Student Safety

Sexual Violence

This section will describe the different policies and procedures related to sexual offenses, how they are reported, privacy policies, programs for victims of sexual violence, investigation requirements, special arrangements for the complainant and the accused, University disciplinary measures and other procedures.

I. Policy on Sexual Assault

Minot State University’s commitment to students and employees is to provide a campus free from all forms of sexual assault and sexual harassment. This behavior will not be tolerated.

Definition:

In accordance with the ND Century Code 12.1-20-07/03 and MSU, sexual assault and gross sexual imposition is any sexual act or sexual contact performed upon one person by another to which one person does not or cannot consent. Consent is defined as speech or conduct indicating freely given agreement to participate in sexual activity. Silence or the use of alcohol/drugs are NOT an indication of consent.

Minot State University prohibits any behavior (sexual acts/contacts) in which:

1. The victim is compelled to submit to force or by threat of force.
2. The victims power to appraise or control his/her conduct is impaired by administering the use of intoxicants.
3. The victim is unaware that a sexual act/contact is being committed upon him or her. For example: a state of intoxication due to alcohol or drug use; loss of consciousness; lack of knowledge that the act in question is sexual assault.
4. Knows or has reasonable cause to believe that the other person suffers from a mental disease or defect which renders him or her incapable of understanding the nature of his/her conduct.

Reporting:

Sexual assault victims may contact various individuals, departments and agencies for assistance. Information will be confidential unless consent is given.

Minot City Police Department

911 or 852-0111 - 24 hours a day

Campus Security

7:30 a.m. to 4:30 p.m. - 858-3210
24 hours a day - 858-4357

Vice President for Student Affairs - 858-3299

8 a.m. - 4:30 p.m. M-F, Administration

Student Health and Development Center - 858-3371

8 a.m. - 4:30 p.m. M-F, Lura Manor

Director of Residence Life - 858-3363

8 a.m. - 4:30 p.m. M-F, Dakota Hall

Residence Hall Director - See Hall Directory

24 hours a day

Residence Assistant - See Hall Directory

24 hours a day

North Central Human Service Center - 857-8500

24 hours a day
Procedure:

1. Obtain medical care and help as soon as possible after the sexual assault whether or not you choose to report to the police.
2. North Dakota's mandatory reporting law requires hospitals to report crimes of sexual assault to the police.

Key Points:

1. Take a change of clothing to the hospital if possible.
   a. Do not bathe, douche, brush teeth, use mouthwash, or change clothes before getting medical attention in order to avoid elimination of evidence.
   b. Medical treatment will assist in dealing with any concerns about pregnancy and sexually transmitted diseases.
2. It is the victim's decision as to whether he/she wants to talk to the police. He/she is not required to press charges.
   a. Victims are encouraged to file a report with the police and preserve all evidence should they decide at a later date to exercise their legal rights.
   b. Filing a report with the police may also help others from becoming victims.
   c. Victims may file a Blind Report - no names.
3. North Dakota Crime Victims Reparation Act
   a. May cover emergency room costs if you do not have public or private medical insurance. If approved, may also be reimbursed for out of pocket medical expenses, loss of earnings, and psychological counseling.
4. Seek professional counseling either on campus or through an off-campus agency.
5. For information about the Crime Victims Compensation Program (Division of Adult Services, ND Dept. of Corrections), call 701-328-6195, toll free to 1-800-445-2322, or in Ward County to 701-857-6480, or visit their website at www.ndcrimevictims.org (http://www.ndcrimevictims.org).
   a. To be eligible you must report the crime within 72 hours, cooperate with the investigation, and fill out an application within 1 year of the crime.
      You MUST NOT have consented to, provoked, or incited the crime, or been assisting in or committing a criminal act causing your injuries.
6. Refer to departments, agencies listed under Reporting Section.

Response:

The Vice President of Student Affairs or his/her designate will promote informational material and programs to aid in the prevention of sexual assault. Following a sexual assault on campus and the filing of a complaint, the Vice President of Student Affairs or his/her designate will:

1. Assist the victim in securing medical treatment.
2. Take steps to promote confidentiality in working with victims.
3. Assist the victim in arranging for professional counseling.
4. Assist the victim in pursuing a criminal complaint if so desired.
5. Initiate an investigation and take appropriate disciplinary action in accordance with the MSU Student Conduct Policy.
6. Institutional Disciplinary Action may be taken regardless of any decision or penalty by civil authorities.
7. Disciplinary proceedings will afford the accuser and the accused equal rights as stated in the Student Conduct Policy, section IV, letter L. Student Rights.
8. Offer the victim the following services if appropriate:
   a. Withdrawal from a class/University.
   b. Assistance in securing a restraining order.
   c. Change in housing, phone, parking assignment.
   d. Request increase in security coverage.
9. Promote educational programs and information in the residence halls for the campus community.
II. Policy on Sexual Harassment

Minot State University's commitment to equal opportunity includes an assurance to its employees and students that they will not be subjected to sexual harassment; as such conduct is prohibited at the university. Minot State University defines sexual harassment as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education requirement; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions, educational decisions (grades, etc.) affecting such individual; (3) such conduct has the purpose or effect of substantially interfering with an individual's work or learning performance or creating an intimidating or demeaning, or hostile, offensive working/classroom environment.

This definition is in compliance with Title VII of the Civil Rights Act of 1964.

Employees or students concerned about violations of this policy may request assistance from the university's Human Resource Officer, in the Administration building, the Student Health and Development Center, located in Lura Manor, or an appropriate administrator. In addition, the university's affirmative action plan and equal opportunity grievance procedure shall be available for any person who wishes to file a complaint alleging a violation of this policy.

Approved by Minot State University, March 9, 1981.

III. Prevention, Awareness, and Victim Services

The Domestic Violence Crisis Center (DVCC) in Minot provides comprehensive services in a four county area, including Ward, Pierce, McHenry, and Renville counties. Their website (www.courage4change.org) has valuable information for victims of abuse (sexual or otherwise), and for those who know someone who is a victim. They also provide prevention and awareness information, as well as holding events throughout the year for the purposes of prevention, awareness, and fundraising to continue their services in the area.

DVCC Contact Information

Office - 701-852-2258
Crisis Line - 701-857-2200 or 800-398-1098
Rape Crisis Line - 701-857-2500

Student Conduct

See the Student Handbook.