hearing officer, as necessary.

#### Advisors

Each party may have an advisor of their choice present at a hearing for the limited purpose of conducting cross-examination on behalf of that party. Advisors may be, but are not required to be, attorneys. If a party does not have an advisor of their choice present at a hearing, the College will without fee or charge to the party provide an advisor of the College's choice, again for the limited purpose of conducting cross-examination on behalf of that party. No later than 10 calendar days before the hearing, parties should inform the Title IX Coordinator of the identity of any advisor of choice who will accompany them to the hearing, so that the College will know whether or not it needs to arrange for the presence of a College-provided advisor.

At a time and manner deemed appropriate by the hearing officer, the advisor for each party will be permitted to ask the other party and any witnesses all relevant cross-examination questions and follow-up questions, including those challenging credibility. Except for that limited role, advisors may not participate actively in the hearing and may not speak or otherwise communicate on the part of the party that the advisor is advising. However, the advisor may consult privately in a non-disruptive manner with their advisee during and/or at a recess in the hearing. Scheduling accommodations generally will not be made for advisors if they unduly delay the process. The College reserves the right to take appropriate action regarding any advisor who disrupts the process, or who does not abide by the restrictions on their participation as determined in the sole discretion of the hearing officer, which may include exclusion of the advisor from the hearing and the appointment of an alternate College-provided advisor.

### Determination Regarding Responsibility for Title IX Grievance Process

Within 14 days after the hearing, the hearing officer (and if necessary the sanctioning officer, as provided below) will prepare and issue a written determination regarding responsibility and, if applicable, sanctions. In determining responsibility, the hearing officer will apply the preponderance of the evidence standard. The written determination of outcome will include:

- Identification of the section(s) of the College's Title IX Sexual Harassment policy alleged to have been violated;
- A description of the procedural steps taken from the receipt of the complaint through the determination, including but not limited to, as applicable, any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of definitions of sexual harassment for purposes of the College's Title IX Sexual Harassment definitions;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility and, where necessary and in collaboration with the sanctioning officer, a statement regarding any sanctions and the rationale therefor;
- If a finding of responsibility is made, whether Supportive Measures or remedies are being provided to the complainant (but not specifically what those Supportive Measures or remedies are except to the extent that providing notice to the respondent is necessary to effectuate the Supportive Measure or remedy (e.g., a permanent no-contact order)); and
- Identification of the College's procedures and permissible bases for the complainant and respondent to appeal (as outlined below).

The determination regarding responsibility becomes final either on the date that the College provides the parties with the written determination of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which the appeal would no longer be considered timely.

The determination will also notify the parties whether remedies designed to restore or preserve equal access to the College's education program or activity will be provided by the College to the complainant, but will not provide details about any such remedies.

### Appeals for Title IX Grievance Process

Each party to a case falling under this policy has a right to appeal:

- the Title IX Coordinator’s dismissal of a formal complaint for Title IX purposes based on the Title IX Coordinator’s determination that it did not fall within the definition of **Title IX Sexual Harassment** (where applicable); or
- the result of a hearing and/or sanctioning process, on the following grounds:
  - There was a procedural irregularity that affected the outcome of the matter;
  - There is 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; and/or
  - The sanctions are not appropriate.

Appeals in student respondent cases must be filed with within 5 working days of the case determination. Appeals in faculty respondent cases must be filed with within 5 working days of the delivery of the written determination. Appeals in staff employee respondent cases must be filed with within 5 working days of the case determination.

The other party may be notified of any submitted appeal through the Title IX Coordinator or their designee. The other party may submit a written response to the appeal within 5 working days of delivery of the appealing party’s appeal. Both parties will be informed of any change to the results of a disciplinary process that occurs prior to the time that such results become final, and when such results become final.

Where an appeal is based on procedural irregularity, new evidence and/or bias/conflict of interest grounds, the Appellate Officer may affirm a finding of responsibility or return the matter to a hearing officer and/or Title IX Coordinator for further proceedings consistent with the appeal decision. Where an appeal challenges sanctions, the Appellate Officer may affirm, increase, decrease, or modify the sanctions. Appeal decisions will be sent to the parties simultaneously. The decision of the Appellate Officer is final in all cases.

Absent extenuating circumstances, appeals will ordinarily be decided within 30 days of the appellate officer’s receipt of the appeal.

#### Informal Resolution Under Title IX Grievance Process

At any time prior to reaching a determination regarding responsibility, the College may facilitate an informal resolution process (e.g., mediation) of a **Title IX Sexual Harassment** case, where requested by a party and agreed to by both parties. If a party requests the initiation of an informal resolution process and the Title IX Coordinator agrees that the matter is appropriate for informal resolution, the College will provide to each party a written notice that discloses:

- 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-
  - The College generally permits parties to withdraw from the informal resolution process and initiate or re-initiate a formal investigation and hearing process at any time before the informal resolution process is completed and any informal resolution is agreed to in writing by the parties); and
- Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

All parties and the Title IX Coordinator must agree to informal resolution for this option to be used. The Title IX Coordinator will assess the request for informal resolution in light of factors such as, but not limited to, the severity of the alleged violation and the potential risks to campus community members posed by the reported misconduct.

The College will only proceed with an informal resolution process if both parties provide their voluntary, written consent to having the matter resolved through the informal resolution process.

Informal resolution options (e.g., mediation, restorative practices, or other alternate resolution methods) will be offered as deemed appropriate by the College and will be employed as agreed upon by the parties.

The matter will be deemed resolved if and when the parties expressly agree in writing to an outcome that is acceptable to them and which is approved by the Title IX Coordinator (in consultation with other College administrators as deemed necessary). A party may withdraw from the informal resolution process at any time prior to their execution of a written informal resolution agreement. After an informal resolution is agreed to in writing between the parties, neither party may initiate a formal resolution process regarding the same factual allegations.

At any time before a matter is resolved through informal resolution, the Title IX Coordinator may terminate an informal resolution process and initiate or re-initiate a formal investigation and resolution process at any time, as they deem appropriate in their discretion.

### Outcomes of Informal Resolution

Both the complainant and the respondent will be simultaneously informed, in writing: a) of the outcome of any College disciplinary proceeding that arises from an allegation of Prohibited Conduct; b) of the College's procedures for the complainant and respondent to appeal the results of the College disciplinary proceeding; c) of any change to the results that occurs prior to the time that such results become final; and d) when such results become final.

### Records

A record is maintained for disciplinary proceedings and incidents that violate the College Student Code of Conduct. These records are maintained in the Dean of Student's Office for seven years. At the discretion of the Dean of Students, a disciplinary record for severe violations of the Student Code of Conduct or violations of local, state, and federal laws may be maintained by the College indefinitely. Records involving alleged violations in which the student was charged and found not responsible, or in which charges were subsequently dropped, are, absent extenuating circumstances, retained in the Office of the Dean of Students for the tenure of the student, then destroyed, unless retention is required by law.

### College-Initiated Range of Protective Measures

In the interim between the conclusion of the informal resolution and the initiation of the formal resolution processes, the Title IX Coordinator may implement or extend interim protective measures, as appropriate.

### Sanctions for Sexual Misconduct and Title IX Grievance Processes

#### Sanctions

It is the College's belief that sanctions should maximize safety for all students and College constituents, relate to the nature of the behavior, and provide an opportunity for growth and learning. In the context of sexual harassment and interpersonal violence, sanctions will also be designed to restore the complainant's equal access to College education programs or activities. The range of possible sanctions when a student is found responsible for Prohibited Conduct is as follows:

#### Written Warning

A written warning is a notice that the student's behavior is unacceptable and that further misconduct may result in further disciplinary action. A copy of the warning letter is placed in the student's academic file.

#### Fines

A monetary fine may be imposed. Failure to pay or to make arrangements to pay a fine may result in a hold being placed on the student's account.

**Restitution**

Restitution may be imposed in the form of monetary payment to repair or otherwise compensate for damages caused by the student. Failure to pay or to make arrangements to pay may result in a hold being placed on the student's account.

**Loss of Privileges**

A student may be restricted or excluded from participation in curricular or extra-curricular activities for a specified period of time.

**Educational Sanction**

Educational sanctions may include mediation, drug and alcohol education/treatment, public presentation, formal apology, research paper, college completion contract, etc.

**Suspension**

Termination of student status at the College for a specified period of time, with the possibility of reinstatement, provided that the student has complied with all conditions imposed as part of the suspension and provided the student is otherwise qualified for reinstatement. Depending on the length of the suspension, transition activities may be required. Suspension involves the exclusion of the student from participation in any academic or other activities of the College. Written notification of this action will be provided to the student. The student may be withdrawn from all courses carried that semester and shall forfeit all tuition/fees according to the normal refund schedule of the College. The student may not be on the College's premise unless engaged in official business approved in writing by the Dean of Students or College Administrator.

**Dismissal**

Termination of student status. Written notification of this action will be provided to the student. The action of dismissal will be noted on the student's academic transcript; the student will be withdrawn from all courses carried that semester and shall forfeit all tuition/fees according to the normal refund schedule of the College. The student may not be on the College's premise unless engaged in official business approved in writing by the Dean of Students or College Administrator. Readmission after dismissal may be granted on a case by case basis. For Bryan College of Health Science Employee's, sanctions also include corrective action, up to including termination from Bryan College of Health Sciences/Bryan Medical Center

**Notification of Victims of Crimes of Violence**

In accordance with the Higher Education Opportunity Act (HEOA), the College will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense the report on the results of any disciplinary proceeding conducted by the College against a student or employee who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

**Sex Offender Registry**

The Nebraska Sex Offender Registration Act (Neb. Rev. Statute 29-4001-29-4115) requires certain classes of sex offenders to register with local law enforcement officials. Registry information regarding Level 3 (high risk) offenders is published in local newspapers and is also available to the public at <http://www.nsp.state.ne.us> on the Nebraska State Patrol's website. The Act also requires certain institutions, including colleges and universities, to monitor the presence of Level 2 (moderate risk) sex offenders at their facilities. College officials will routinely receive information regarding moderate risk sex offenders residing in Lancaster County. This information is not available to the public, and will be shared with designated staff responsible for monitoring activities on campus

## **Guests & Visitors**

Guest or Visitors to Bryan College of Health Sciences must sign-in at the front desk. Guests and Visitors are encouraged to be sponsored by a department, registered student club/organization, or by an active student who attends Bryan College of Health Sciences before visiting the campus.

## **Weapons Policy**

The possession of firearms, weapons or fireworks on campus is prohibited. Weapons are identified as bows and arrows, crossbows, knives with blades over four inches (not including kitchen knives), switch blades, swords, ammunition or martial arts equipment. Possession of any of these items on campus may result in immediate dismissal from the college.

## **Community Complaints**

The campus security department encourages community members to bring forward legitimate grievances regarding misconduct by employees. Any member of the Department will receive complaints courteously, and they will be handled efficiently. All complaints will be taken seriously and thoroughly investigated by the Director of campus security, the Title IX Coordinator, or designee. Complaints against campus security can be emailed to the Dean of Students or their designee, by dialing 402-481-3804, or in person at Bryan College of Health Sciences located on the East Campus, office 233.

## **Missing Student Notification Procedures & Policies**

If a member of the Bryan College of Health Sciences community has reason to believe that a student is missing for 24 hours, the student's name and reason for concern will be reported immediately to one of the following:

- Safety and Security Manager (402-481-8337) or Campus Security Consultant (402-481-0183)

These individuals will collaborate with Lincoln Police Department to assist in locating the missing student.

If there is evidence of foul play, a student can be determined missing before 24 hours have lapsed. BCHS will notify LPD within 24 hours of determination that a student is missing unless LPD was the entity that made the determination that the student was missing.

If the missing student is over the 18 years of age, or is an emancipated minor, the College will contact the emergency or confidential contact designated by the student within 24 hours of the determination that the student is missing.

## **Crime Prevention, Fire Safety, and Safety Awareness Programming**

The College's Safety Committee coordinates the emergency and safety procedures on campus. The committee includes faculty, staff, students, and the Medical Center Security. This Committee develops and practices emergency preparedness plans, including disaster response and evacuation. Bryan College of Health Sciences Student Handbook contains information on Weather Alert, Fire Emergency, Bomb Threat, Active Shooter, and Violent Intruder. Those policies are also included below. The College's emergency response and evacuation procedures are tested on at least an annual basis. Tests may be announced or unannounced. The tests are scheduled, contain drills, contain exercises, contain follow through activities, and are designed for assessment and evaluation of emergency plans and capabilities. The College publicizes its emergency response and evacuation procedures in conjunction with at least one test per calendar year. Each test is documented, including a description of the exercise, the date, the time, and whether it was announced or unannounced. The documentation is kept for seven years.

## **Bryan College of Health Sciences-Hastings Locations (Hastings College)**

In August 2021, Bryan College of Health Sciences entered a partnership agreement with Hastings College in Hastings, Nebraska. The Clery Act defines Non-Campus as any building or property owned or controlled by a student organization that is official recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation tom the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. Hastings College is 110 miles west of the Lincoln location.

### **Campus Geography:**

Hastings College is comprised of a campus located in Hastings, Nebraska. The College has identified all areas that are public property adjacent to campus, off campus, and the campus itself. Those defined geographical areas which are used to acquire data of reported crimes to both Campus Safety and the law enforcement, and the information is included into the annual security report. See full map of campus geography on page 64.

### **Reporting crimes:**

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

- Criminal violations in the residence halls, campus houses or Bronco Village apartments should be reported directly to the Resident Assistant, Community Living Coordinator, Director of Operations, or Campus Safety. All staff must report incidents to the Director of Operations and follow up with a written report.
- Criminal actions in other campus facilities should be reported to the Director of Operations **(402) 461-7444** or Campus Safety **(402) 984-8064** or create an online report at [www.hastings.edu/concerns](http://www.hastings.edu/concerns).
- Voluntary Confidential Reporting: Students may report a crime on a voluntary and confidential basis through Hastings College professional, licensed counselors (including those who act in that role under the supervision of a licensed counselor) or a pastoral counselor. These individuals who provide mental health counseling to members of the college community are not required to report any information about a crime without the consent of the individual reporting and all information reported will be without self-identifying information, unless the student is



a minor. The Campus Health nurse is also not required to report any information about a sex or gender based incident if disclosed during a medical exam.

Students should report all suspicious persons in campus housing facilities to a Resident Assistant, Community Living Coordinator, Campus Safety Officer, Director of Student Engagement, or Director of Operations, and the police if they believe the situation warrants it.

Crimes reported to the Office of Student Engagement or Campus Safety will be reported to the Hastings Police Department within 48 hours if requested by the reporting party. Crimes will also be handled internally in accordance with college policies included in the [Student Handbook - Student Code of Conduct](#).

- **In a life-threatening emergency:** Call 911; then call Campus Safety at **(402) 984-8064** to inform them of the situation.
- **In all other security and maintenance emergencies:** Call Campus Safety at **(402) 984-8064**. Campus Safety handles campus emergencies and will call the maintenance staff if necessary.

Faculty and staff are required to report any crimes or disturbing, abnormal, disruptive or threatening behavior, including threats to self or others. During college business hours of 8:00 am - 5:00 pm, this behavior should be reported to the Director of Operations **(402) 461-7444**. When offices are closed, reports may be given to a full-time Community Living Coordinator, or to Campus Safety **(402) 984-8064**. In a life-threatening emergency, call 911.

#### Campus wide safety notifications:

In an effort to provide timely warning to the College community in the event of a crime which may pose a serious and ongoing threat to members of the College community, a timely warning notice is distributed to all students and employees via a blast email and RAVE emergency notification system if determined necessary by the Director of Operations, or their designee.

#### Timely Warning Obligations regarding Clery Act Crimes:

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

#### Campus Emergency notification system (RAVE):

All students, faculty and staff for whom the college has cell phone numbers are automatically enrolled in the college's emergency text notification system (RAVE). Emergency notifications can be sent via text and are also sent via the Hastings College email addresses of faculty, staff and current students. These are the means by which the College officials notify the College community of an emergency or serious weather condition without delay. Therefore, if you have a change of cell phone number or provider, please contact the Office of Campus Safety **(402) 984-8064** to update your information in the college's records. Email and cell phone lists are automatically uploaded into the RAVE system

#### Security of and access to Campus Facilities

##### Keys and Access FOBs:

Hastings College uses a multi level key system that includes both physical keys and an electronic FOB system. Residence hall and apartment residents will have fob access to the main doors of their building. Residence hall residents will have a key to their own room. Bronco Village Apartment and campus house residents will have a key to the front door of their unit/house and also to their bedroom. All keys must be returned to the Community Living Coordinator before check-out. Students will be charged if keys are not returned at check-out or are lost or stolen. Keys for a college housing room, apartment units or campus houses that are not returned will be re-tumbled, and all new keys will be issued to ensure access to the space is to current residents. To maintain security, lost fobs and keys should be reported immediately to Campus Safety **(402) 984-8064**, and to the appropriate Community Living Coordinator. Students are

not permitted to have duplicate keys made off-campus, if the college is made aware of a key that is made off-campus, the student will be held accountable for their actions through a violation of the Student Code of Conduct.

**Campus Safety Staff On-Campus Building Walk Through:**

Campus Safety staff members walk through or patrol campus via bicycle, golf cart, or by vehicle every day of the year to ensure that all areas of campus are safe and crime free.

**Campus Safety and Security**

**Campus Safety Office:**

Campus Safety Office is located at 846 N Ash Street and is available for all community members of Hastings College. Campus Safety is staffed 24 hours a day, 7 days a week during the academic year. The Crime Log is available between 8:00 am - 5:00 pm on Monday - Friday. Please contact Campus Safety if you have any concerns about safety and security, including if you witness any suspicious activity. Campus Safety cell is **(402) 984-8064**. Campus Safety also provides safe walks from off-campus locations to on-campus and safe rides.

**Law Enforcement & Jurisdiction:**

Hastings College Campus Safety staff does not have the authority to arrest individuals found in violation of state or local city law. Hastings Police Department, Adams County Sheriff Department, and Nebraska State Patrol officers do have arrest authority for individuals found in violation of state or local city law that are on Hastings College property. The Campus Safety staff work directly with all law enforcement agencies (particularly the Hastings Police Department since the HC Campus is inside of city limits) to ensure the safety of all visitors, students and employees on campus.

**Memorandum of understanding relationships:**

Hastings College does have a memorandum of understanding with the enCourage Advocacy Center which was established in April 2017. Hastings College does not have a memorandum of understanding with the Hastings Police Department, Adams County Sheriff Department or Nebraska State Patrol at this time.

Criminal Offense Reporting Table-Hastings College					
Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Student Housing Facilities	Non-campus Property	Public Property
Murder/Non-negligent manslaughter	2021	0	0	0	0
Manslaughter by Negligence	2021	0	0	0	0
Rape	2021	0	0	0	0
Fondling	2021	2	2	3	0
Incest	2021	0	0	0	0
Statutory rape	2021	0	0	0	0
Robbery	2021	0	0	0	0
Aggravated Assault	2021	0	0	0	0

Burglary	2021	0	0	0	0
Motor vehicle theft	2021	0	0	0	0
Arson	2021	0	0	0	0

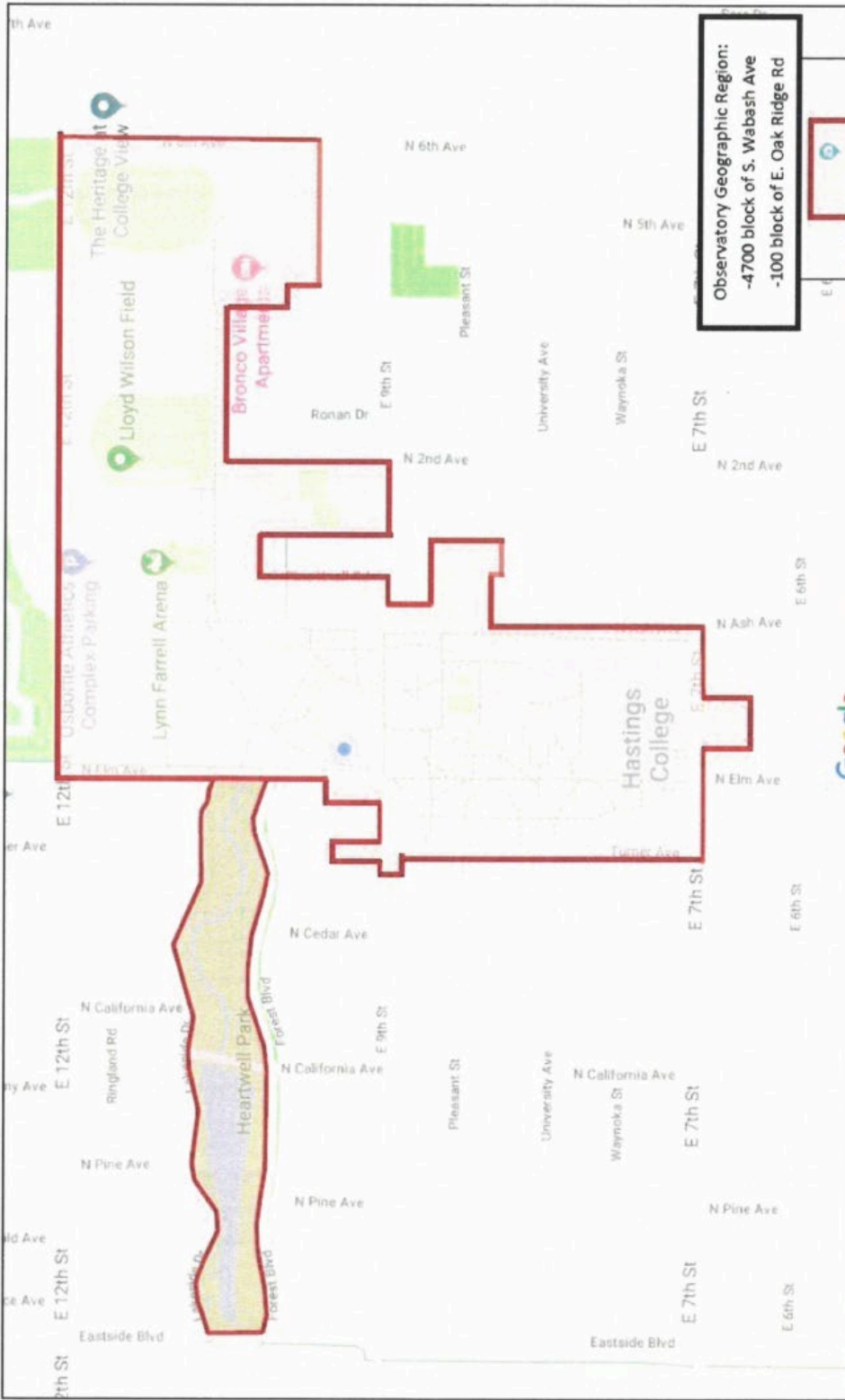
VAWA Offense Reporting Table					
		Geographic Location			
Offense	Year	On-Campus Property	On-Campus Student Housing Facilities	Non-campus Property	Public Property
Stalking	2021	0	0	0	0
Dating Violence	2021	0	0	1	0
Domestic Violence	2021	0	0	1	0

Hate Crimes Reporting Table	
2021	No Hate Crimes Reported

Unfounded Crimes Reporting Table			
		2021	
Unfounded Crimes			0

Arrests and Disciplinary Referrals Reporting Table					
		Geographic Location			
Offense	Year	On-Campus Property	On-Campus Student Housing Facilities	Non-campus Property	Public Property
Arrests: Weapons: Carrying, Possessing, etc.	2021	0	0	0	0
Arrests: Drug Abuse Violations	2021	0	0	0	0

Arrests: Liquor Law Violations	2021	0	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, Etc.	2021	1	1	0	0
Disciplinary Referrals: Drug Abuse Violations	2021	6	6	0	0
Disciplinary Referrals: Liquor Law Violations	2021	39	39	0	0



**Observatory Geographical Region:**  
 -4700 block of S. Wabash Ave  
 -100 block of E. Oak Ridge Rd

**Hastings College Clery Act Geographical Map - source google maps**

- 600 & 700 block of E. 7th Street
- 500-900 block of E. 9th Street
- 700-1400 block of E. 12th Street
- 700-800 block of N. Turner Ave
- 700-900 block of N. Ash
- 900—110 block of N. Elm
- 1018 Pine Knoll
- 900—1100 block of N. 6th Ave
- Heartwell Public Park—Heartwell Creek Area