



2017 Annual Security and Fire Safety Report



MONTANA
STATE UNIVERSITY

Office of the
Dean of Students



2017 Annual Security and Fire Safety Report



Office of the
Dean of Students





Waded Cruzado

To the members of the Montana State University academic community:

Our highest priority at MSU is the safety of our students, faculty, staff and visitors while spending time on our campus. I am extremely proud of the partnerships we have established that advance the safety and security of our campus. However, we must never slow down our efforts to ensure our collective safety. This requires the cooperation of us all. Please, when you see something of concern, say something. University Police may be reached 24-hours a day at 994-2121. After all, the safety and security of our campus can only be achieved through the communication of every member of our academic community.

I encourage you to read the information contained in our Annual Security and Fire Safety Report. I especially want to bring your attention to our policies and procedures for reporting crimes and other emergencies on campus, along with the numerous safety programs designed to prevent injuries or other dangerous incidents. If you have any suggestions on how to improve campus safety or security, please email me at president@montana.edu.

Together, we can continue to ensure the well-being of our entire campus.

Sincerely,

– *Waded Cruzado, President*



Matthew Caires (L) and Frank Parrish (R)

From the Chief of Police and Dean of Students:

Thank you for taking the time to review our Annual Security and Fire Safety Report. As our departments offer programs, policies and services that respond to criminal activities and campus violations, we also take time every year to make necessary changes and improvements. You will find many of these programs, policies and services listed in this publication. Also in this report you will find important information on how and where to report

criminal activity and campus violations, along with how MSU responds after receiving such reports.

MSU’s Annual Security and Fire Safety Report is published in compliance with the requirements in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, which was signed into law in 1990. Listed in this report are the statistics for the various “Clery” crimes that have been reported to MSU during the last three calendar years. All members of our campus community receive an email at the beginning of every academic year with the exact web address for this online report, and hardcopies are available upon request through the Office of the Dean of Students.

This publication is a campus-wide collaboration with numerous departments and agencies. Beyond our departments, we especially want to thank the Office of Institution Equity, VOICE Center, MSU’s Fire Marshall, Residence Life, and the Office of Health Advancement for their important contributions to this year’s report.

Our goal every year is to ensure the highest levels of safety and security for our campus, and we are always seeking ways to improve on the services and programs we offer. After you read the Annual Security and Fire Safety Report, we would welcome any feedback or comments.

– Frank Parrish, Chief of Police & Matthew R. Caires, Dean of Students



About MSU's University Police Department (UPD)	1
Reporting Crimes and other Emergencies	2
Crime or Emergency Reporting	2
Voluntary Confidential Reporting	3
University Police Response to Reported Crimes.....	4
Emergency Blue Light Telephones	4
Timely Warnings and Emergency Notification	5
Timely Warning Notifications.....	5
Emergency Notification.....	6
Emergency Response and Evacuation Procedures	7
Campus Safety and Security Awareness	8
Ice Gripper Program	9
Adopt-A-Cop Program	9
Automated External Defibrillators (AEDs).....	9
Crime Statistics	9
Campus Crime Log	10
Crime Prevention Programs – University Police	10
Free Bicycle Registration	10
Campus Security Authorities (CSAs)	10
Annual Training for CSAs and Identification.....	11
Security and Access in Campus Facilities	11
Security and Access in Academic and Administrative (non-residence) Campus Buildings	11
Security and Access in Residence Halls	12
Security in Building Maintenance.....	12
Maintenance of Campus Facilities.....	12
MSU's Response to Domestic Violence, Dating Violence, Sexual Assault and Stalking	13
Introduction	13
Retaliation Prohibited.....	13
Reporting Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Retaliation.....	13
MSU Policy Definitions for Dating Violence, Domestic Violence, Sexual Misconduct, and Stalking	15
MSU Definition of Consent	17
Amnesty Policy	17
Confidential Resources - On Campus	17
Off-Campus Resources.....	19
What to Do If You Are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking.....	20
MSU's Education and Outreach	21
Bystander Engagement.....	22
Reducing the Risk of Sexual Misconduct on Campus and In Our Community.....	22
University Response to reports of Sexual Misconduct	23

MSU’s Policy on Discrimination Grievance Procedures for Allegations of Violations of the Discrimination, Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and Retaliation	24
MSU Sexual or Violent Offender List.....	36
Additional Campus Security Policies.....	37
Additional University Crime Prevention and Safety Awareness Programs	38
Office of the Dean of Students.....	38
Student Conduct Program.....	39
Department of Residence Life.....	40
Fraternity and Sorority Life.....	40
Additional Safety Programs	40
University Policies on Alcohol and other Drugs	41
Center for Students in Recovery.....	46
Annual Disclosure of Clery Crime Statistics	48
MSU Crime Statistics: Clery Data	49
Definition of Crime Categories Under Federal Law	51
Definition of Crime Categories Under Montana Law.....	54
State of Montana Laws on Alcohol and other Illegal Drugs	57
Annual Campus Fire Safety Report for Reporting Year 2016.....	65
Introduction.....	65
Fire Reporting and University Response to Arson.....	65
University Fire Marshall	66
University Fire Safety Policies	66
Prohibited Acts	66
Fire Evacuation Procedures.....	67
Fire Safety Education and Training.....	68
Fire Drills and Fire Safety Systems	69
Fire Safety Report Log 2014/2015/2016	71

MSU’s non-discrimination policy

Montana State University’s campuses are committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based upon race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran’s status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation. Such an environment is necessary to a healthy learning, working, and living atmosphere because discrimination and harassment undermine human dignity and the positive connection among all people at our University. Please direct any inquiries regarding MSU’s non-discrimination policy to the Director of Institution Equity at discrimination@montana.edu



About MSU's University Police Department (UPD)

Safety - our #1 Priority

The Montana State University Police Department (UPD or Department), established by Montana law ([Section 20-25-321 Montana Code Annotated](#)), has primary responsibility for law enforcement on the MSU campus and its jurisdiction extends one mile beyond the campus for University related activities. UPD police officers have full authority within this jurisdiction and provide a broad range of services to the campus.

The Department provides continuous year-round security and law enforcement protection to the Montana State University community. Twenty-four hour police services are provided with access to municipal fire and emergency medical services.

Working relationship with local, state, and federal law enforcement agencies

The UPD also has an agreement with the Bozeman City Police which allows University police officers to enforce Bozeman municipal ordinances and laws on University property within the city. UPD officers may also enforce vehicle and traffic laws within the city.

Crimes involving student organizations at off-campus locations

The agreement gives the UPD primary jurisdiction on other University-related property and at University events within the city—for example, on fraternity and sorority property, on property occupied by student organizations, and at events sponsored by the University. The UPD, Gallatin County Sheriff's Office, and the Bozeman Police Department provide mutual assistance when needed.

Role, Authority and Training

University Police Officers are certified Peace Officers for the State of Montana and sworn to all of the responsibilities and powers of a Peace Officer in Montana, including the duty to maintain public order and the power to arrest. All sworn officers are graduates of an accredited Police Academy and professional and formal education is stressed for all officers. Most officers hold B.A. or M.A. degrees or are working towards a degree. All University Police 911 Dispatchers are trained and certified by the State of Montana.

The Director is the University Police Chief and is responsible for the management of the UPD and reports directly to the Vice President of Finance and Administration. However, all public safety services are closely coordinated with other key university administrators as well as local officials.



REPORTING CRIMES AND OTHER EMERGENCIES

CRIME OR EMERGENCY REPORTING

Crime is a reality at Montana State University, and preventing crime is everyone's responsibility on campus. Unreported crime is a criminal's greatest ally. If you suspect a criminal act has taken place, MSU highly encourages accurate and prompt reporting. Contact the University Police Department located at the corner of 7th Avenue and Kagy Boulevard, in the Roy E. Huffman Building or dial:

MSU-Bozeman Core Campus

Emergency: 911

Non-Emergency: 406-994-2121

MSU College of Nursing Campuses:

Billings Nursing Campus Emergency: 911

Non-Emergency: 406-657-2222

Great Falls Nursing Campus Emergency: 911

Non-Emergency: 406-727-7688

Kalispell Nursing Campus Emergency: 911

Non-Emergency: 406-758-7780

Missoula Nursing Campus Emergency: 911 or 406-243-4000

Non-Emergency: 406-243-6131

Suspicion of crime does not require proof. If you suspect a crime has been committed or is being committed, call the University Police Department immediately. Make a difference, call. Only concerned citizens can prevent crime.

If you are a victim or witness of a crime: Report the incident immediately to the University Police. If you can, gather pertinent information, such as sex, race, hair color, length and texture, body size, clothing description, scars and other noticeable characteristics, modes of travel, type of vehicle, color and license information.

Suspicious persons: If you see anyone acting suspiciously, call 911. Do not approach the individual yourself. Report the type of suspicious behavior and the location. Relay pertinent information concerning the involved person including: age, sex, dress, vehicle and direction of travel.

Bomb threats: If you receive a bomb threat, it is important to obtain as much information as possible from the caller. Things to ask are: (1) location of bomb, (2) time of explosion, and (3) type of bomb.

Make mental notes about the caller's voice, and background noises which you may hear. Call 911 immediately. Do not panic. The University Police will search the area, notify properly trained personnel, and notify emergency services. The University Police, in conjunction with the building supervisor and administration, will determine if evacuation is necessary.

What to Report: When calling the University Police Department to report an incident, please provide the following information:

- Your name (optional)
- Location of incident
- Type of incident
- Description of suspect, vehicles or other pertinent information
- Return telephone number (optional)

VOLUNTARY CONFIDENTIAL REPORTING – GENERAL CRIME

If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making a confidential report.

With your Permission, the University Police Chief (or designee) can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incident involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger.

Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution. If you wish to make a confidential report, MSU offers the Silent Witness Program to anyone who has witnessed, or knows about, a crime committed on campus. You are welcome to send email to switness@montana.edu with information you feel may be useful in keeping your campus safe and secure. You should provide the information as described in the previous paragraph.

UNIVERSITY POLICE RESPONSE TO REPORTED CRIMES

The University Police Department will respond to reports of crime against persons and all property owned, controlled, leased or operated by Montana State University which includes Fraternity/Sorority (Greek) residences located within one mile of the campus boundary. On a 24-hour basis, dispatchers can instantly dispatch the University Police, Bozeman Fire, Emergency Medical Services, and, if needed, will request assistance from the Bozeman Police and/or Gallatin County Sheriff's Office.

All reports of criminal activity occurring within the jurisdiction of the University Police Department will be investigated and, if the investigation confirms a violation of the state criminal code, the matter will be referred to the Gallatin County Attorney or Bozeman City Attorney for prosecution. Reports of criminal activity received by the University Police occurring outside of its jurisdiction will be referred to the appropriate city or county law enforcement agency.

MSU will make timely reports to the campus community regarding the occurrence of crime on campus. Log of daily crime reports and incidents are maintained and available for review by the campus community and the public at large. This [crime log](#) can be found on-line or accessed at the customer service desk of the University Police Department.

EMERGENCY BLUE LIGHT TELEPHONES

The campus is equipped with ten (10) Emergency Telephones (blue light phones) spread across campus in parking lots and along heavily used foot paths. These phones can be used for both emergency and non-emergency purposes such as reporting a crime in progress or requesting an escort anywhere on campus. Additional information and a map of the locations of these phones can be found by visiting: <http://www.montana.edu/police/blue-light.html>



TIMELY WARNINGS AND EMERGENCY NOTIFICATION

MSU has a Timely Warning and Emergency Notification Policy. The Policy provides that MSU will issue timely warnings to the campus community in the event of violent crimes or emergencies that represent a serious or continuing threat to the campus.

Consistent with the requirements of the Clery Act, MSU will “immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus, unless issuing a notification will compromise efforts to contain the emergency.”

The University Police Department (UPD) will quickly decide whether to issue a timely warning and/or emergency notification after reviewing factors such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts. The UPD will also determine the appropriate audiences in the campus community to receive the notice and whether the emergency information should be provided to the larger community. Timely warnings and immediate notifications issued under this Policy related to criminal activity are also sent to local law enforcement agencies.

TIMELY WARNING NOTIFICATIONS

Timely Warnings will be distributed to the entire campus community as soon as pertinent information is available and may be issued for such crimes as murder, manslaughter, sex offenses, robbery, aggravated assault, burglary, major incidents of arson, motor vehicle theft, and hate crimes. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by UPD. Timely Warning Notices may be distributed for other crimes as determined by the Chief of Police or his/her designee.

The University Police Chief or designee reviews all timely warning notifications. Timely warnings will typically include information such as a brief statement of the incident, physical description of any suspect(s), appropriate safety tips, and other relevant, available information. The warnings will withhold the name of the victim as confidential.

Timely warnings and emergency notifications will be distributed by various means which may include the MSU campus email list server, SMS/Text messaging through the Wireless Emergency Notification System (WENS), posting on MSU’s home page, paper postings in buildings, and door-to-door notification in residence halls and family & graduate housing.

Updates to the campus community about any particular case resulting in a Timely Warning Notification may be distributed via blast email, may be posted on the MSU website or may be shared with the media for a follow up story. Posters may also be posted by the UPD in campus buildings when deemed necessary.

EMERGENCY NOTIFICATION

MSU Alert is a Wireless Emergency Notification System (WENS) SMS text- message and email-based system to transmit brief, urgent messages to a large segment of the MSU population as quickly as possible. MSU will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on campus.

MSU 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 the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The types of incidents that may cause an immediate threat to the community could include, but are not limited to, emergencies such as: an active shooter on campus, hostage/barricade situation, a riot, a suspicious package with confirmation of a device, a tornado, a fire/explosion, suspicious death, structural damage to a University owned or controlled facility, biological threat (anthrax, etc.), significant flooding, a gas leak, hazardous materials spill, etc.

MSU Text Alert is voluntary for parents, students, faculty, staff, and community members who enroll. Enrollment is strongly recommended. For more information, go to the [MSU Alert website](#). Enrollment is free of charge. Students, faculty, and staff are strongly encouraged to familiarize themselves with this information.

Anyone with information about a situation that may require the issuance of a timely warning or emergency notification should report the circumstances to the MSU Police Department, by calling 911 or 994- 2121, or in person at the University Police Department, located in the Roy E. Huffman building at South 7th and Kagy Boulevard.



Lights are turned on at Montana Hall on Wednesday, May 24, 2017, in part of Operation Blue Light, remembering the fallen police officers and in memory the recent fallen Broadwater deputy officer Mason Moore. MSU Photo by Adrian Sanchez-Gonzalez



EMERGENCY RESPONSE AND EVACUATION PROCEDURES

MSU has adopted emergency response procedures. The procedures are contained in the [Emergency Operations Plan](#). Montana State University is committed to protecting the lives, safety, and welfare of its campus and community members.

The MSU Office of Emergency Management (OEM) is charged with improving the University's readiness for potential emergencies; protecting and preserving its intellectual property, physical assets and facilities; establishing requirements for tasked organizations to develop plans and execute annual training exercises; and ensuring the continuity of operations of essential services.

Written plans for building evacuation that are compliant with federal Occupational Safety and Health Administration (OSHA) regulations have been developed for all facilities at Montana State University in the event of a fire or other emergency.

These plans are available in the Office of Safety and Risk Management for each department in academic/administrative buildings. Plans are also available in the Residence Hall Director's office. Maps showing a means of egress can be found on the exit doors leading from each residential space and in hallways of other buildings. You should become familiar with these exit routes for any building you frequent.

In case of a fire or other emergency that requires all occupants to immediately leave a building or area, evacuation will be signaled by the internal building alarm or by the direction of emergency personnel.

MSU will test its emergency response and evacuation procedures on at least an annual basis through scheduled drills, exercises, and appropriate follow through activities designed to assess and evaluate the emergency plans and capabilities.

MSU will test evacuation procedures in academic/office buildings and residence halls and family and graduate housing. The tests may be announced or unannounced. The tests will be documented, including the date and time and whether it is announced or unannounced.

CAMPUS SAFETY AND SECURITY AWARENESS

Educational Programs concerning security awareness, personal safety, and crime prevention, including the prevention of sexual assault, other forcible and non-forcible sex offenses and personal safety techniques are offered by a variety of groups and individuals on campus each year, including University Police, Dean of Students, Office of Health Advancement (OHA), Office of Emergency Management (OEM), Safety and Risk Management (SRM), University Counseling Center, the VOICE Center, Residence Life and others.

The University Police Department provides safety and security education through numerous presentations to on-campus groups and other presentations upon request.

The Office of Health Advancement offers outreach and presentations upon request for residence halls, fraternity and sorority life and student groups on topics related to risk reduction/harm reduction; bystander intervention; Alcohol, Tobacco and Other Drugs (ATOD); and healthy relationships.

Safety and Risk Management provides safety and compliance training free of charge to University employees; including workplace safety, occupational health & safety, and laboratory training courses.

Programs and presentations available annually include:

- AED/CPR/First Aid Training
- Fire extinguisher Training
- Chemical Safety Training
- E-Scrap Computer & Electronic Recycling
- Ice Gripper Program (MSU employees)
- Alcohol awareness
- Drug awareness
- Crime Prevention covering crimes such as rape, acquaintance rape, domestic violence, dating violence, sexual assault, sexual intercourse without consent, relationship violence, privacy in communications, and stalking
- Run, Hide, Fight - Active shooter protocol
- Workplace violence protocols
- New Employee Orientation
- Internet Safety and Security
- Facility Intruder Awareness for Secure Facilities
- International Student Orientation
- Property security
- Personal safety
- Bicycle safety
- Stranger Danger
- Identity theft
- Adopt-A-Cop program
- VOICE Center and Not In Our House taskforce educational presentations on bystander intervention and interpersonal violence prevention

- Insight – OHA classroom instruction based on self and administrative referral for individuals dealing with alcohol & drug related issues
- Others upon request

Students living in residence halls are provided with security brochures at check-in. Residence Life staff regularly address residence hall safety and security rules and precautions, and personal safety considerations with all residents at floor and hall meetings. Safety and security rules and guidance are provided in the [Residence Hall Handbook](#).

ICE GRIPPER PROGRAM

MSU employees are eligible to participate in the Ice Gripper Program. To help MSU personnel stay safe while walking in the winter time, Safety & Risk Management provides free ice grippers to employees (eligible every three years for a new pair). Ice grippers are the equivalent of studded tires for your feet. These devices are similar to slippers that slide over the outside of your shoe and can be easily put on and removed. For more information, contact Safety & Risk Management at 994-7597 or visit <http://www.montana.edu/srm/programs/icegrippers.html>.

ADOPT-A-COP PROGRAM

In the interest of fostering good relations with community members residing in university residence halls, the MSU Police Department in partnership with MSU Residence Life, implemented the Adopt-A-Cop program in the fall of 2007. The program entails the assignment of a specific officer to each hall. Officers participate in hall activities, eat meals in the dining halls with residents, and deliver presentations on topics such as alcohol awareness, safety and security, identity theft, etc. Since its inception, the program has been very successful. Officers feel that they have been able to develop a kind of rapport with students that wasn't possible prior to the program. Hall staff and residents have also reported having many positive experiences with the program.

AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)

MSU initiated the Public Access Defibrillator Program in 2004 because of due diligence and the expectation an organization MSU's size would have AED's available to the public. MSU currently has approximately 65 AED's located throughout campus. For detailed locations, go to www.montana.edu/srm/aedlocations.

When considering where to place an AED, the University will consider several facts, including building population, high risk activities, athletic activities, near energized electrical circuits, or more than a 3 minute response time for an AED to arrive from Police or Emergency Medical Services (EMS). Please contact Safety & Risk Management at 994-7597 if you would like to make a request or if an AED has been used and emergency services have been called.

CRIME STATISTICS

Crime statistics can be found later in this report and can also be accessed on the Montana State University Police website located at: <http://www.montana.edu/police/crime-statistics.html>.

CAMPUS CRIME LOG

The MSU Police Department keeps a daily [crime log](#) available online or may be access at the customer service desk of the University Police Department. All crimes are reported, though the names of victims and suspects are redacted and locations are generalized to preserve the confidentiality of individuals.

CRIME PREVENTION PROGRAMS – UNIVERSITY POLICE

The University’s crime prevention program stresses community awareness and interaction through the dissemination of materials and presentations designed to familiarize students, faculty and staff with their responsibility in reducing criminal opportunity. The university police department also plays an active role in the local crime prevention and crime stoppers program as well as the DUI task force. University officers provide presentations throughout the university community ranging from late night discussion sessions in residence halls to classroom presentations. Crime prevention materials and reminders are also distributed to the campus community.

In addition, the [University Police Website](#) provides crime prevention information for the campus, including a crime log, crime alerts, the MSU [Sexual or Violent Offender list](#), [360 Stay Safe at College](#) online and other useful information.

FREE BICYCLE REGISTRATION

The University Police Department sponsors a free bicycle registration program for students in an effort to discourage bicycle theft.

CAMPUS SECURITY AUTHORITIES (CSAS)

CSAs include University Police, campus security-related personnel and officials who have significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. CSAs must report crimes online at www.montana.edu/clery using the [CSA Reporting Form](#). Crimes reported to any CSA will be included in the annual crime statistics found later in this report.

While we have hundreds of CSAs, MSU officially designates the following two offices as locations where campus community members should report crimes:

- Office of Institutional Equity
- University Police

Students and employees can report criminal offenses to designated Campus Security Authorities (CSAs) or local law enforcement for the purpose of making timely warning reports and annual statistical disclosure. Under the Clery Act, MSU must designate certain individuals as CSAs.

As explained above, students, employees, and visitors are encouraged to promptly report crimes to the University Police Department or the Office of Institutional Equity. However, students may contact any CSA for appropriate assistance in reporting crimes.

Confidentiality of crime reports made to CSAs cannot be promised. Clery requires statistical reporting, but CSAs are also reporters under the requirements of Title IX and as such may not be able to maintain confidentiality. There may be instances where the University must act regardless of the wishes of the complainant or reporter. Nevertheless, in such cases MSU will take care to protect identities to the extent allowed by the circumstances and law.

ANNUAL TRAINING FOR CSAS AND IDENTIFICATION

Montana State officials responsible for overseeing Clery practices meet annually- or upon the receipt of new guidance- to update a centrally-maintained CSA list in the Dean of Students' Office. Further, MSU staff members who are identified as Senior CSAs help to provide updated information regarding new CSAs or those who have left Montana State on a regular basis.

Identified CSAs are offered training through three means:

- Online Training;
- In-person training with an on-campus Clery expert from the Dean of Students;
- Web page providing overview of CSA responsibilities and a link to DOE video.

Additionally, a web page is maintained and updated throughout the year that hosts information on CSA trainings, including presentations they can browse and other relevant Clery information. Once a CSA has completed training, the centrally-maintained CSA list is updated to indicate training completion.

According to the Clery Act, professional mental health counselors who are appropriately credentialed and hired by Montana State University to serve exclusively in a counseling role are not considered CSAs. As a matter of policy, the University encourages our professional mental health counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them.

SECURITY AND ACCESS IN CAMPUS FACILITIES

MSU has established policies and practices designed to provide security and access in its facilities, whether in classrooms, offices, residences or other campus locations.

SECURITY AND ACCESS IN ACADEMIC AND ADMINISTRATIVE (NON-RESIDENCE) CAMPUS BUILDINGS

Primarily, security in buildings is maintained through a master key system managed by the Facilities Services department and a Cat-Card electronic access system managed by Auxiliary Services. This key system provides access for authorized students, staff and faculty to academic buildings during closed hours. Key access is provided with appropriate written supervisory approvals. Campus buildings (non-residence) are normally open from 6:00 AM until 6:00 PM (closing times may vary) Monday through Friday or for scheduled weekend classes and special events, but are generally locked at all other times.

In addition, the university has adopted the following additional security practices:

1. Rules that require that exterior building doors are not propped open when the doors are locked.
2. The right to prohibit, limit or otherwise restrict access to or use of its buildings, facilities or other property as may be necessary to provide for the orderly conduct of the University's educational, research and service programs and the safety and security of the campus property, students, employees, guests and other visitors.
3. Substantial outdoor lighting installations which helps deter criminal behavior and enhances security; lighting is routinely patrolled to identify outages and periodically assessed to assure effectiveness.
4. UPD officers patrol the campus, 24 hours a day.
5. A [policy requiring background checks](#) for new employees; potential employees with criminal backgrounds may be denied employment to protect the campus community.

SECURITY AND ACCESS IN RESIDENCE HALLS

Residence halls are subject to substantial security policies and measures, including restricted access, 24 hour monitored desk operations, guest log-in and evening escort requirement, check-in policies, lock-downs, and other measures which are detailed in the [Residence Hall Handbook](#) under "Safety and Security." A paper copy of the policy is also available from the Residence Life Office.

SECURITY IN BUILDING MAINTENANCE

MSU's master key system also controls security for maintenance staff. All Facilities Services and Auxiliary employees authorized to carry master keys are required to store these keys in a secure/alarmed cabinet during all non-working hours. Some buildings are part of a security system that requires the use of a staff-assigned Cat Card to gain entrance into the building.

MAINTENANCE OF CAMPUS FACILITIES

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. UPD regularly patrols campus and reports malfunctioning lights and other unsafe physical conditions to Facilities Services for correction. Other members of the University community are helpful when they report equipment problems to UPD and/or Facilities Services.

Facilities Services provides a voluntary call-out program to provide maintenance services during after-hour, weekend, and holiday periods. For security considerations, if an employee is called in to assist with after-hour maintenance issues, the employee checks out master keys at the University Police Station where their name, date and time of key checkout and check in are recorded or uses personally identifiable Cat Card with the supervisor's permission.

MSU'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING

INTRODUCTION

Montana State University's [Discrimination, Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and Retaliation Policy](#) and the [Student Code of Conduct](#) prohibits sexually violent acts, termed "Sexual Misconduct" by MSU, which can be crimes as well. Sexual misconduct includes sexual assault, inducing incapacitation for sexual purposes, sexual exploitation/coercion, non-consensual sexual contact, sexual exploitation, dating violence, domestic violence, stalking, and sexual harassment. While MSU may utilize different standards and definitions than Montana law, sexual misconduct often overlaps with the criminal acts. Victims of these behaviors are protected by federal laws, specifically [Title IX](#), and the [Clery Act](#), which mandates the content of this report.

MSU recognizes that these issues can impact anyone regardless of their sex, gender, gender identity, gender expression, or sexual orientation. Campus services are available to all victims.

Throughout this document, the term victim will be used regarding anyone who experiences a Clery-covered crime. MSU recognizes that individuals may use a variety of terms to describe themselves and their experience.

RETALIATION PROHIBITED

Retaliation is prohibited by MSU policy and federal law. Any retaliation against any person for reporting concerns, or filing, testifying, assisting, or participating in any manner in investigations or proceedings involving allegations of violation of the Discrimination Policy. Retaliation is subject to the same discrimination grievance procedure and the same potential sanctions.

REPORTING SEXUAL ASSAULT, DATING VIOLENCE, DOMESTIC VIOLENCE, STALKING, AND RETALIATION

In the event that sexual assault, stalking, dating or dating violence do occur, MSU takes the matter very seriously. MSU will provide victims written notification of their rights, options, and resources, including counseling and victim advocacy. The written notification will also include how to request interim measure support including no contact orders, and assistance with housing, academic, transportation, and/or working accommodations, if they are reasonably available. This assistance is provided when it is reasonably available and requested by the victim, regardless of whether the victim chooses to report the crime to law enforcement.

Everyone is encouraged to report if they experience one of these issues or if they know of someone who is a victim.

Victims have the right to:

- Pursue action through both MSU's process *and* the criminal process
- Pursue action only through MSU's process
- Report to the police and decline to pursue further action by law enforcement

- Seek confidential support on campus through Counseling and Psychological Services and/or the VOICE Center or off campus through confidential resources listed below
- Report to OIE and decline to pursue further action
- Report anonymously
- Do none of the above (victims are still encouraged to seek support)

1. Reports to MSU's Title IX Coordinator and Office of Institutional Equity

Title IX is a federal civil rights law that protects against discrimination, harassment, and violence in educational programs on the basis of actual or perceived sex, gender, and sexual orientation.

Anyone can report to the Title IX Coordinator. These reports are not confidential but are private and student records are protected under federal privacy law (FERPA). Reporting to the Coordinator does not mean a person is obligated to pursue any formal action or speak with law enforcement. Those who report to the Title IX Coordinator will be made aware of their rights, options, and resources and will receive assistance as reasonable and necessary to help the person be safe and continue to be successful at MSU.

Reports can be made by phone, e-mail, online, or in person.

Director of the Office of Institutional Equity and Title IX Coordinator

114 Hamilton Hall

406-994-5326

oiie@montana.edu

www.montana.edu/equity

2. Reports to Law Enforcement

MSU encourages accurate and prompt reporting of all crimes to campus police and local law enforcement when the victim elects to, when there is an obligation under state law, or when there is an emergency. Although MSU strongly encourages all members of its community to report violations of sexual misconduct to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. If the victim desires to report the matter to law enforcement, MSU will provide assistance to the victim in doing so.

Certain offenses such as sexual intercourse without consent, sexual assault, domestic and dating violence, and stalking are considered criminal violations of the law and University law enforcement officials are available 24 hours a day to help respond to reports of these offenses. MSU encourages reporting to the police as soon as possible but if a student chooses not to report immediately, a report can be made later. At the MSU Police Department, a student can meet a detective or officer to learn more about their options, the process, the people involved and make an informed decision on pursuing criminal charges. If requested, University officials are available to assist students in reporting to the University Police or other law enforcement agencies.

In addition to reporting to the University, anyone can make a report with law enforcement:

University Police: 406-994-2121

Bozeman Police Department: 406-582-2000

Gallatin County Sheriff's Department: 406-582-2100

3. Anonymous Reporting

Victims and bystanders (but not employees required to report) can make reports anonymously. MSU may be limited in the ability to investigate an anonymous report unless sufficient information is furnished to enable MSU to conduct a meaningful and fair investigation. It is possible that an anonymous reporter's identity may be discovered in the course of an investigation.

Reports can be made anonymously to University Police via the Silent Witness Program: switness@montana.edu.

Reports can be made anonymously to MSU and OIE via the Compliance Hotline 24 hours a day: 855-753-0486 or <http://www.montana.edu/orc/reporting/hotline.html>.

4. Required Reporting by MSU Employees

To enable MSU to respond effectively and to stop instances of discrimination, harassment, violence, and retaliation proactively, all University employees must promptly (normally within 24 hours) report all known or suspected discrimination, harassment, sexual misconduct, dating or domestic violence, stalking, or retaliation to the Office of Institutional Equity (OIE).

Employees who are hired by the University to work under a license or statutory privilege under Montana law that provides for confidentiality are not required to report but may be required to provide de-identified statistics annually. Victims who are also required reporters are not required to report to MSU about their own experiences.

Reports made to employees will be provided to OIE to ensure the victim is aware of their rights, options, and resources.

MSU POLICY DEFINITIONS FOR DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL MISCONDUCT, AND STALKING

MSU's policy definitions, Montana criminal law definitions, and definitions used by the Clery Act to define violations documented in this report may vary. MSU policy definitions are as follows:

1. **Sexual Assault** means an actual or attempted sexual contact with another person without that person's consent. Sexual assault includes, but is not limited to:
 - a) Involvement in any sexual contact when the victim is unable to consent.
 - b) Intentional and unwelcome contact with the breasts, buttock, groin or genitals or touching another with any of these body parts or coercing or forcing or attempting to coerce or force another to touch the alleged violator or themselves with or on any of these body parts.
 - c) Any other intentional bodily contact in a sexual manner, including contact by a penis, tongue or finger, and oral copulation (mouth to genital contact or genital to mouth contact).
 - d) Sexual intercourse without consent, including acts commonly referred to as "rape."

2. Inducing incapacitation for sexual purposes includes using drugs, alcohol, or other means with the intent to affect or having an actual effect on the ability of an individual to consent or refuse to consent (as “consent” is defined in this policy) to sexual contact.

3. Sexual Exploitation/Coercion occurs when a person takes non-consensual or abusive sexual advantage of another for anyone’s advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the preceding sexual misconduct offenses. Examples of sexual exploitation include:

- a) Prostituting another person;
- b) Non-consensual visual (e.g., video, photograph) or audio-recording of sexual activity;
- c) Non-consensual distribution of photos, other images, or information of an individual’s sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information;
- d) Going beyond the bounds of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- e) Engaging in non-consensual voyeurism;
- f) Knowingly transmitting a sexually transmitted disease, such as HIV, to another;
- g) Exposing one’s genitals in non- consensual circumstances, or inducing another to expose his or her genitals; and
- h) Possessing, distributing, viewing or forcing others to view illegal pornography.

3. Dating Violence is abuse or violence between partners or persons in a social relationship of an intimate or romantic nature involving one or more of the following elements:

- Battering that causes bodily injury;
- Emotional abuse creating apprehension of bodily injury or property damage;
- Repeated telephonic, electronic, or other forms of communication – anonymously or directly – made with the intent to intimidate, terrify, harass, or threaten.

The existence of such a relationship shall be determined based on consideration of the following factors:

- The length of the relationship;
- The type of relationship; and
- The frequency of interaction.

4. Domestic Violence is an act of violence committed by a current or former spouse of the victim, by a person with whom the victim share 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 and family violence laws of Montana [Title 40, Ch. 15, MCA] or by any other person against an adult or youth victim who is protected under the domestic or family violence laws of Montana. Persons protected include mothers, fathers, brothers, sisters, and other past and present family members of a household.

4. Stalking includes repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device or method that purposely or knowingly causes substantial emotional distress or reasonable fear of bodily injury or death.

MSU DEFINITION OF CONSENT

Consent is an understandable exchange of affirmative words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity. Consent must be informed, freely and actively given. If coercion, intimidation, threats, or physical force are used there is no consent.

- a) There is no consent if a person is mentally or physically incapacitated so that such person cannot understand the fact of, or make a reasonable judgement as to, the nature, potential harmfulness of the conduct, or extent of the sexual situation. This includes incapacitation due to mental disability, alcohol or drug consumption, or being asleep or unconscious. A person who knows or reasonably should have known that the other person is incapacitated may not engage in sexual activity with that person.
- b) There is no consent when there is force, expressed or implied, or use of duress or deception upon the victim. In the absence of mutually understandable words or actions, it is the responsibility of the initiator, or the person who wants to engage in the specific sexual activity, to make sure that he/she has the consent from his/her partner(s). Silence does not necessarily constitute consent. Past consent to sexual activities does not imply ongoing future consent. Whether an individual has taken advantage of a position of influence over an alleged victim may be a factor in determining consent. Effective consent may not be given by minors less than 16 years old.

AMNESTY POLICY

The University strongly encourages students to report instances of sex-based discrimination, sexual harassment, and sexual misconduct involving students. Therefore, students who provide information about sex-based discrimination, sexual harassment, sexual misconduct, dating violence, domestic violence, or stalking involving students will not be disciplined by the University for any violation of the University's drug or alcohol possession or consumption policies in which they might have engaged in connection with the reported incident.

CONFIDENTIAL RESOURCES - ON CAMPUS

There are several resources available on campus and in the community that provide free, confidential support to victims of sexual misconduct, dating or domestic violence, and stalking.

VOICE Center

The VOICE [Victim Options in the Campus Environment] Center is the university's program to support victims of sexual misconduct, domestic violence, and stalking. VOICE will work with students to explain the options for reporting to other campus authorities, including University Police and the Office of Institutional Equity. MSU VOICE Center will assist the victim in notifying authorities if they request assistance and will advise the victim of the importance of preserving evidence if they choose to bring criminal charges in the future. However, the staff and student advocates in the VOICE Center will support survivors regardless of their reporting decisions.

MSU VOICE Center will treat the student's interactions with the VOICE Center confidentially in compliance with the privilege afforded to communications with victim advocates under state law. [§26-1- 812, Montana Code Annotated.]

The VOICE Center is located in room 370 of the Strand Union Building (above the Leigh Lounge) and provides primary support and response for anyone impacted by sexual misconduct, dating violence, domestic violence, and stalking. MSU VOICE Center has a 24-hour confidential support line and provides confidential information to students about reporting options, available resources and assistance for the victim, and victim's rights.

VOICE Center staff and trained advocates are available 24 hours a day via phone, text, or in-person and can provide immediate crisis intervention; free counseling; refer survivors to legal, medical, and psychological service options; and can accompany students in accessing these services. Information is also available at the VOICE Center website.

VOICE Center

370 Strand Union Building (SUB)
24/7 Helpline (call or text): (406) 994-7069
<http://www.montana.edu/health/voice>

Counseling and Psychological Services

Talking with a counselor can be an important step in learning about available options as well helping the recovery process. MSU Counseling and Psychological Services offers free, confidential counseling to eligible students, and provides counseling on a limited basis for a fee to MSU faculty and staff.

Counseling and Psychological Services

211 Swingle
Office: (406) 994-4531
After-hours emergency line: (406) 586-3333
<http://www.montana.edu/counseling/>

Student Health Service

Regardless of the length of time since an assault, health care providers recommend a clinical visit to assess pregnancy risk, sexually transmitted infections (including HIV) and physical injuries. Services are available to eligible MSU students and their spouses/domestic partners. There is no charge for a clinical visit. There are charges for lab tests, x-rays and pharmaceuticals which may be covered by a student's insurance. Morning-after contraception is available. The Student Health Service does not perform medical forensic exams. These exams are only performed at the Bozeman Health Hospital Emergency Room.

Student Health Services

Swingle First Floor
(406) 994-2311
<http://www.montana.edu/health>

OFF-CAMPUS RESOURCES

HAVEN

HAVEN is Bozeman's domestic violence shelter and provides 24-hour crisis support and advocacy for all domestic violence survivors. In addition to emergency shelter and crisis support, HAVEN provides support groups, individual counseling, and legal advocacy. A HAVEN Legal Advocate is housed at the Law and Justice Center in Bozeman and can help victims obtain protective orders, including court accompaniment.

HAVEN

24/7 Helpline: (406) 586-4111

<http://havenmt.org>

Help Center and Sexual Assault Counseling Center

The Help Center is the confidential community crisis line for sexual assault victims and those struggling with suicide and mental health concerns. The Help Center also provides counseling and advocacy services.

Help Center and Sexual Assault Counseling Center

421 E. Peach St., Bozeman, MT

(406) 586-3333

<http://www.bozemanhelpcenter.org/>

Bridgercare

Bridgercare is a non-profit reproductive healthcare facility in Bozeman. The professional staff provides affordable reproductive and sexual healthcare and education in a safe, supportive, and empowering atmosphere.

Bridgercare

300 North Wilson Avenue, Suite 2001, Bozeman

(406) 587-0681

<http://www.bridgercare.org>

Bozeman Health Hospital Emergency Room

Bozeman Health Hospital Emergency Room is the only hospital in Bozeman where anyone can obtain a medical forensic exam. Victims may request an exam and forensic evidence collection at no cost and without having to file a police report. The costs of the evidence collection will be covered as part of Montana's Forensic Rape Examination Payment Program.

Bozeman Health Hospital Emergency Room

915 Highland Boulevard, Bozeman

(406) 414-5000

<http://www.bozemanhealth.org/Bozeman-Health-Services/Emergency-Medicine.aspx>

WHAT TO DO IF YOU ARE A VICTIM OF DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING

There is no right or wrong way to respond if you are a victim. It is important to remember that it is not your fault. The following are options you can consider, but you don't have to do anything you don't want to do.

If you are a friend helping someone who is a victim, support their decisions and try to not tell them what to do. Find ways to help them make decisions for themselves.

Seek Medical Attention:¹ After an incident of sexual assault, dating violence or domestic violence², you should consider seeking medical attention as soon as possible at Bozeman Health Hospital, offering physical evidence recovery kit collection, access to forensic nurse examiners and/or sexual assault nurse practitioners. BDH Sexual Assault Nurse Examiners (SANE) are specially trained and are sensitive to the needs of assault survivors. In the State of Montana, evidence may be collected and held for a year even if you choose not to make a report to law enforcement. If you are uncomfortable going to the hospital, you can go to Student Health Services for a wellness check, but they cannot do forensic exams.

Preserve Evidence: Although it is important for you to make decisions about the kind of service you want, timing is an important factor. It may be important to take action to preserve any evidence for use in a criminal case, even if you aren't sure what you want right now.

Medical forensic evidence may be collected if a sexual assault occurred within 120 hours of the evidence collection. The passage of time may make it more difficult, but not impossible, for a SANE to obtain forensic evidence. You may request an exam and forensic evidence collection at no cost and without having to file a police report. The costs of the evidence collection will be covered as part of Montana's Forensic Rape Examination Payment Program. The Bozeman Health Hospital Emergency Room is the only location in Bozeman which conducts forensic examinations.

If you are considering a medical forensic exam it is important that you try not to clean your body, change your clothes, or change any bed linens or other items that may have been near where the assault occurred. This helps preserve evidence that police can use in a criminal case or if you're requesting a protective order.

Even if you do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections.

You are also encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if you have any, that would be useful to a campus and/or criminal investigation. Other evidence of a crime should also be preserved in case criminal charges are pursued. Evidence might include pictures of injuries, forensic examination, written and electronic communications, text messages, emails, photos, or and other evidence that may show a course of conduct.

If you want to talk about these options confidentially, you can talk to anyone on the list of confidential resources above.

MSU'S EDUCATION AND OUTREACH

In an effort to reduce the risk of sexual misconduct as well as the crime of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence occurring among our students, MSU utilizes a range of campaigns, strategies, and initiatives to promote awareness, educational, risk reduction, and prevention programming.

MSU offers programming each year to identify and prevent domestic violence, dating violence, sexual assault, and stalking. Educational programs are offered to raise awareness for all incoming students and employees, and are often conducted during new student and new employee orientation and throughout an incoming student's first semester. Programs and other campaigns offered throughout the year to all students and employees include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management, and bystander intervention), and discuss institutional policies on sexual misconduct as well as the Montana definitions of domestic violence, dating violence, sexual assault, stalking, and consent in reference to sexual activity. Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do so without victim-blaming approaches.

In the past year, offices across campus have facilitated dozens of programs reaching thousands of students on topics ranging from violence prevention and response, bystander engagement, healthy relationships, and gender equity.

MSU offices directly involved in these programs include the MSU VOICE Center, Office of Health Advancement, Office of Institutional Equity, Residence Life, Intercollegiate Athletics, Office of the Dean of Students, University Police, Women's Center, Diversity Awareness Office, the President's Commission on the Status of University Women, ADVANCE, Equity Advocates, and beyond.

MSU's Education Outreach includes:

1. Educational outreach and safety talks with: residence hall supervisors; Greek organizations; student athletes; student orientation leaders; and faculty and staff groups and organizations. These talks are offered by various offices across campus.

2. Awareness Campaigns:

- a) Don't Cancel That Class – Facilitated by the VOICE Center, faculty who have to miss a class can choose to bring in a VOICE Center facilitator to talk to the class about consent, healthy relationships, bystander intervention, and other issues related to violence prevention and response.
- b) It's On Us – Members of the MSU community can sign the It's On Us pledge as part of the national It's On Us campaign.
- c) Not In Our House – managed by a student task force, NIOH provides education, and outreach, including PSAs, geared towards students by students that addresses sexual violence, dating and domestic violence, stalking, and bystander engagement.

- d) Sack Lunch Seminars – the MSU Women’s Center facilitates regular seminars on issues related to violence prevention, gender equity, and intersectional identity, among other topics.
 - e) Take Back the Night – A collaboration of campus and community members, uniting to take a stand against violence. Events include a Survivor Speak-out and a rally. All events are free and open to the community.
- 3. Lecture Series** – the Women’s Center, the President’s Commission on the Status of University Women, and ADVANCE provide annual lectures specifically centered on gender-based equity issues. Lectures are free to the university community and occur throughout the year.
- 4. Student online training** – MSU uses the program Haven, an online training for all incoming new undergraduate and graduate students. HAVEN covers sexual assault, domestic violence, and stalking, bystander engagement, risk reduction, and campus resources. All students take a follow up training before registering for their second semester on campus.
- 5. Required Reporter Training** – the Office of Institutional Equity facilitates annual training related to mandatory reporting of discrimination, harassment, sexual misconduct, dating violence, domestic violence, stalking, and retaliation. All reporters are required to attend. The training covers bystander engagement, definitions, victim-centered, trauma-informed response to reports, and campus and community resources.

BYSTANDER ENGAGEMENT

Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies, and/or creating distractions. Bystander empowerment training highlights the need for those who intervene to ensure their own safety in the intervention techniques they choose, and motivates them to intervene as stakeholders in the safety of the community when others might choose to be bystanders.

REDUCING THE RISK OF SEXUAL MISCONDUCT ON CAMPUS AND IN OUR COMMUNITY

We all have a responsibility to keep our campus and community safe. Being aware of different strategies and taking action when you feel someone is unsafe can help someone get out of a potentially dangerous situation. Look out for your fellow Bobcats. If someone looks uncomfortable or afraid, check in, find someone who knows the person who can help, or call someone in authority to step in.

If you ever are unsure about a situation you are in, trust your instincts. Make an excuse to leave, ask for help, or even just walk away. Be true to who you are and what you value most. You aren’t obligated to do something you don’t want to do, and a simple, “I don’t want to” is a good enough reason. If you’re feeling pressured in a situation, or if you’re afraid a blunt “no” will make the situation worse, don’t hesitate to make an excuse or even lie if that’s what you need to do to get out of the situation.

UNIVERSITY RESPONSE TO REPORTS OF SEXUAL MISCONDUCT

MSU has designated the Office of Institutional Equity (OIE) to oversee the University's compliance with state and federal civil rights laws, including laws covering sexual misconduct, dating violence, domestic violence, stalking, and retaliation. OIE is responsible for overseeing facilitation of the [Discrimination, Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and Retaliation Policy](#) and related [procedures](#). This policy covers all faculty, staff, students, and visitors accessing MSU programs and services.

Conduct that occurs off campus can be the subject of a complaint or report and will be evaluated to determine whether it violates this policy, e.g., if off-campus harassment has continuing effects that create a hostile environment on campus. Allegations of off-campus sexual misconduct are of particular concern and should be brought to the University's attention.

Violations of this policy will be addressed through the [Discrimination Grievance Procedures](#). Consequences for violating this policy will depend upon the facts and circumstances of each particular situation.

In determining the severity of sanctions or corrective actions, factors such as the frequency and severity of the offense and any history of past discriminatory, harassing, or retaliatory conduct are relevant. A finding of discrimination, harassment that creates a hostile environment or results in a tangible employment or educational action, or sexual misconduct may be cause for disciplinary action up to and including the discharge of employees and the expulsion of students, in accordance with applicable University policies and procedures and collective bargaining agreements.

This policy shall not be construed or applied to restrict academic freedom at the campuses of Montana State University, nor shall it be construed to restrict constitutionally protected expression, even though such expression may be offensive, unpleasant, or even hateful.

In addressing all complaints and reports under this policy, the University will take all reasonable permissible actions to ensure the safety of students and employees while complying with free speech requirements for students and employees.



MSU’S POLICY ON DISCRIMINATION GRIEVANCE PROCEDURES FOR ALLEGATIONS OF VIOLATIONS OF THE DISCRIMINATION, HARASSMENT, SEXUAL MISCONDUCT, DATING VIOLENCE, DOMESTIC VIOLENCE, STALKING, AND RETALIATION

Scope

This Policy applies to the following MSU Campuses:

- MSU Bozeman (including MSU Extension, Agricultural Experiment Stations, and Gallatin College)
- MSU Billings (including City College)
- MSU Northern
- Great Falls College MSU

For the purpose of this policy, the term “University” means all campuses listed.

100.00 - Introduction and Purpose

The purpose of these procedures is to provide prompt and equitable resolution of reports of discrimination based upon race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation. Any person believing that he or she has been subjected to discrimination or harassment on any of these bases may report any potential violation of policy to the University. These procedures address all reports of alleged discrimination or harassment, including conduct that violates the Discrimination, Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking and Retaliation Policy (hereinafter referred to as “Policy Violations”). The procedures also address reports of retaliation against those who have opposed practices forbidden under the policy, those who have filed complaints or reports under the policy, and those who have testified or otherwise participated in enforcement of the policy.

200.00 - University Reporting

Reports of Policy Violations, whether by recipients of unwelcome behavior (referred to as “Complainants”) or by third- parties (referred to as “Reporters”), should be made to the Responsible Official on the respective covered campus. The Responsible Officials, their staff members and designees (collectively referred to in this Procedure as “the RO”) are trained to help you find the resources you might need, to explain all reporting options, and to respond appropriately to conduct of concern. All instances of retaliation should be reported and will be addressed in the same manner. The contact information for the RO is listed below.

MSU Bozeman

Director/Title IX Coordinator

Office of Institutional Equity/Title IX 118 Hamilton Hall

Montana State University

P.O. Box 172430 Bozeman, MT 59717-2430

Tel: (406) 994-2042

Fax: (406) 994-7999

E-mail: discrimination@montana.edu

MSU Billings

Director of Human Resources/Title IX Coordinator

Human Resources Office McMullen Hall 310

Montana State University Billings 1500 University Drive

Billings MT 59101

Tel: (406) 657-2278

Fax: (406) 657-2120

Email: jsimon@msubillings.edu

Great Falls College MSU

Executive Director, Human Resources/Title IX Coordinator

Administrative Area 2100 16th Ave. South Great Falls, MT 59401

Tel: (406) 771-5123

Fax: 406-268-3709

Email: mbonilla@gfcmsu.edu

MSU Northern

Director of Human Resources/Title IX Coordinator

Human Resources Office Cowan Hall Rm 208

Montana State University – Northern 300 W 11th Street

PO Box 7751

Havre, MT 59501

Tel: (406) 265-4147

Fax: (406) 265-3530

Email: hr@msun.edu

Reports should be made as soon as possible after an incident and there are several avenues available for submitting a report (based on the contact information above): Leave a voice message for the RO; File a report on the forms found on the sites shown above; Send a private email to one of the RO staff; Mail a letter to the RO office; Visit one of the RO staff (you may wish to make an appointment first to ensure availability); or Report to another trusted University official (e.g., Resident Assistant, Professor, Coach, Advisor) who will provide information to the RO as required under the policy.

If there is a complaint about the RO or any staff member that is part of the RO office, or if the RO or RO staff has a complaint, that complaint should be made to the President or Campus Executive Officer (“CEO”) for the affiliated campuses. The President or CEO will appoint another trained individual to take the place of the RO for purposes of the complaint.

Criminal Reporting

Please remember that if someone is in immediate danger or needs immediate medical attention, the first place to report is 911. You may also report to the appropriate University or city/county police department shown below:

MSU Bozeman: University Police Department: (406-994-2121), 7th and Kagy in the Roy Huffman Building or the Bozeman Police Department, or the Gallatin County Sheriff's Office at (406) 582-2100.

MSU Billings: University Police Department (406-657-2222) located in the Southwest Corner of Parking Garage or call the Billings Police Department, or the Yellowstone County Sheriff's Office at (406) 657-8200.

Great Falls College-MSU: Great Falls Police Department (406-771-1180).

MSU Northern: Havre Police Department (406-265-4361).

Some forms of discrimination and harassment may also be crimes. For example, sexual assault, domestic violence, stalking and rape are crimes. Complainants and witnesses are encouraged to make criminal reports to law enforcement, even if it is uncertain whether the particular conduct is a crime.

Calling local law enforcement can help you: obtain emergency and nonemergency medical care; get immediate law enforcement response for your protection; understand how to provide assistance in a situation that may escalate to more severe criminal behavior; arrange a meeting with victim advocate services; find counseling and support; preserve evidence (which is very important in a criminal case); initiate a criminal investigation; and answer questions about the criminal process.

Appropriate campus officials are available to assist in reporting to local law enforcement, if requested. Complainants may decline to report to law enforcement officials. However, if a health or safety emergency, as defined by state or federal law, is found by the University to exist, the University is required to report alleged criminal incidents to appropriate law enforcement authorities.

Confidentiality of Complaints and Reports

Parties in these processes, including the Complainant, the individual accused of a Policy Violation (referred to as "Respondent"), and witnesses have privacy rights and reasonable expectations of confidentiality in the investigation of matters subject to this procedure. In addition, the integrity of the process depends on ensuring reasonable expectations of confidentiality.

The RO will keep confidential the complaint, report, witness statements, and any other information provided by the Complainant, Respondent, or witnesses to the extent possible, but may disclose such information as follows:

- To the Complainant, Respondent, (including their attorneys) or witnesses, as necessary to give fair notice of the allegations and to conduct the investigation;
- To law enforcement consistent with state and federal law and University Policy;
- To other University officials who have a need to know in performing their official University business;
- To government agencies who review the University's compliance with federal law;

- To Montana University System Officials and the Montana Board of Regents of Higher education as necessary to perform their duties; and
- As necessary to respond to litigation or formal investigation of a complaint filed or appealed to the Board of Regents, State and federal agencies and the court, or to respond to lawfully issued subpoenas.

The investigation Report of Findings and any written decision resulting from the appeals process will be disclosed only to the Complainant, Respondent, RO, and Discipline Authorities¹ subject to the protection of confidentiality as may be appropriate under the circumstances and in accordance with the requirements of FERPA. This information will also be provided to University officials as necessary to prepare for subsequent proceedings (e.g., University President, CEO, Appeals Officer, and University Legal Counsel). If otherwise required by law or legal process, the Report may be provided to other entities subject to the requirements of FERPA.

Information about complaints and reports, absent personally identifiable information, may be reported to University officials and external entities for statistical and analysis purposes pursuant to federal and state law and University policy.

If a Complainant or Reporter desires full confidentiality, he/she should speak to on-campus mental health counselors or health service providers (where available), or to on or off-campus victim advocate counselors who are not mandated reporters and can maintain confidentiality. Campus counselors are available at MSU Bozeman, MSU Billings, and MSU Northern to students free of charge and can be seen on an emergency basis.

¹In the case of employees, the Discipline Authority is the University Administrator with the authority to impose discipline in accordance with applicable employment policies and procedures and collective bargaining agreements. In the case of students, the Discipline Authority is the Dean of Students or other University official with the authority to impose sanctions on students in accordance with applicable policies and procedures.

220.10 - Anonymous and Third Party Reporting

The RO accepts anonymous and third-party reports of conduct alleged to violate this Policy and will follow up on such reports, to the extent possible. The individual making the report is encouraged to provide as much detailed information as possible to allow the RO to investigate and respond as appropriate. The RO may be limited in the ability to investigate an anonymous report unless sufficient information is furnished to enable the RO to conduct a meaningful and fair investigation.

220.20 - Reporter or Complainant Requests No Investigation

If a Reporter or Complainant requests that no investigation of an incident be conducted, the RO will consider the reasons for the request, including concerns about continued safety of the person reportedly harmed and members of the campus community. The RO must balance considerations about the continued health and safety of members of the community against a Reporter's or Complainant's desire not to have the report investigated, and the RO retains the right to initiate a formal or informal investigation. The RO may consult with appropriate campus officials, but the

RO will make the ultimate decision about whether to conduct a formal investigation or respond to the report in another manner, including taking informal actions, such as those described below in Section 320.00A.

If the RO initiates an investigation in these circumstances, the Grievance Procedure shall be followed to the extent reasonably applicable.

300.00 - Role of the RO

The RO is charged with coordinating the University's compliance with federal civil rights laws, all of which are listed at the end of these Procedures. The RO is not an advocate for either the Complainant or the Respondent. The RO will explain to both parties the informal and formal processes outlined below and the confidentiality provisions as outlined above. The RO is available to provide both parties the following information:

- options for obtaining medical and counseling services;
- making a criminal report;
- receiving advocacy services;
- options for changing academic, living, transportation, and working situations; and
- other helpful campus and community resources.

The RO will offer to coordinate with other campus officials, when appropriate, to implement interim remedial measures such as those described in Section 340.00. The RO will describe the investigation process. The RO will explain the right of the Respondent to review and respond to allegations and evidence against him or her. The RO will explain to both parties their rights to have an attorney or other advisor, including a union representative for union employees, with them during their interviews and during any stage of these procedures.

If an individual does not want to pursue a complaint, the RO will inform the individual that the University is limited in the actions it can take without the cooperation of the individual. The RO will also explain to parties and witnesses that retaliation for reporting alleged violations of the policy, or participating in an investigation of an alleged violation, is strictly prohibited and that any retaliation should be immediately reported and will be promptly addressed.

The RO will provide to any student or employee who reports that he/she has been a victim of sexual misconduct, dating violence, domestic violence, or stalking, whether occurring on or off campus, a written explanation of the student or employee's rights and options under this Discrimination Grievance Procedure.

The RO will be responsible for collecting and maintaining investigation records. Such records shall be kept for a period of seven years.

310.00 - Immediate Action and Interim Remedial Action

The University may take interim measures to assist or protect the parties during the grievance process, as necessary and with the Complainant's consent. Remedial Actions such as those described in Section 340.00 may be taken on an interim basis.

Resolution

If a Complainant chooses to file a complaint, there are two avenues for resolution of an alleged Policy Violation: formal and informal resolution. The Complainant has the option to proceed informally, except cases involving allegations of sexual misconduct. In cases involving allegations of sexual misconduct, informal resolution is not appropriate, even if both the Complainant and Respondent indicate a preference for informal resolution.² The RO is available to explain the informal and formal resolution procedures.

All references to days shall mean calendar days unless otherwise noted.

Informal Process and Resolution

If the Complainant, the Respondent, and the RO all agree that an informal resolution should be pursued, the RO shall attempt to facilitate a resolution of the conflict that is agreeable to all parties. Under the informal process the RO shall be required only to conduct such fact-finding as is useful to resolve the conflict and as is necessary to protect the interests of the parties, the University and the community. Typically, an informal investigation will be completed within twenty (20) days of receipt of the complaint. If it becomes necessary to extend the process, both parties will be notified of a revised expected resolution timeframe.

A Complainant or Respondent always has the option to request a formal investigation. The RO also always has the discretion to initiate a formal investigation. If at any point during the informal process, the Complainant, the Respondent, or the RO wishes to cease the informal process and to proceed through formal grievance procedures, the formal process outlined below in Section B will be initiated.

The informal resolution must adequately address the concerns of the Complainant, as well as the rights of the Respondent, and the overall intent of the University to stop, remedy and prevent Policy Violations. Informal actions might include, but are not limited to: providing training to a work unit; having an informal discussion with an individual whose conduct, if not stopped, could rise to the level of discrimination or hostile environment harassment; having a confidential conversation with a supervisor or instructor; or taking appropriate personnel action.

Formal Process

Step 1: The RO discusses concerns with Complainant, and the Respondent as appropriate, including providing information about the policy and procedures and other helpful resources. RO also considers whether immediate or interim actions or involvement of other University offices is appropriate. The RO determines whether the office has jurisdiction to investigate the matter. The RO's jurisdiction is limited to reports of Policy Violations. Provided however, where non-jurisdictional, interconnected allegations are made, information collected during the investigation concerning the allegations will be referred to appropriate University authorities for consideration.

Option 1: If the RO determines that there is no jurisdiction, the RO will offer to assist the Complainant and, as appropriate, the Respondent, in finding appropriate campus and off-campus resources for addressing the issue of concern.

Option 2: If the RO determines that there is jurisdiction, the RO will proceed to Step 2.

Step 2: The RO conducts or oversees the conducting of a fair and impartial investigation of the alleged Policy Violation and proceeds to Step 3. Typically an investigation will be completed within forty (40) days of receipt of the complaint unless it is necessary to extend the time because of the complexity of the case, availability of witnesses, or other factors which unavoidably delay the investigation. If the investigation is extended, both parties will be promptly notified of a revised expected resolution timeframe.

The RO will notify and update both parties of the timeframe for the investigation, their right to identify witnesses, provide any supporting evidence at any time during the investigation, and the opportunity for appeal. The RO will provide a written update to the parties if the investigation is not complete within 30 days.

The RO will advise each party of his/her right, at their own expense, to have an attorney or other advisor (including a union representative for union employees) with them during their own interviews and during any stage of these procedures. Such advisor may be present at interviews, meetings, or hearings only to advise the parties; he/she may not participate directly. The RO will confer with and interview the Complainant to clarify the allegations, identify desired outcomes and obtain detailed information about the allegations.

The RO will provide the Respondent with a written summary of the allegations and the Respondent shall have the opportunity to respond to the allegations during the investigator interview and, if desired, in writing. The RO will collect and review written documents, interview the Complainant, the Respondent (unless a party is unwilling or unable to be interviewed), identify and interview relevant witnesses, and collect such other evidence as may be relevant to the investigation.

Step 3: The RO determines whether there is a preponderance of the evidence to conclude that an individual engaged in a Policy Violation. This “preponderance of the evidence” standard requires that the evidence supporting each finding be more convincing than the evidence in opposition to it; that is, it is more likely than not that the alleged conduct occurred.

The RO’s decision shall be presented in the form of a written Report of Findings which:

- Presents the contentions of the parties;
- Describes the evidence considered, including general testimony of witnesses, if any;
- Sets forth the analysis and findings and summarizes the basis for each; and
- Makes recommendations for remedial actions, if any.

Option 1: If the RO finds a Policy Violation did not occur, the investigation is complete; in this case the Complainant may file an appeal of the finding to the President or CEO in accordance with the Appeal Procedure.

Option 2: If the RO finds that a Policy Violation occurred, the RO’s written Report of Findings will include steps to take to prevent recurrence of any such violation, including, as appropriate, remedial actions described in Section 340.00. The Respondent may appeal the finding to the President or CEO. If the Respondent does not appeal the Report of Finding within the time period for appeal, the Report will be forwarded to the Discipline Authority for a determination of appropriate sanctions. In the case of student Respondents, the Discipline Authority is the Dean of Students or other University official with the authority to impose discipline on students

in accordance with applicable policies and procedures. In the case of employees, the Discipline Authority is the University administrator with the authority to impose discipline in accordance with applicable employment policies and procedures and collective bargaining agreements. The Discipline Authority must inform the RO of the ultimate sanctions imposed upon a Respondent. The RO will inform the Complainant of the sanctions to the extent permitted by federal regulations and applicable privacy laws.

Each party will be provided with a copy of the Report of Findings, subject to the protection of confidentiality as may be appropriate under the circumstances and as may be required by laws or regulations, including the Family Educational Rights and Privacy Act [FERPA], (20 U.S.C. § 1232g; 34 CFR Part 99).

²*The U.S. Department of Education, Office for Civil Rights, Dear Colleague Letter, dated April 4, 2011, p. 8, states: [I]n cases involving allegations of sexual assault, mediation is not appropriate even on a voluntary basis.*

330.00 - Relation to the Student Code of Conduct

The student Discipline Authority is charged with imposing sanctions on students who are found to have violated the policy. Sanctions may include a warning, probation, eviction from campus housing, suspension, expulsion, or any other sanction set forth in the University's Student Conduct Code. Disciplinary records for policy violations are maintained in the same manner as other disciplinary records, as described in the Student Conduct Code.

Remedial Action

Remedial action means the administrative steps taken to remedy a situation that has led to a complaint. The purpose of remedial action is to:

- Prevent serious and immediate harm to the complainant and others;
- Prevent retaliation against any party;
- End discriminating or harassing behavior and prevent its recurrence; and
- Provide appropriate training in preventing discrimination.

At any time during the complaint process, the RO and/or other responsible administrators may take appropriate remedial action to ensure that these purposes are achieved.

Remedial action may include, but shall not be limited to:

- Altering the Complainant's or Respondent's work or academic environment;
- Providing training on preventing discrimination or harassment;
- Meeting with Respondent and his/her supervisor to discuss changes of behavior;
- Reassignment or transfer;
- Changes in residence hall assignments;
- Changing advisors, mentors, supervisors or evaluators;
- Providing academic support services such as tutoring;
- Obtaining counseling or medical services;
- Providing escort service for a party's safety in moving about campus;

- Arranging for re-taking or course withdrawal without penalty; and
- Suspending an employee pending investigation.

400.00 - Appeals to the President or CEO

Filing an Appeal

An appeal requesting a hearing must be filed within five (5) days of the receipt of the RO's Report of Findings. At MSU Bozeman, the request for a hearing shall be submitted to the President; for all other campuses the request for hearing shall be submitted to the campus CEO. The President or CEO may designate in writing another University official to receive appeals, and in such case, the RO shall advise the parties of the Designee to whom appeals must be submitted. A copy of the request for hearing shall be provided to the RO, who shall provide a copy to the non-appealing party.

The request for hearing must be in writing and must describe the appellant's desired outcome and a statement of one or more of the following grounds for appeal:

- The investigation was not conducted in compliance with the procedures and the non-compliance materially affected the outcome of the investigation;
- The RO failed to conduct an adequate investigation;
- The RO had a conflict of interest which resulted in unfair bias against the appellant; and
- The appellant has discovered new evidence, not previously available, which would have materially affected the outcome of the investigation.

The RO may continue to impose interim remedial measures during the pendency of the appeal, as required by the circumstances.

420.00 - Appointment of Hearings Officer

Within five (5) days of receipt of the request for appeal, the President, CEO, or Designee shall appoint a Hearings Officer to consider the appeal and submit a decision. The President, CEO, or Designee may remove and replace the Hearings Officer in response to a request from a party who timely objects regarding a conflict of interest (as provided in Section 600.00), or if the Hearings Officer cannot perform the duties assigned.

A copy of the Report of Findings shall be provided to the Hearing Officer concurrent with his/her appointment. The RO will forward copies of any additional evidence relevant to the matter to the Hearing Officer and parties within five (5) days of appointment.

430.00 - Standard of Review

The Hearings Officer may determine that the RO's Report of Findings be approved, overturned, or modified if he/she finds that the appellant has established one or more of the grounds for appeal stated in Section 410.00.

440.00 - Hearing

440.10 - Notice of Hearing

Within ten (10) days of receipt of the written request for a hearing, the Hearings Officer will notify, in writing, the Complainant and the Respondent of the time and place of the hearing. The hearing will normally be held within thirty (30) days of receipt of the written appeal, unless it is necessary to extend the time because of the complexity of the case, availability of witnesses, or other factors requiring additional time. The parties will be notified, in writing, of any extension.

440.20 - Preparation for and Conduct of the Hearing**Written Statements on Appeal**

Within ten (10) days of the filing of the appeal, the party appealing the decision must submit to the Hearing Officer the following information: (a) detailed statement of facts relevant to the complaint or report of discrimination, hostile environment harassment, sexual misconduct, dating violence, domestic violence, stalking, or retaliation; (b) names and contact information and anticipated testimony from witnesses proposed to be called; (c) copies of any documents which will be submitted as evidence; (d) any additional evidence not available at the time of the investigation that the party believes should be considered at the Hearing; (e) reference to the portion of the policy or procedure alleged to be violated; (f) specific remedy(ies) requested; and (g) whether the party will be represented by legal counsel and the identity of the counsel.

Within ten (10) days of his/her receipt of a copy of the appeal, the non-appealing party may also submit the information described in (a) through (f), above. If the non-appealing party chooses to participate in the hearing, that party must notify the Hearings Officer as described above at (g) whether he or she will be represented by legal counsel and the identity of the counsel.

The RO will provide to the Hearing Officer and the parties, in addition to the written investigation report, any additional documents or other materials, and names and contact information of any witnesses the RO proposes for the hearing.

The Hearing Officer shall provide the parties and the RO copies of any materials submitted pursuant to this section.

Legal Counsel Representation

If either party chooses to be represented by legal counsel, University Legal Counsel will be present to ensure that the rights of all interested persons and the University are respected. A party's attorney may not speak at the hearing but may consult with the attorney's client and client witnesses.

Pre-hearing Conference

At any time but no later than five (5) days prior to the date of the hearing, the Hearings Officer may call a pre-hearing conference. Topics discussed at a pre-hearing conference may include, but are not limited to: (a) witnesses and other evidence to be presented; (b) issues to be addressed; (c) time limits and order of presentation of evidence at the hearing; and (d) other matters concerning the conduct of the hearing. At the request of any party, the Hearings Officer will conduct separate meetings with the appellant and the non-appealing party for purposes of the pre-hearing conference. The Hearing Officer may decide to extend the hearing date for good cause.

Conduct of the Hearing

The Hearing Officer will conduct the hearing. The hearing is a non-adversarial proceeding and courtroom rules of evidence, procedure, and discovery do not apply. The Hearing Officer shall determine the evidence and witnesses which will be presented and may limit or refuse to allow evidence or testimony that is not reasonably related to a determination of whether a Policy Violation occurred.

The hearing will be conducted in a manner to assure fairness and accuracy in fact-finding. The parties and witnesses will address only the Hearing Officer rather than each other. The Hearing Officer will be the final arbiter of all matters of evidence and procedure. All hearings are closed to the public.

As he or she deems appropriate (for example, in cases of sexual assault, dating violence, domestic violence, or stalking), the Hearings Officer may take steps such as allowing remote testimony or protective screening, as necessary, to protect parties or witnesses. Further, in such cases the Hearings Officer may conduct questioning of the witnesses; that is, questioning of the witnesses by the parties would not be allowed.

The Decision

Within twenty (20) days of the conclusion of the Hearing, the Hearings Officer will submit a decision in writing to the President, CEO, or Designee approving, overturning, or modifying the Report of Findings.

The written decision will include the following:

- A summary of the allegations;
- A summary of the response to the allegations;
- A statement of the relief sought by the Complainant if known, or of the recommendation of the RO, if applicable;
- Specific reference to the portion(s) of the policy or procedures alleged to have been violated;
- Analysis of whether the alleged grounds for appeal have or have not been substantiated; and
- Remedial action, if any, regarding redress of the complaint as well as any other recommendations, as applicable, for precluding further policy violations.

The Hearing Officer is not responsible for determining sanctions or discipline to be taken against a person determined to have violated the policy.



450.10 - President or CEO Action on Hearing Officer Decision

The President, CEO, or Designee will review the Hearing Officer's decision. The review is limited to determining: (1) Whether the evidence provides a reasonable basis for the resulting decision; and (2) Whether specified procedural errors were so substantial as to deny a fair hearing to either party. Within ten (10) days of receipt of the Hearing Officer's decision, the President, CEO, or Designee will notify the Hearing Officer, the RO, and the parties, in writing, of his/her decision upon review, including providing a copy of the Hearing Officer decision to the RO and the parties.

If the President, CEO, or Designee upholds a finding of Policy Violation, a copy of his/her decision and Hearing Officer decision shall be forwarded to the appropriate Discipline Authority for disciplinary action in accordance with applicable University policies, procedures, and collective bargaining agreements.

500.00 - Training

All University officials who are involved in the discrimination grievance process, including the RO, designated investigators, Hearings Officer, and Discipline Authorities, will have adequate training. Training will address, but is not limited to, recognizing and appropriately responding to allegations of discrimination, harassment, including hostile environment harassment, sexual misconduct, domestic violence, stalking, and retaliation, conducting investigations, protecting confidentiality, and recognizing the link between alcohol and drug use and Policy Violations.

The RO, Discrimination Grievance Procedure investigators, and Hearings Officers shall receive annual training on sexual misconduct, domestic violence, and stalking and on how to conduct investigations and appeal processes that protect the safety of victims and promote accountability.

600.00 - Conflict of Interest

Upon their assignment to an investigation or appeal, the names of the investigator and the Hearings Officer will be provided to the parties. These officials must promptly disclose any potential conflict of interest they believe they might have in a particular case. In the rare situation in which an actual or perceived conflict of interest arises between an Investigator, or the Hearings Officer, that conflict must be disclosed to both parties. If a party objects to the investigator or Hearing Officer on the basis that there is a conflict of interest which would bias the official's judgment, the party must submit the written objection to the RO, in writing, within five (5) days of learning of the conflict of interest. Determination of such objections will be made by an impartial University official appointed by the President, CEO, or Designee. Objections not timely made are waived.

700.00 - Employee Participation

Employees shall participate in this Grievance Procedure as required and failure to participate as requested may be grounds for discipline.

800.00 - Complaints to Federal and State Agencies

A party who is dissatisfied with the University's response to a complaint, or otherwise believes he/she has been discriminated against by the University on the basis of race, color, national origin,

sex, including sexual harassment, disability age, or retaliation, may file a complaint with the Office for Civil Rights (OCR) of the U.S. Department of Education based in Seattle or the Educational Opportunities Section (EOS) of the Civil Rights Division of the U.S. Justice Department of Justice, and a complaint based on religion with EOS of the U.S. Justice Department.

Students or employees who are dissatisfied with the University's response to a complaint, or otherwise believe they have been discriminated against by the University on the basis of race, color, national origin, sex, including sexual harassment, disability, age, religion, creed, pregnancy, marital status, familial status (housing only), or political beliefs, or retaliation, may file a complaint with the Montana Human Rights Bureau: <http://erd.dli.mt.gov/human-rights-bureau.html>, 406-444- 4356. References: Titles IV, VI, and VII of the Civil Rights Act of 1964; 34 C.F.R. pt. 100; Title IX of the Education Amendments of 1972; 28 C.F.R. pt. 54 and 34 C.F.R. pt. 106; Section 504 of the Rehabilitation Act; 34 C.F.R. pt. 104; Age Discrimination Act of 1975; 34 C.F.R. pt. 110; and Titles I and II of the Americans with Disabilities Act; 28 C.F.R. pt. 35; Montana Human Rights Act and Governmental Code of Fair Practices, Title 49, Montana Code Annotated; Board of Regents Policy 507.

MSU SEXUAL OR VIOLENT OFFENDER LIST

The federal Campus Crimes Prevention Act, enacted on October 28, 2000, requires:

1. Registered sex offenders to provide notice, as required under State law, of each institution of higher education where they are employed or enrolled;
2. States must make this information available to a law enforcement agency where the institution of higher education is located; and
3. Institutions of higher education must advise the campus community where the information on registered sex offenders can be obtained.

The MSU Police Department has a website that lists individuals who are registered with the Montana Department of Justice as sexual or violent offenders and who are affiliated with the institution.

Updates to the [MSU Sexual or Violence Offender List](#) are made regularly and throughout the year.

To search the current names of offenders for sexual offender pictures and additional information, go to <https://app.doj.mt.gov/apps/svow/search.aspx>

ADDITIONAL CAMPUS SECURITY POLICIES

University Weapons Policy and Storage Policy – The University has a [weapons policy](#) that outlines various definitions, storage facilities, and corresponding procedures for safe handling and transportation of firearms and other weapons. Based on this policy, no person, student or University employee, may carry or possess a weapon, regardless of whether the person has a permit to carry a concealed weapon, on University premises except as authorized by the University weapons policy.

Students residing in University residence halls may transport weapons to appropriate campus storage facilities. These weapons must be unloaded and the transportation is limited to parking facilities directly to the appropriate storage facility. Storage of any weapon in a parked vehicle on campus is strictly prohibited.

Licensed peace officers working in the course and scope of their employment as law enforcement officers and employees of a contracted private security company, registered to carry firearms pursuant to Title 37, Chapter 60, MCA, working in the course and scope of their employment, are authorized to carry loaded firearms on campus.

Students and employees who violate the provisions of this policy shall be subject to disciplinary action, up to and including expulsion or termination of employment. The University Police Department shall be responsible for appropriate enforcement of the policy for visitors and others on campus which may include removal from the campus, restriction of access to campus under [section 1200.00](#) of the Facilities Use Manual, criminal and/or civil proceedings.

Missing Student Policy - MSU has established a [Missing Student Policy](#) concerning the procedures for reporting and responding to reports of missing students. After 24 hours, when students are unaccounted for, they are presumed missing and the missing student procedures are invoked.

Reports of missing students should be referred immediately to the University Police Department and/or the Dean of Students or to University Housing/Residence Life officials. When a student is reported missing by any source, the University will determine whether the report is valid and, if so, will institute action to find the student. It will also notify other appropriate law enforcement agencies and specified University officials.

If the student has designated an emergency contact as recommended by this policy, or as offered by Housing, MSU will notify that contact person within 24 hours. If the missing student is under 18 years old and is not emancipated, MSU will notify the custodial parent or guardian and any other designated contact person within 24 hours. Regardless of whether the student has identified a contact person, if above the age of 18, or is an emancipated minor, the University will inform the local law enforcement agency that has jurisdiction in the area that the student is missing within 24 hours.

Parental Notification Policy – Montana is one of two states in the country where State privacy law is more restrictive than Federal privacy law. Montana Code Annotated **20-25-515 - Release of student records** prevents any State agency from releasing student records. When the Family Education Rights to Privacy Act (FERPA) was amended in 1998 to include parental notification provisions, the Montana University System determined that the above state law would prohibit such notification without the consent of the student.

ADDITIONAL UNIVERSITY CRIME PREVENTION AND SAFETY AWARENESS PROGRAMS

OFFICE OF THE DEAN OF STUDENTS

As a result of growing national trends on college campuses of mental health issues and the increase in unsafe behaviors leading to harm or death, Montana State University has created the Campus Safety and Welfare Team (CSWT). In order to promote the safety and wellness of the University, the CSWT addresses behaviors that are disruptive or concerning and may include mental health and/or safety issues.

Campus Safety and Welfare Team (CSWT)

The CSWT is a multi-disciplinary team composed of members from the Office of the Dean of Students, University Police, Counseling and Psychological Services, Student Health Service, Residence Life, and Disability, Re-Entry and Veteran Services. This team maintains responsibly for discussing, assessing and responding to reports of individuals who are demonstrating disruptive or concerning behaviors. The CSWT is designed to be a centralized entity that is proactive in providing swift, coordinated, caring, and developmental intervention to members of the campus community prior to crisis.

What if I am concerned about someone?

A person of concern is any individual who demonstrates disruptive or problematic behavior, expresses personal difficulties, exhibits mental or emotional instability, or otherwise causes another member of the campus community to feel apprehension for their safety or for the safety of the person of concern.

To report a concern, visit: montana.edu/deanofstudents/csw.html

Guides for Intervention

You can have a profound effect on students when you openly acknowledge that you are aware of their distress, are sincerely concerned about their welfare, and are willing to help them explore options. Whenever possible, we encourage you to speak directly and honestly to students if you sense academic or personal distress.

1. Request to see the student in private. This should help minimize embarrassment and defensiveness. Show respect for the student.
2. Briefly share your observations and perceptions of the student's situation. Express your concerns directly and honestly.
3. Listen carefully. Try to see the issues from the student's point of view without agreeing or disagreeing.
4. Attempt to identify the problem. Is the student connected with any ongoing resources? You can help by exploring options to deal with the concern.
5. Acknowledge inappropriate or strange behavior. Comment on what you observe without sounding judgmental.
6. Flexibility in administering established policies may allow an alienated student to respond more effectively to your concerns.

Involve yourself only as far as you are comfortable, then refer the student to the appropriate resources. As you attempt to reach out to a troubled student, do not become more involved than time or skill permits.

STUDENT CONDUCT PROGRAM

The student conduct process at MSU is not intended to punish students; rather, it exists to challenge those whose behavior is not in accordance with our policies and to foster a better understanding of the expectations that exists for members of our academic community. The vast majority of conduct cases at MSU are resolved through administrative meetings. These are one-on-one conversations between the student and a Conduct Officer. During an administrative meeting, the Conduct Officer will provide the student an opportunity to share their account of the incident, view incident reports and/or other written documentation, ask follow-up questions, and discuss potential outcomes (sanctions) if the student is found responsible for violating the Code of Student Conduct. The primary focus of these meetings is to determine what happened and if a violation took place, assist the student in understanding the impact of their behavior, and provide a space for the student to begin reflecting on how to learn from the incident. If it is determined that a violation of the code occurred and that the student is responsible, most administrative meetings conclude with an administrative agreement in which the student agrees to take responsibility for their involvement in the incident and to complete a sanction or set of sanctions that will help them learn from the incident.

Student Conduct Hearings

The conduct process also includes a more formal route for resolving conduct cases called a conduct hearing. A conduct hearing is utilized if an administrative agreement cannot be reached, if the severity of the incident or the student's conduct history warrants a more in depth adjudication process, or if the student chooses to participate in a hearing instead of first meeting with a Conduct Officer. The procedures and guidelines for conduct hearings are detailed in the Code of Student Conduct.

Sanctions

Sanctions are intended to improve the students' moral and ethical decision-making and to help them learn more about what is expected as members of our community. In determining a sanction the Conduct Officer will rely on the Common Sanctioning Guidelines, but may also consider the student's present and past disciplinary record, including Residence Hall disciplinary record, the nature of the offense, the severity of any damage, injury, or harm resulting from the violation, and other factors relevant to the case. Additionally, more than one sanction may be assigned upon the completion of a hearing or proposed by a conduct officer. In cases where students fail to demonstrate an understanding of established conduct standards or pose a threat to the continuing safety of the academic community, the conduct officer may determine that the student should no longer share in the privilege of being a student member of MSU's academic community.

Disclosure

MSU will disclose upon written request the results of any disciplinary proceeding to the alleged victim of a crime of violence or a non-forcible sex offense against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this disclosure.

Disclosure of the results of a proceeding to the charging student and the charged student in compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

DEPARTMENT OF RESIDENCE LIFE

Residence Life places an educational packet in each room for every resident about Safety and Security in the halls and on campus, including information about vandalism and reporting suspicious persons and activities. This brochure also contains information about missing persons reporting, the silent witness program, and residence hall access. Additionally, each semester Residence Life provides educational programming for residents that focuses on safety and security in the buildings. In the fall semester, each building completes a program that addresses the importance of locking doors in the hall by going to every door in each hall and giving out educational materials. In the spring semester, each building designs a safety program that meets the specific needs of that building. Examples of those programs include cyber security, reporting suspicious persons, and leaving items unattended in common areas.

FRATERNITY AND SORORITY LIFE

Each Fraternity and Sorority chapter at MSU is required by the Dean of Students to host a sexual assault prevention training with the VOICE center each fall. A variety of other health and safety trainings are held during the academic year. Topics include but are not limited to: sexual health and awareness, men and women's health, safety on campus, QPR (suicide prevention) training, mental health and wellness and alcohol awareness. All MSU fraternities that host events with alcohol must attend an alcohol awareness and risk management training at the start of every fall semester.

ADDITIONAL SAFETY PROGRAMS

The Office of the Dean of Students offers an annual Faculty Excellence Workshop on dealing with disruptive and at risk students. In addition, trainings regarding how to deal with suicidal or disruptive students are conducted (or offered) for department heads and academic advisors in all colleges and academic departments during each academic year. Associate Deans receive regular updates regarding Safety and Welfare trends and policies each semester.

UNIVERSITY POLICIES ON ALCOHOL AND OTHER DRUGS

Introduction

MSU has a Campus Alcohol and Drug Policy that promotes a healthy campus environment. That Policy is found at www.montana.edu/policy/campus_alcohol_drug and it conforms to the requirements of the [Drug Free Schools and Communities Act](#), and the [Montana Board of Regents Policy 503.1, Alcoholic Beverages](#).

Standards of Conduct

MSU's policy prohibits unlawful possession, consumption, use, distribution or sale of illicit drugs and alcohol by students and employees on campus property. These acts are prohibited by both the [Student Conduct Code](#) and [Section 1230 of the Personnel Policies and Procedures Manual](#).

MSU is a tobacco-free campus, which includes all nicotine delivery devices. Despite the fact that medical marijuana is legal in the state of Montana, University policy prohibits the use of any nicotine delivery device on campus through the tobacco-free policy and federal and state law prohibits the possession and/or use of drug paraphernalia at educational institutions.

Alcoholic Beverages

[Montana Board of Regents Policy 503.1](#) provides that consumption of alcoholic beverages is permitted on property belonging to the Montana University System only as follows:

1. Within student living quarters, consumption of alcohol is allowed only by persons of legal age. Legal consumption by students in student living quarters shall not interfere with the rights of other residents and their guests or cause the normal operation of residence halls/student housing to be disrupted.
2. Within approved areas on campus property that are used or rented as approved by the President.

Approval Process

MSU has established procedures for obtaining approval for events where alcohol will be available. See [Section 890.00 of the Facilities Use Manual](#).

Residence Life and Family and Graduate Housing

All events involving alcohol held on campus must receive approval from University Catering. University Catering provides information about policies, laws, and the procedures to initiate the University's approval process. The requirements for events with service of alcoholic beverages are found in the [Campus Alcohol and Drug Policy](#) and the Facilities Use Manual.

MSU's policy allows the possession and consumption of alcohol in the privacy of student rooms or individual family and graduate housing units, in accordance with applicable State law (legal drinking age in Montana is 21). However, it does not allow alcoholic beverages to be consumed in public areas such as hallways and lounges. If a public area is used for an event and alcohol will be present, the event sponsor must follow the requirements in [Section 890 of the Facilities Use Manual](#). Also, the Policy does not allow parties or activities in student rooms where large amounts of alcohol are present.

Residence Hall social funds (managed by Residence Hall Association (RHA)) may not be used for the purchase of alcoholic beverages. Approved residence life and family and graduate housing sponsored functions involving alcohol must also adhere to the state law and the policies of the university. Off-campus events organized or sponsored by MSU Residence Life or Family and Graduate Housing may serve alcohol only in accordance with the Campus Alcohol and Drug Policy.

Fraternity/Sorority Organizations

MSU Policy provides that possession and consumption of alcoholic beverages at Fraternity/Sorority houses and functions are subject to policies established by the Board of Regents, Montana State University, IFC/Panhellenic policies, and with national chapter policies, local ordinances, and State laws.

Any Fraternity/Sorority events must follow MSU's Alcohol and Drug Policy including its provisions concerning prohibitions on: alcohol at open parties; use of alcohol at recruitment functions; the use of Chapter funds for the purchase of alcohol. Events with alcohol must also meet the requirements for registration with university officials and other related requirements and procedures.

ASMSU, Departmental and Other Registered Student Organizations

MSU's Alcohol and Drug Policy also regulates the use of alcohol at gatherings or events of ASMSU, registered student organizations, and other organized student groups. Such groups must follow MSU's policies and procedures governing the use of alcohol at events and must receive prior approval in accordance with Section 890.00 of the Facilities Use Manual. No organizational or ASMSU funds are allowed to be used to buy alcohol.

Stadium and Sports Facilities

Alcohol use is not allowed in sports facilities except in certain specific locations (e.g., Stadium Club) or as authorized under Section 890.00 of the Facilities Use Manual. Alcohol concessions at Football games and at tailgating are allowed in accordance with the requirement of MSU policies.

University Employees and Outside Groups

MSU's Alcohol and Drug policy also requires employee or private party events using university facilities which involve the service of alcohol to comply with the requirements of Section 890.00 of the Facilities Use Manual. No organizational funds of employee groups may be used to purchase alcohol.

Alcohol Marketing Guidelines

MSU's Policy also regulates [alcohol advertising and marketing](#) on campus. It prohibits reference to alcoholic beverages, free drinks, and drinking games, and regulates any allowed advertising.

Illegal Drugs

MSU's Policy also prohibits the use, possession, manufacture, sale, or distribution of any illegal drugs on University property or at University sponsored, including the non-medical use of prescription drugs.

Prescription Drug Abuse

Students' inappropriate use of prescription drugs to "get high," cram for exams, or use to enhance sports performance is a violation of MSU's policy. Prescription drugs, when mixed with alcohol, are particularly dangerous and potentially lethal. This is especially true of opiates, such as OxyContin, Vicodin or other painkillers. Harmful effects of prescription drug abuse include:

1. Mental health: increased irritability, agitation, anger, apathy, depression, paranoia (delusions and Hallucinations), violence, and dependence.
2. Physical health: drastic changes in sleep patterns, sudden weight loss or gain, stunted growth, and dependence.

Medical Marijuana

Although Montana state law permits the use of medical marijuana, i.e., use by persons possessing lawfully issued medical marijuana cards, federal laws prohibit marijuana use, possession and/or cultivation at educational institutions and on the premises of other recipients of federal funds. Therefore, MSU's Policy prohibits the use, possession or cultivation of marijuana for medical purposes in any Montana State University property, inclusive of housing; nor is it allowed at any University-sponsored event or activity off campus.

Health Risks of Alcohol and Drug Abuse

Abusive use of alcohol and/or the use of illicit drugs or misuse of prescription drugs can be detrimental to the physical and mental health of students and members of the surrounding community. The various risks are classified and described in this section of the Report.

Social, Academic, and Personal Risks of High-Risk Substance Abuse

Social, academic and personal risks are associated with students who drink alcohol, use illicit drugs or abuse prescription drugs. High-risk and illegal use of alcohol and illicit drugs are the most prominent health and safety risks to the MSU student population, which can result in significant legal and academic problems. Prevalence of this type of alcohol use (also known as "binge drinking" or heavy episodic drinking) and/or use of drugs can directly or indirectly lead to:

1. Social problems: driving under the influence, fighting, unwanted sexual contact, vandalism, trouble with authorities, unsafe sexual behavior, among others.
2. Academic problems: poor grades, missed classes, memory loss, falling behind in class work or projects.
3. Personal problems: depression, illness and injury, experiencing unwanted attempted or completed sexual intercourse, suicide, being the victim of violence or racial harassment, being unable to control drinking or drug use.

Second-Hand Effects

“Second hand” effects result from other peoples’ drinking or drug use, often experienced by students who choose not to use drugs or alcohol in a high-risk manner. These problems are typically most prominent among students living in close quarters (e.g., residence halls or Greek houses). Effects include: disruptions of sleep or studying, having one’s property damaged, feeling unsafe, having one’s membership in an organized group adversely affected, and decreased enjoyment of campus activities. Non- students, i.e., community members, are also at risk of experiencing problems as a result of student drinking or drug use (e.g., intoxicated driving, vandalism, violence, sexual assault).

Risks Associated with Dependency or Addiction

For some students, substance use escalates to dependency. Adverse effects of dependency can include illnesses such as liver disease, peripheral neuropathy, and cerebella degeneration. Additional health risks to students with chemical or psychological dependency include the personal problems listed above in addition to blackouts, alcoholic hallucinations, and delirium tremens. Prescribed medications and illicit drugs can be abused with or without dependency, leading to potential dependency, acute intoxication (can include depression or euphoria, altered time perception, impairment of immediate memory, overdose, stupor, shock, coma or death), acute withdrawal, psychosis, or aggravation of existing mental illness.

Symptoms of dependency include the following:

1. psychological craving: intense feeling of need for the drug which may be accompanied with antisocial behavior involved in the procurement of the substance;
2. physiological dependence: withdrawal symptoms are displayed when use of the substance is discontinued; and
3. tolerance: need to increase the dose of the substance to obtain the desired effects.

Education, Prevention, and Treatment Programs

Because of the health and social risks of alcohol and drug abuse, Montana State University provides alcohol and drug abuse prevention education, counseling and treatment programs designed to reach all segments of the campus community.

All incoming students regardless of their age are required to take Alcohol EDU. [AlcoholEdu](#) for College, a science-based, interactive online program, provides students with facts and skill-based information on alcohol and sexual assault, other consequences of alcohol abuse, including alcohol’s impact on the brain, body, and behavior. All incoming MSU students regardless of age, are required to take [AlcoholEdu](#). The program matches course content to each student based on his or her behavior, attitudes, and what he or she already knows about alcohol.

Whether students choose to drink or not, [AlcoholEdu](#) is designed to encourage informed decision-making about alcohol use as well as providing skills to respond to the drinking and risk behaviors of friends and peers. The program delivers information with a non-judgmental tone that supports students in making their own plan to reduce the risk of harm associated with drinking while in college.

This program is one of many efforts at MSU to support better decision-making and a healthier campus environment where everyone every can live, study, work and have fun safely. MSU Health Advancement also works on campus and community education and policies to reduce risk and prevent intoxicated driving.

Details about [AlcoholEdu](#) and [MSU Health Advancement](#) are available at 406-994- 4380 or the links above.

Student Treatment and Assistance - Alcohol and Drug Assistance Center/Insight Program

The MSU Office of Health Advancement provides a voluntary, confidential resource to assist all students. MSU provides a voluntary, confidential resource to assist all students who are impacted directly or indirectly by chemical abuse through its [Alcohol and Drug Assistance Center/Insight Program](#), including the MIP (Minor in Possession) program.

This is a three-level assistance and intervention program open to all MSU students, either by self-referral or by referral from MSU offices, departments or the local court system. This program can be contacted at (406) 994-5937, and is located at 1215 Gopher Court (across the street from the SOB Barn). Student confidentiality will be respected. The Center provides referral and pre- assessment support.

The Center:

- Offers referral assistance to students and their friends who have alcohol and other drug use issues.
- Offers workshops, seminars and training related to substance abuse.
- Provides support to friends and family who are affected by someone else's substance use/abuse.
- Supports other MSU offices, faculty and staff in issues relating to alcohol/drugs.
- Provides factual information and dispels myths about alcohol and other drugs.
- Disseminates information on local treatment and recovery program options.
- Provides information, support and referral for those students affected by behavioral compulsions and for students who are/were affected by chemical abuse within a family.

The Center also offers limited family counseling and referral. A licensed counselor will meet and consult with family or friends of students on a limited basis in order to discuss options and offer support. The Center also provides treatment referrals. The three levels (Focus Seminar, Brief Alcohol Screening and Interventions for College Student— BASICS, and Intervention and Referral) are described in detail at the [Insight](#) website. Students can also call Insight at 406-587- 2306.

A full-time licensed clinical and addiction counselor works specifically with substance abuse issues. This service is provided as part of the health fees and is free to participants.

The Office of Health Advancement/Insight program also supports Students in Recovery group providing support to students in recovery as they navigate their experience at MSU. The Insight office staff also includes an MIP Case Coordinator and graduate student employees. Graduate students facilitate the Level I Focus Seminars; the licensed counselor conducts the BASICS program and oversees the Levels III interventions.

CENTER FOR STUDENTS IN RECOVERY

The MSU Office of Health Advancement provides the Center for Students in Recovery. This is a community for students in sobriety, their allies, and those looking to gain or maintain recovery from addictive disorders. They provide sober events, fellowship, wellness mentoring and other resources. The Center provides recreational opportunities, service work, academic and professional growth as well as a peer-based recovery mentorship program that helps students manage and excel in challenging situation, on and off campus.

Details are available www.montana.edu/oha or email at crs@montana.edu. The Center is located at 1215 Gopher Court.

Students and Employees – General Counseling Services

In addition to the Student Alcohol and Drug Assistance/Insight Program, general counseling and rehabilitation programs are available through [MSU's Counseling and Psychological Services](#) located in 211 Swingle, 406-994-4531.

Assessments, treatment groups, and individual counseling for students whose lives have been affected by their own or someone else's substance abuse are available. Persons who voluntarily avail themselves of university services shall be assured that applicable professional standards of confidentiality will be observed.

These counseling and rehabilitation services include:

1. Training professional staff and student staff on drug abuse information, intervention and referral;
2. Conducting education programs for students who have demonstrated abusive behavior with drugs;
3. Conducting individual and group counseling for members of the university community with drug problems;
4. Conducting drug abuse assessments;
5. Organizing campus self-help groups;
6. Providing consultation, information and referral for students, staff and faculty with drug problems;
7. Designing and developing referral opportunities for members of the university community who desire to seek professional assistance beyond the campus. This will be done in cooperation with the employee assistance program and MSU Human Resources; and
8. Providing, with peer involvement, a system of intervention and referral services for students, faculty and staff.

This program has been designed to make faculty, students, administrators, and other employees served by the program comfortable, to give choice in the selection of assistance, to maintain confidentiality of clients, and to provide professional service.

An employee assistance program (EAP) is also available to provide information or confidential referral to drug and/or alcohol counseling or rehabilitation programs. An employee wishing to access

the services may go to: www.montana.edu/wellness; click on TLC button and access the TLC website (company code MUS) or call toll free 1-866-248-4532.

Employees needing help in dealing with drug/alcohol problems or information on insurance coverage for treatment and rehabilitation programs may also contact Human Resources.

Enforcement and Sanctions

MSU's policy provides that students who violate the University alcohol and drug abuse policy, city or state laws are subject to disciplinary action as a student under the Student Conduct Code; and employees violating the policy are subject to discipline under personnel policies or applicable collective bargaining agreement. Individuals may also be subject to criminal prosecution.

Student sanctions may include reprimand, probation, suspension, expulsion and/or restitution as well as required attendance at educational and/or treatment programs.

Employee sanctions may include disciplinary measures up to and including termination. MSU may require the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who violates campus policy. ([Section 1230.30 of the Personnel Policies and Procedures Manual.](#))

Criminal sanctions, regardless of status, may include jail, probation, mandatory counseling and/or education, fines, and suspension or revocation of driving privileges. Groups displaying unreasonable and irresponsible conduct or violating this University Alcohol/ Other Drugs policy will jeopardize continuance of the University- recognized or supported event and access to University service and facilities.

Biennial Review

MSU's Office of the Dean of Students and the Office of Health Advancement reviews the University's drug and alcohol abuse prevention programs for students and employees biennially to determine the programs' effectiveness and to implement changes if needed. The review will include the collection of information about a) the number of drug and alcohol-related violations and fatalities that occur on campus or as part of the institution's activities which are reported to campus officials; and b) the number and types of sanctions imposed by the institution as a result of those drug and alcohol-related violations and fatalities.

A written report of the review shall be prepared and maintained by MSU for a period of at least three years.





ANNUAL DISCLOSURE OF CLERY CRIME STATISTICS

Under the Clery Act, Montana State University is required to report annual crime statistics showing reported occurrences of specific types of crime for the benefit of current/prospective students and employees.

Crimes reported under the Silent Witness Program are included in the annual disclosure of crime statistics. The VOICE Center staff report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. The VOICE Center staff will inform persons they are counseling that they will make these confidential reports. The VOICE Center staff will not disclose any identifying information without the written consent of the client.

Statistics pertaining to referrals for disciplinary action reflect those incidents of alcohol, drugs, and weapons violations that were referred to the Dean of Students, Director of Residence Life, and the Fraternity/Sorority Leadership for student disciplinary action.

Statistics for off-campus crime are not collected by the Bozeman Police Department or Gallatin County Sheriff's Office for Clery reportable offenses or arrests. The Dean of Students' Office has requested the information for public property and non-campus buildings or property within the jurisdiction of each agency.

However, the agencies have officially confirmed that they are not able to provide this data.

MSU CRIME STATISTICS: CLERY DATA

The following crime statistics are for selected crimes that have been reported to appropriate and corresponding police agencies or to campus security authorities based on our Clery geography. The statistics reported for the sub-categories on liquor laws, drug laws, and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented.

CRIMINAL OFFENSES (Reported by Hierarchy)	On-Campus			On-Campus Student Housing			Non-Campus			Public Property			Unfounded Crimes		
	14	15	16	14	15	16	14	15	16	14	15	16	14	15	16
Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	6	6	15	6	5	14	2	0	6	0	0	0	0	0	1
Fondling	3	3	1	3	0	1	1	2	1	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	2	1	0	2	1	0	0	1	0	0	0	0	0	0
Burglary	4	4	4	3	3	4	2	1	0	0	0	0	0	0	0
Motor Vehicle Theft	1	4	4	0	0	0	0	0	0	0	0	3	0	0	0
Arson	3	4	5	3	4	4	0	0	0	0	0	0	0	0	0

VAWA OFFENSES	On-Campus			On-Campus Student Housing			Non-Campus			Public Property			Unfounded Crimes		
	14	15	16	14	15	16	14	15	16	14	15	16	14	15	16
Domestic Violence	13	4	2	7	3	2	0	0	0	0	0	0	0	0	0
Dating Violence	4	6	0	1	4	0	0	0	0	0	0	0	0	0	0
Stalking	13	7	7	2	2	6	0	0	0	0	0	0	0	0	0

ARRESTS	On-Campus			On-Campus Student Housing			Non-Campus			Public Property			Unfounded Crimes		
	14	15	16	14	15	16	14	15	16	14	15	16	14	15	16
Weapons Law Arrests	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Drug Law Arrests	97	66	57	66	50	27	0	0	0	3	0	6	0	0	0
Liquor Law Arrests	137	64	41	37	20	15	13	6	6	3	5	3	0	0	0

DISCIPLINARY REFERRALS	On-Campus			On-Campus Student Housing			Non-Campus			Public Property			Unfounded Crimes		
	14	15	16	14	15	16	14	15	16	14	15	16	14	15	16
Weapons Law Violations	0	2	1	0	2	1	0	0	2	0	0	0	0	0	0
Drug Law Violations	58	62	80	42	54	61	0	1	0	9	0	5	0	0	0
Liquor Law Violations	270	178	286	217	149	254	3	9	10	13	3	2	0	0	0

HATE CRIMES BY CATEGORY AND BIAS

Year	Description
2016	<ul style="list-style-type: none"> Two on-campus Destruction/Damage/Vandalism of Property, one characterized by racial bias and one (on-campus housing) characterized by Sexual Orientation bias. One on-campus Intimidation incident characterized by Gender Identity bias. Three Non-Campus Intimidation incidents characterized by racial bias.
2015	<ul style="list-style-type: none"> There were no reported Hate Crimes.
2014	<ul style="list-style-type: none"> Two on-campus Destruction/Damage/Vandalism of Property, one characterized by Racial bias and one characterized by religious bias. Two on-campus simple assaults, one characterized by racial bias and one characterized by religious bias

DEFINITION OF CRIME CATEGORIES UNDER FEDERAL LAW

Criminal Offenses are defined as outlined by the U.S. Department of Justice, FBI National Incident-Based Reporting System. For the purposes of complying with the requirements of section §668.41, and incident meeting these definitions is considered a crime for the purpose of Clery Act reporting.

1. **Murder & Non-Negligent Manslaughter:** The willful (non- negligent) killing of one human being by another. Any death caused by injuries received in a fight, argument, quarrel, assault, or commission of a crime is classified as murder and non- negligent manslaughter.
2. **Manslaughter by Negligence** – Is defined as the killing of another person through gross negligence. Deaths of persons due to their own negligence, accidental deaths not resulting from gross negligence, and traffic fatalities, are not included in the category Manslaughter by Negligence.
3. **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 if incapable of giving consent.”
 - a. **Rape** - 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.
 - b. **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 or physical incapacity. (Because there is no penetration in fondling, this offense will not convert to the SRS as Rape)
 - c. **Incest**- sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - d. **Statutory Rape**- sexual intercourse with a person who is under the statutory age of consent.
4. **Robbery:** The taking, or attempted taking, of anything of value from one person by another, in which the offender uses force or the threat of violence.
5. **Aggravated Assault:** An attack by one person upon another, in which the offender uses or displays a weapon in a threatening manner or the victim suffers severe injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
6. **Burglary:** The unlawful entry into a building or other structure with the intent to commit a felony or a theft.
7. **Motor-Vehicle Theft:** The theft of a motor vehicle, including automobiles, trucks, motorcycles, and mopeds.
8. **Arson:** The willful or malicious burning or attempt to burn, with or without intent to

defraud, a dwelling house, public building, motor vehicle, or aircraft, personal property of another, etc.

- 9. Domestic Violence:** Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that persons acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- 10. Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and, where the existence of such a relationship shall be determined by the victim with consideration of the following factors: (1) The length of the relationship, (2) The type of relationship, (3) The frequency of the interaction between the persons involved in the relationship.
- 11. Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or to suffer substantial emotional distress.
- *Course of conduct* means two or more acts, including, but not limited to, acts 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* mean significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- 12. Liquor-Law Violations:** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned offenses.
- Drunkenness and driving under the influence are not included in this definition.
- 13. Drug-Law Violations:** Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadone); and dangerous non-narcotic drugs (barbiturates, benzedrine).
- 14. Weapons-Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned offenses.

Categories of Prejudice

Hate Crime is defined as a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, national origin, sexual orientation, gender identity, ethnicity or disability. For Clery Act reporting purposes, hate crimes include any offense in the following list that is motivated by bias:

- Murder and Non-negligent manslaughter
- Sex Offense
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Destruction/Damage/Vandalism to Property
- Intimidation
- Larceny/Theft
- Simple Assault

Hate Crime Bias

- Race
- Gender
- Religion
- National Origin
- Sexual Orientation
- Gender Identity
- Ethnicity
- Disability



DEFINITION OF CRIME CATEGORIES UNDER MONTANA LAW

The terms Domestic Violence, Dating Violence, Sexual Assault, Stalking and Consent are defined in the applicable jurisdiction as outlined by Montana Code Annotated (MCA) 2014, Title 45. Crimes, Chapter 5. Offenses Against the Person, Part 5. Sexual Crimes.

1. **Domestic Violence:** The state of Montana does not have a definition of domestic violence.
2. **Dating Violence:** The state of Montana does not have a definition of dating violence.
3. **Sexual Assault:** The state of Montana defines sexual assault as follows:
Montana Code Annotated (MCA) 40- 15-116. Definitions: As used in 40-15-115 through 40-15-121, the following definitions apply: (5) “Sexual assault” means sexual assault as defined in 45-5-502, sexual intercourse without consent as defined in 45-5-503, incest as defined in 45-5-507, or sexual abuse of children as defined in 45-5- 625.

45-5-502. Sexual assault: (1) A person who knowingly subjects another person to any sexual contact without consent commits the offense of sexual assault. (2) (a) On a first conviction for sexual assault, the offender shall be fined an amount not to exceed \$500 or be imprisoned in the county jail for a term not to exceed 6 months, or both.

On a second conviction for sexual assault, the offender shall be fined an amount not to exceed \$1,000 or be imprisoned in the county jail for a term not to exceed 1 year, or both.

On a third and subsequent conviction for sexual assault, the offender shall be fined an amount not to exceed \$10,000 or be imprisoned for a term not to exceed 5 years, or both.

If the victim is less than 16 years old and the offender is 3 or more years older than the victim or if the offender inflicts bodily injury upon anyone in the course of committing sexual assault, the offender shall be punished by life imprisonment or by imprisonment in the state prison for a term of not less than 4 years, unless the judge makes a written finding that there is good cause to impose a term of less than 4 years and imposes a term of less than 4 years, or more than 100 years and may be fined not more than \$50,000.

An act “in the course of committing sexual assault” includes an attempt to commit the offense or flight after the attempt or commission.

- (a) Subject to subsections (5)(b) and (5)(c), consent is ineffective under this section if the victim is:
 - (i) incarcerated in an adult or juvenile correctional, detention, or treatment facility or is on probation or parole and the perpetrator is an employee, contractor, or volunteer of the supervising authority and has supervisory or disciplinary authority over the victim, unless the act is part of a lawful search;
 - (ii) less than 14 years old and the offender is 3 or more years older than the victim;
 - (iii) receiving services from a youth care facility, as defined in 52-2-602, and the perpetrator:
 - (A) has supervisory or disciplinary authority over the victim or is providing treatment to the victim; and

- (B) is an employee, contractor, or volunteer of the youth care facility; or
- (iv) admitted to a mental health facility, as defined in 53-21-102, is admitted to a community-based facility or a residential facility, as those terms are defined in 53-20-102, or is receiving community-based services, as defined in 53-20-102, and the perpetrator:
 - (A) has supervisory or disciplinary authority over the victim or is providing treatment to the victim; and
 - (A) is an employee, contractor, or volunteer of the facility or community-based service.

Subsection (5)(a)(i) does not apply if one of the parties is on probation or parole and the other party is a probation or parole officer of the supervising authority and the parties are married to each other.

Subsections (5)(a)(iii) and (5)(a)(iv) do not apply if the individuals are married to each other and one of the individuals involved is a patient in or resident of a facility, is a recipient of community-based services, or is receiving services from a youth care facility and the other individual is an employee, contractor, or volunteer of the facility or community-based service.

4. 45-5-220 Stalking – exemption – penalty.

- (1) A person commits the offense of stalking if the person purposely or knowingly causes another person substantial emotional distress or reasonable apprehension of bodily injury or death by repeatedly:
 - (a) following the stalked person; or
 - (b) harassing, threatening, or intimidating the stalked person, in person or by mail, electronic communication, as defined in 45-8-213, or any other action, device, or method.
- (2) This section does not apply to a constitutionally protected activity.
- (3) For the first offense, a person convicted of stalking shall be imprisoned in the county jail for a term not to exceed 1 year or fined an amount not to exceed \$1,000, or both. For a second or subsequent offense or for a first offense against a victim who was under the protection of a restraining order directed at the offender, the offender shall be imprisoned in the state prison for a term not to exceed 5 years or fined an amount not to exceed \$10,000, or both. A person convicted of stalking may be sentenced to pay all medical, counseling, and other costs incurred by or on behalf of the victim as a result of the offense.
- (4) Upon presentation of credible evidence of violation of this section, an order may be granted, as set forth in Title 40, chapter 15, restraining a person from engaging in the activity described in subsection (1).
- (5) For the purpose of determining the number of convictions under this section, “conviction” means:
 - A. a conviction, as defined in 45-2-101, in this state;
 - B. a conviction for a violation of a statute similar to this section in another state; or

- C. a forfeiture of bail or collateral deposited to secure the defendant's appearance in court in this state or another state for a violation of a statute similar to this section, which forfeiture has not been vacated.
- (6) Attempts by the accused person to contact or follow the stalked person after the accused person has been given actual notice that the stalked person does not want to be contacted or followed constitutes prima facie evidence that the accused person purposely or knowingly followed, harassed, threatened, or intimidated the stalked person.
- 5. **Consent:** The state of Montana defines without consent, in relation to sexual activity, as follows: with reference to sexual assault, in the applicable jurisdiction (Montana Code Annotated (MCA) 2014, 45-5-501).
 - (a) The term "without consent" means:
 - 1. the victim is compelled to submit by force against the victim or another; or
 - 2. subject to subsections (1)(b) and (1)(c), the victim is incapable of consent because the victim is:
 - a. mentally defective or incapacitated;
 - b. physically helpless;
 - c. overcome by deception, coercion, or surprise;
 - d. less than 16 years old;
 - (b) As used in subsection (1), the term "force" means:
 - 1. the infliction, attempted infliction or threatened infliction of bodily injury or the commission of a forcible felony by the offender; or
 - 2. the threat of substantial retaliatory action that caused the victim to reasonably believe that the offender has the ability to execute the threat.



Walking on campus. MSU photo by Kelly Gorham

STATE OF MONTANA LAWS ON ALCOHOL AND OTHER ILLEGAL DRUGS

Montana's Underage Consumption of Alcohol Law

45-5-624. Possession of or unlawful attempt to purchase intoxicating substance. A person under 21 years of age commits the offense of possession of an intoxicating substance if the person knowingly consumes or has in the person's possession an intoxicating substance. A person may not be arrested for or charged with the offense solely because the person was at a place where other persons were possessing or consuming alcoholic beverages. A person does not commit the offense if the person consumes or gains possession of an alcoholic beverage because it was lawfully supplied to the person under 16-6-305 or when in the course of employment it is necessary to possess alcoholic beverages.

Relevant Age	Offense Level	Penalty
Under 18 years of age who is convicted	1st Offense	Shall be fined an amount not less than \$100 and not to exceed \$300 and: <ul style="list-style-type: none"> • shall be ordered to perform 20 hours of community service; • shall be ordered, and the person's parent or parents or guardian shall be ordered, to complete and pay all costs of participation in a community-based substance abuse information course that meets the requirements of subsection (9), if one is available; and • if the person has a driver's license, must have the license confiscated by the court for 30 days, except as provided in subsection (2)(b).
	2nd Offense	Shall be fined an amount not less than \$200 and not to exceed \$600 and: <ul style="list-style-type: none"> • shall be ordered to perform 40 hours of community service; • shall be ordered, and the person's parent or parents or guardian shall be ordered, to complete and pay all costs of participation in a community-based substance abuse information course that meets the requirements of subsection (9), if one is available; • if the person has a driver's license, must have the license confiscated by the court for 6 months, except as provided in subsection (2)(b); and • shall be required to complete a chemical dependency assessment and treatment, if recommended, as provided in subsection (8).
	3rd or Subsequent Offense	Shall be fined an amount not less than \$300 or more than \$900 and: <ul style="list-style-type: none"> • shall be ordered to perform 60 hours of community service, • shall be ordered, and the person's parent or parents or guardian shall be ordered, to complete and pay all costs of participation in a community-based substance abuse information course that meets the requirements of subsection (9), if one is available, and • shall be required to complete a chemical dependency assessment and treatment, if recommended, as provided in subsection (8). <p>If the person has a driver's license, the court shall confiscate the license for 6 months, except as provided in subsection (2)(b).</p>

18 Years of age or older who is convicted	1st Offense	Shall be fined an amount not less than \$100 or more than \$300 and: <ul style="list-style-type: none"> • shall be ordered to perform 20 hours of community service; and • shall be ordered to complete and pay all costs of participation in a community-based substance abuse information course that meets the requirements of subsection (9).
	2nd Offense	Shall be fined an amount not less than \$200 or more than \$600 and: <ul style="list-style-type: none"> • shall be ordered to perform 40 hours of community service; and • shall be ordered to complete and pay for an alcohol information course at an alcohol treatment program that meets the requirements of subsection (9), which may, in the court’s discretion and on recommendation of a licensed addiction counselor, include alcohol or drug treatment, or both.
	3rd or Subsequent Offense	Shall be fined an amount not less than \$300 or more than \$900, and: <ul style="list-style-type: none"> • shall be ordered to perform 60 hours of community service; • shall be ordered to complete and pay for an alcohol information course at an alcohol treatment program that meets the requirements of subsection (9), which may, in the sentencing court’s discretion and on recommendation of a licensed addiction counselor, include alcohol or drug treatment, or both; and • in the discretion of the court, shall be imprisoned in the county jail for a term not to exceed 6 months
A person under the age of 21 (Attempts to purchase an intoxicating substance)		A person convicted of attempt to purchase an intoxicating substance shall be fined an amount not to exceed \$150 if the person was under 21 years of age at the time that the offense was committed and may be ordered to perform community service.

Montana’s Medical Amnesty Law

45-5-624. Possession of or unlawful attempt to purchase intoxicating substance - A person under 21 years of age may not be charged or prosecuted under subsection (1) if:

- i. the person has consumed an intoxicating substance and seeks medical treatment at a health care facility or contacts law enforcement personnel or an emergency medical service provider for the purpose of seeking medical treatment;
- ii. the person accompanies another person under 21 years of age who has consumed an intoxicating substance and seeks medical treatment at a health care facility or contacts law enforcement personnel or an emergency medical service provider for the purpose of seeking medical treatment for the other person; or
- iii. the person requires medical treatment as a result of consuming an intoxicating substance and evidence of a violation of this section is obtained during the course of seeking or receiving medical treatment.

Montana's Carrying False Identification Law**61-5-302. Unlawful use of license or identification card. It is a misdemeanor for a person to:**

1. display or cause or permit to be displayed or have in the person's possession a canceled, revoked, suspended, fictitious, or altered driver's license, identification card, or tribal identification card;
2. lend the person's driver's license, identification card, or tribal identification card to any other person or knowingly permit its use by another;
3. display or represent as one's own any driver's license, identification card, or tribal identification card not issued to the person;
4. fail or refuse to surrender to the department upon its lawful demand a driver's license or identification card that has been suspended, revoked, or canceled;
5. use a false or fictitious name in an application for a driver's license or identification card or knowingly make a false statement or knowingly conceal a material fact or otherwise commit a fraud in an application; or
6. permit any unlawful use of a driver's license, identification card, or tribal identification card issued to the person.

Montana's Public Drunkenness Law

61-8-508. Intoxicated pedestrian - Except in an authorized crosswalk, a person who is under the influence of alcohol or any drug may walk or stand in the public right-of-way, as defined in 60-1-103, but not on a roadway or a shoulder as is otherwise permissible under 61-8-506(2).

Montana's Driving Under the Influence of Substances Law**61-8-401. Driving under influence of alcohol or drugs - definitions.**

3. It is unlawful and punishable, as provided in 61-8-442, 61-8-714, and 61-8-731 through 61-8-734, for a person who is under the influence of:
 - a. alcohol to drive or be in actual physical control of a vehicle upon the ways of this state open to the public;
 - b. a dangerous drug to drive or be in actual physical control of a vehicle within this state;
 - c. any other drug to drive or be in actual physical control of a vehicle within this state; or
 - d. alcohol and any dangerous or other drug to drive or be in actual physical control of a vehicle within this state.

Offense Level	Penalty
1st Offense	<p>a) Shall be punished by imprisonment for not less than 24 consecutive hours or more than 6 months and by a fine of not less than \$600 or more than \$1,000, except that if one or more passengers under 16 years of age were in the vehicle at the time of the offense, the person shall be punished by imprisonment for not less than 48 consecutive hours or more than 1 year and by a fine of not less than \$1,200 or more than \$2,000.</p> <p>b) The mandatory minimum imprisonment term may not be served under home arrest and may not be suspended unless the judge finds that the imposition of the imprisonment sentence will pose a risk to the person’s physical or mental well-being.</p> <p>c) The remainder of the imprisonment sentence may be suspended for a period of up to 1 year pending successful completion of court-ordered chemical dependency assessment, education, or treatment by the person.</p>
2nd Offense	<p>a) Except as provided in subsection (4) or (5), a person convicted of a second violation of 61-8-401 shall be punished by a fine of not less than \$1,200 or more than \$2,000 and by imprisonment for not less than 7 days or more than 1 year, except that if one or more passengers under 16 years of age were in the vehicle at the time of the offense, the person shall be punished by a fine of not less than \$2,400 or more than \$4,000 and by imprisonment for not less than 14 days or more than 1 year.</p> <p>b) The mandatory minimum imprisonment term may not be served under home arrest and may not be suspended unless the judge finds that the imposition of the imprisonment sentence will pose a risk to the person’s physical or mental well-being.</p> <p>c) The remainder of the imprisonment sentence may be suspended for a period of up to 1 year pending the person’s successful completion of a chemical dependency treatment program pursuant to 61-8-732.</p>
3rd Offense	<p>a) Except as provided in subsection (4) or (5), a person convicted of a third violation of 61-8-401 shall be punished by imprisonment for a term of not less than 30 days or more than 1 year and by a fine of not less than \$2,500 or more than \$5,000, except that if one or more passengers under 16 years of age were in the vehicle at the time of the offense, the person shall be punished by imprisonment for a term of not less than 60 days or more than 1 year and by a fine of not less than \$5,000 or more than \$10,000.</p> <p>b) The mandatory minimum imprisonment term may not be served under home arrest and may not be suspended unless the judge finds that the imposition of the imprisonment sentence will pose a risk to the person’s physical or mental well-being.</p> <p>c) The remainder of the imprisonment sentence may be suspended for a period of up to 1 year pending the person’s successful completion of a chemical dependency treatment program pursuant to 61-8-732.</p>
4th Offense -Felony	<p>4. If the person has a prior conviction under 45-5-106, the person shall be punished as provided in 61-8-731 for a fourth or subsequent offense of driving under the influence of alcohol or drugs or with an excessive alcohol concentration, driving under the influence of delta-9-tetrahydrocannabinol, or aggravated driving under the influence.</p> <p>5. If the person has a prior conviction or pending charge for a violation of 61-8-465, the person shall be punished as provided in 61-8-465.</p>

Montana's law on selling or furnishing alcohol to minors**16-6-305. Age limit for sale or provision of alcoholic beverages – liability of provider.**

- a) Except in the case of an alcoholic beverage provided in a nonintoxicating quantity to a person under 21 years of age by the person's parent or guardian, physician or dentist for medicinal purposes, a licensed pharmacist upon the prescription of a physician, or an ordained minister or priest in connection with a religious observance, a person may not sell or otherwise provide an alcoholic beverage to a person under 21 years of age.
 - b) A parent, guardian, or other person may not knowingly sell or otherwise provide an alcoholic beverage in an intoxicating quantity to a person under 21 years of age.
 - c) For the purposes of this section, "intoxicating quantity" means a quantity of an alcoholic beverage that is sufficient to produce:
 - i. a blood, breath, or urine alcohol concentration in excess of 0.05; or
 - ii. substantial or visible mental or physical impairment.
2. A person is guilty of a misdemeanor who:
 - a) invites a person under the age of 21 years into a public place where an alcoholic beverage is sold and treats, gives, or purchases an alcoholic beverage for the person;
 - b) permits the person in a public place where an alcoholic beverage is sold to treat, give, or purchase alcoholic beverages for the person; or
 - c) holds out the person to be 21 years of age or older to the owner of the establishment or to the owner's employee.
 3. It is unlawful for any person to fraudulently misrepresent the person's age to any dispenser of alcoholic beverages or to falsely procure any identification card or to alter any of the statements contained in any identification card, including a tribal identification card.
 4. A person 21 years of age or older who violates the provisions of subsection (1)(b) is, in addition to applicable criminal penalties, subject to civil liability for damages resulting from a tortious act committed by the person to whom the intoxicating substance was sold or provided if the act is judicially determined to be the result of the intoxicated condition created by the violation.

Montana's open container laws**61-8-460. Unlawful possession of open alcoholic beverage container in motor vehicle on highway.**

1. Except as provided in subsection 2), a person commits the offense of unlawful possession of an open alcoholic beverage container in a motor vehicle if the person knowingly possesses an open alcoholic beverage container within the passenger area of a motor vehicle on a highway.
2. This section does not apply to an open alcoholic beverage container:
 - a) in a locked glove compartment or storage compartment;
 - b) in a motor vehicle trunk or luggage compartment or in a truck bed or cargo compartment;

- c) behind the last upright seat of a motor vehicle that is not equipped with a trunk;
- d) in a closed container in the area of a motor vehicle that is not equipped with a trunk and that is not normally occupied by the driver or a passenger; or
- e) in the immediate possession of a passenger:
 - i. of a motor vehicle, including a bus, taxi, or limousine, that is used for the transportation of persons for compensation and that includes the provision of a hired driver; or
 - ii. in the living quarters of a camper, travel trailer, or motor home.

3.

- a) A person convicted of the offense of unlawful possession of an open alcoholic beverage container in a motor vehicle shall be fined an amount not to exceed \$100.
- b) A violation of this section is not a criminal offense within the meaning of 3-1-317, 3-1-318, 45-2-101, 46-18-236, 61-8-104, and 61-8-711 and may not be recorded or charged against a driver's record, and an insurance company may not hold a violation of this section against the insured or increase premiums because of the violation. The surcharges provided for in 3-1-317, 3-1-318, and 46-18-236 may not be imposed for a violation of this section.

Sec. 4.04.030. - Public drinking or display of open alcoholic beverages; open containers; prohibited. Public drinking or display or exhibition of open alcoholic beverages (open container) as defined in section [4.04.020](#) is prohibited, and it is unlawful for any person to engage in public drinking, public display or exhibition of open alcoholic beverages (open container) within the city limits.

Sec. 4.04.070. - Violation; penalty.

- a) It is a misdemeanor for any person to violate any of the provisions of this article.
- b) Anyone found guilty of the offense of having an open container under section [4.04.030](#) shall be fined an amount not less than \$100.00 and not to exceed \$500.00 or be imprisoned in the county jail for a term not to exceed six months, or both. The first \$100.00 of a fine under this section may not be suspended.
- c) Upon conviction, the court may, in its discretion, order the payment of the costs of prosecution or imprisonment, or both, as part of the sentence.

Montana's public urination or defecation laws

Sec. 24.06.010. - Public urination and defecation. No person within the jurisdictional limits of the city shall publicly defecate or urinate on streets, sidewalks, alleys, parks, parking lots or other places open to the public including areas open to the public in buildings unless a sanitary facility capable of and commonly used for disposal of human urine or excrement is used.

Possession of Dangerous Drugs (PODD)

45-9-102. Criminal possession of dangerous drugs. Except as provided in Title 50, chapter 46, a person commits the offense of criminal possession of dangerous drugs if the person possesses any dangerous drug, as defined in 50-32-101. This subsection does not apply to the possession of synthetic cannabinoids listed as dangerous drugs in 50-32-222.

Drug Type	Level of Offense	Penalty
Marijuana or its derivatives in an amount the aggregate weight of which does not exceed 60 grams of marijuana or 1 gram of hashish	1st Offense	Guilty of a misdemeanor and shall be punished by a fine of not less than \$100 or more than \$500 and carries no jail time. The minimum fine must be imposed as a condition of a suspended or deferred sentence
	2nd or Subsequent Offense	Fine not to exceed \$1,000 or by imprisonment in the county jail for a term not to exceed 6 months; up to a year for a third offense.
Anabolic steroid as listed in 50-32-226	1st Offense	Guilty of a misdemeanor and shall be punished by a fine of not less than \$100 or more than \$500 or by imprisonment in the county jail for not more than 6 months, or both
Opiate, as defined in 50-32-101-Felony	1st Offense	Shall be imprisoned in the state prison for a term of not less than 2 years or more than 5 years and may be fined not more than \$50,000, except as provided in 46-18-222
Methamphetamine	2nd or Subsequent Offense	Shall be punished by: <ul style="list-style-type: none"> i. imprisonment for a term not to exceed 5 years or by a fine not to exceed \$50,000, or both; or ii. commitment to the department of corrections for placement in an appropriate correctional facility or program for a term of not less than 3 years or more than 5 years. If the person successfully completes a residential methamphetamine treatment program operated or approved by the department of corrections during the first 3 years of a term, the remainder of the term must be suspended. The court may also impose a fine not to exceed \$50,000.
		A person convicted of criminal possession of dangerous drugs not otherwise provided for in subsections (2) through (5) shall be imprisoned in the state prison for a term not to exceed 5 years or be fined an amount not to exceed \$50,000, or both.

Possession of Dangerous Paraphilia (PODP)

45-10-103. Criminal possession of drug paraphernalia. Except as provided in Title 50, chapter 46, it is unlawful for a person to use or to possess with intent to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a dangerous drug. A person who violates this section is guilty of a misdemeanor and upon conviction shall be imprisoned in the county jail for not more than 6 months, fined an amount of not more than \$500, or both. A person convicted of a first violation of this section is presumed to be entitled to a deferred imposition of sentence of imprisonment.



Montana State University students gather on the lawns outside Yellowstone Hall and Roskie Hall as residence halls host First Floor Events, where activities are made by resident advisors to welcome the students. MSU Photo by Adrian Sanchez-Gonzalez

ANNUAL CAMPUS FIRE SAFETY REPORT FOR REPORTING YEAR 2016

INTRODUCTION

MSU publishes this Annual Fire Safety Report as part of its annual Clery Act/HEOA Compliance document, which contains information regarding fire safety practices, education and standards for the University. This report includes statistics concerning the number of fires, the cause of each fire, the number of injuries and deaths related to a fire, and the value of the property damage caused by a fire (see Fire Statistics later in this report).

In an effort to standardize the information an institution publishes on fire safety, the U.S. Department of Education requires all universities that maintain on-campus student housing facilities and receive U.S. Department of Education funding to publish an annual fire safety report, [maintain a fire log](#), and report fire statistics to the Secretary of Education. The Annual Security and Fire Safety Report is also posted on the Montana State University [Residence Life website](#). Paper copies of the full report are available upon request at the Residence Life Office during business hours.

Federal Definition of Fire: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner. Fire safety is essential in protecting a campus community from injuries, deaths, business interruption, and property damage resulting from fires.

On-Campus Student Housing: A 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 make up the campus.

FIRE REPORTING AND UNIVERSITY RESPONSE TO ARSON

If you suspect an active fire or witness evidence of a fire (singed paper on bulletin board, fire in trash can, etc.), please call 911 or the University Police Department located at the corner of 7th Ave. and Kagy Blvd., in the Roy Huffman Building or dial:

- For emergencies call 911
- Non-Emergencies call 994-2121

MSU is required to annually disclose statistical data on all fires that occur in on-campus housing facilities. To report a non-emergency fire which has already been extinguished in on-campus housing call the MSU Safety and Risk Management Fire and Life Safety at (406) 994-7583 or the Residence Life Office at (406) 994- 2661.

Arson is the act of maliciously, voluntarily, and willfully setting fire to the building, buildings, or other property within the building. Arson is a criminal offense and will be treated as such. Any acts or attempted acts of arson will result in disciplinary sanctions, up to and including suspension or expulsion from the university as well as criminal charges.

If you are not sure if Campus Police or the Fire Department has been contacted, call 911 or the University Police Department immediately. Make a difference, please call and report arson. Concerned citizens can (and should) report fires and/or arson.

UNIVERSITY FIRE MARSHALL

MSU's current Fire Marshall is Skip Hougland. The Fire Marshall publishes an internal annual fire safety report that includes additional specific information about MSU's ongoing fire safety efforts. For a copy of MSU's most recent internal fire safety annual report, please email shougland@montana.edu.

MSU's Fire Marshall annually reviews MSU's fire safety policies, evacuation plans, and oversees fire drills in MSU's academic buildings. The Department of Residence Life oversees MSU's fire safety efforts and drills in campus housing facilities.

UNIVERSITY FIRE SAFETY POLICIES

Smoking - Montana State University became a “tobacco-free” campus, effective August 1, 2012. Smoking is prohibited within the residence halls, academic buildings, public areas and student rooms. Smoking is prohibited in all Family & Graduate Housing Apartments and grounds.

Open Flames- Within the residence halls system, any type of open flame is prohibited. Within Family and Graduate Housing open flames are allowed when operated under safe conditions.

Use of Electrical Appliances - Within the residence halls, hot plates, George Foreman Grills, and toaster ovens are not permitted. Other appliances are allowed provided there are no exposed heating elements. Within Family and Graduate Housing, standard household electrical appliances are allowed.

Candles - Burning candles in campus housing is prohibited (Residence Life Handbook)

Lamps - Halogen lamps, lava lamps, and space heaters are not allowed in the residence halls due to significant fire hazards. (Residence Hall Handbook)

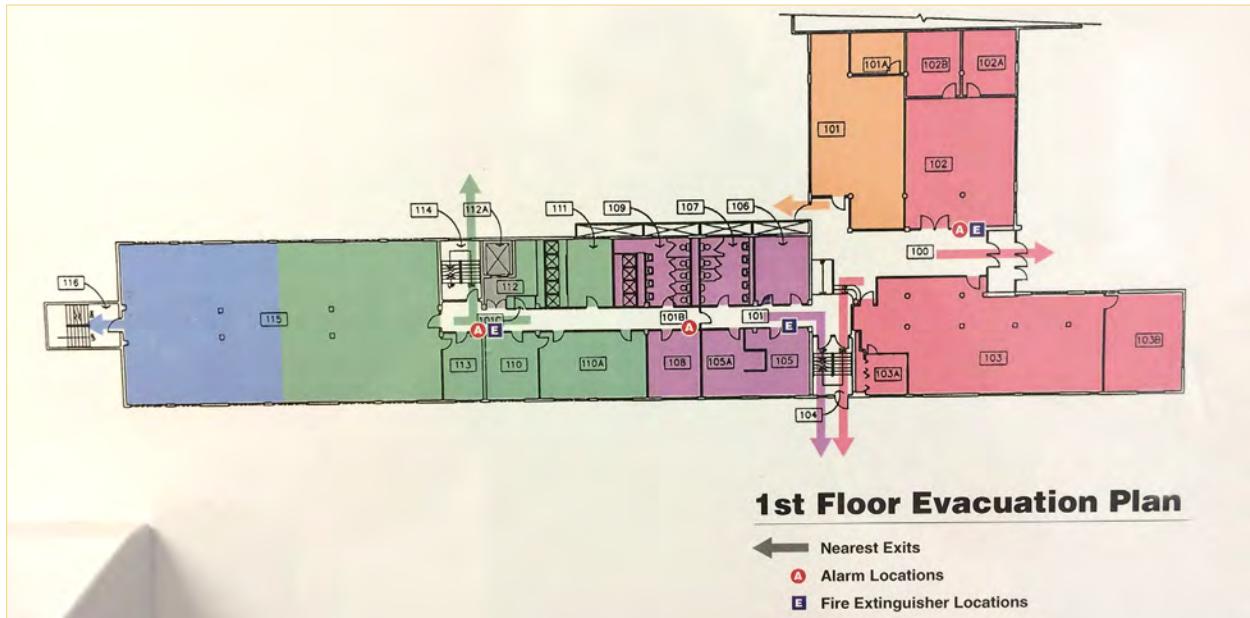
Incense - Burning of incense in the residence halls is strictly prohibited. (Residence Hall Handbook)

Family and Graduate Housing Fire Safety rules: Gasoline, kerosene, burning fluid, or other combustible or explosive materials are prohibited. Any condition that creates a fire hazard is prohibited and must be eliminated upon request of University Staff.

PROHIBITED ACTS

The following acts are prohibited in any University Housing and will result in disciplinary action and possible criminal charges:

1. Misuse of any fire equipment, including extinguishers, pipes, pull stations, smoke/heat detectors, hoses, exit signs, emergency lights, horns, alarms, bells, and doors;
2. starting fires or setting off false alarms;
3. failing to evacuate and/or hindering in the evacuation of others; and
4. the use of fire escapes during a “non-emergency” (Residence Hall Handbook)



FIRE EVACUATION PROCEDURES

Fire alarms alert community members of potential hazards, and community members are required to heed their warning and evacuate buildings immediately upon hearing a fire alarm in a facility. Use the nearest stairwell and/or exit to leave the building immediately. Community members should familiarize themselves with the exits in each building. Fire drills are mandatory and failure to participate in fire drill is subject to disciplinary action.

When a fire alarm is activated, the elevators in most buildings will stop automatically. Occupants should use the stairs to evacuate the building. If you are caught in an elevator, push the emergency phone button. The emergency phones in elevators on campus typically ring to 994- 2121, MSU PD Dispatch or to a security desk.

Residence Life - Resident Advisors explain the evacuation procedures to residents at the first floor meeting of each academic year, including discussion of evacuation plans posted at each floor exit door. Residents are directed to exit through the nearest safe exit route/stairwell, and are informed of the exterior hall meeting location for students. Students are required to evacuate any residence hall immediately upon the sound of an alarm and may not re-enter until authorized by University personnel.

Assuming there is no visible smoke or flames during an evacuation, Resident Advisors will conduct a facilities sweep of the floor, keying into each resident room and checking all common areas, to insure that the resident evacuation is complete. During the alarm, front desk personnel document the fire alarm and evacuation progress. Residence Life Senior Staff members facilitate the fire panel and direct residence life staff during the alarm. Residents are not permitted to re-enter until Residence Life staff, fire department personnel, and/or University Police give authorization.

Family and Graduate Housing - Tenants are instructed to evacuate their apartment and call 911 if they hear an alarm or see smoke or fire.

FIRE SAFETY EDUCATION AND TRAINING

Residence Life - All residence halls are equipped with portable fire extinguishers and Resident Advisors attend and complete live-fire extinguishing training and fire evacuation simulation each academic year. Students in the residence halls are provided with the housing requirements set forth in the Residence Life Handbook and are instructed on evacuation procedures.

Family and Graduate Housing

Check-in Appointment - Tenants are required to attend a check-in appointment within one week of their move into their apartment. During this meeting, tenants are given the following instructions. These are ongoing throughout the year, dependent on when the tenant(s) obtains housing.

- If an alarm is audible, vacate the building immediately in a safe manner;
- If smoke or fire are visible, dial 911 immediately and report visible fire/smoke;
- Tenants are encouraged and instructed to practice E.D.I.T.H. (more information below)

Fire Safety Brochure- A fire safety brochure is delivered to all tenants during our week of welcome. This provides information for new tenants and a refresher for existing tenants. Details are listed below:

- **E.D.I.T.H (Exit Drills in the Home)** – education materials provided by NFPA (National Fire Protection Association) are provided to the tenants.
- **Family & Graduate Housing Safety Fair** -- Held within first two weeks of fall semester, the Annual Safety Fair is an event for all tenants of Family & Graduate Housing. Fire safety is featured, along with a variety of other safety related topics (bicycle safety, household safety/security, neighborhood crime reporting, fire extinguisher training, personal safety, etc.)
- All Family & Graduate Housing Apartments are equipped with portable fire extinguishers and Community Assistants attend and complete live fire extinguisher training.



Gallatin Hall. MSU photo by Kelly Gorham

FIRE DRILLS AND FIRE SAFETY SYSTEMS

The Higher Education Act (HEA) defines a fire drill as “A supervised practice of a mandatory evacuation of a building for a fire.” Within Academic and Administrative Facilities, fire drills are conducted yearly. Fire drills are announced and assist in the educational process for students and staff alike. Within the residence halls and Family & Graduate Housing (FGH), fire drills are conducted in each building at the beginning of each academic period. Fire drills are scheduled with staff and unannounced to the general public.

The table below lists the various fire drills conducted in 2016, as well as a list of on campus residential and academic buildings and their current fire/life safety status.

Building	Total Fires			Fire Sprinkler System	Fire Alarm System	Standpipes	# Fire Drills
	2014	2015	2016				
Residence & Dining Halls							
East Julia Martin 101-111	0	1	0		X		0
Gallatin Hall	0	0	0	X	X	X	3
Hannon Hall	0	0	0	X	X		2
Hapner Hall	0	0	0	X	X		2
Hedges Hall (North)	0	0	0	X	X	X	2
Hedges Hall (South)	1	0	1	X	X	X	2
Jefferson Hall	0	0	0	X	X		2
Johnstone Center	1	1	0	X	X	X	2
Langford Hall	1	0	2	X	X	X	2
Madison Hall	1	0	1	X	X	X	3
Miller Dining	0	0	0	X	X		0
Quads A-F	1	0	0				2
Roskie Hall	0	2	0	X	X	X	3
West Julia Martin 112-119	0	1	1	X			0
Yellowstone Hall	0	0	0	X	X	X	1
Family & Graduate Housing							
Branegan Court	0	0	0		X		0
Grant Chamberlain	0	0	0		X		0
McIntosh Court	0	0	0	X	X		0
Nelson Story Tower	0	0	0	X	X	X	0
Paisley Court	0	0	0		X		0
Peter Koch Tower	0	0	0	X	X	X	0
South Street Residence	0	0	0		X		0
West Side Houses	0	0	0		X		0

Academic Buildings							
AJM Johnson	0	0	0		X		1
Alumni Foundation	0	0	0		X		1
Animal Bioscience	0	0	0	X	X	X	1
ASMSU Daycare	0	0	0		X		1
Black Box Theater	0	0	0	X	X		1
Cheever Hall	0	0	0		X		1
Chemistry/Biochemistry	0	0	0	X	X	X	1
Chemistry North Modular	0	0	0	X			0
Chemistry South Modular	0	0	0	X			0
Cobleigh Hall	0	0	0		X	X	1
Cooley Lab	0	0	0	X	X	X	1
Culbertson Hall	0	0	0		X		1
EPS/Barnard Hall	0	0	0	X	X	X	1
Gaines Hall	0	0	0	X	X	X	1
Hamilton Hall	0	0	0	X	X	X	1
Haynes Hall	0	0	0		X		1
Herrick Hall	0	0	0		X		1
Howard Hall	0	0	0		X		1
Huffman Building	0	0	0		X		0
Jabs Hall	0	0	0	X	X	X	1
Johnson Family Livestock	0	0	0	X	X	X	1
Kellogg Center	0	0	0				0
Leon Johnson Hall	0	0	0	X	X	X	1
Lewis Hall	0	0	0	X	X	X	1
Linfield Hall	0	0	0	X	X	X	1
Marga Hosaeus Recreation	0	0	0	X	X	X	0
Marsh Lab/Jutila Research Lab	0	0	0	X	X	X	1
Marsh Lab/North End	0	0	0	X	X		1
Marsh Lab/South End	0	0	0	X			1
McCall Hall	0	0	0		X		1
Melvin Grad Art Studios	0	0	0		X		0
Miller Pavilion	0	0	0				0
Molecular BioScience	0	0	0	X	X	X	0
Montana Hall	0	0	0		X		1
Museum of the Rockies	0	0	0	X	X	X	1
Plant Bioscience	0	0	0	X	X	X	1
Plant Growth Center	0	0	0	X	X		1

Plew Building	0	0	0				0
Reid Hall	0	0	0		X		1
Renne Library	0	0	0	X	X	X	1
Roberts Hall	0	0	0		X		1
Romney Hall	0	0	0				0
Safety Risk Management	0	0	0	X	X		1
Sherrick Hall	0	0	0		X		1
Strand Student Union Building	0	0	1	X	X		0
Swingle Student Health Center	0	0	0	X	X		3
Taylor Hall	0	0	0	X	X		1
Tietz Hall/Animal Resource Ctr	0	0	0	X	X		1
Traphagen Hall	0	0	0		X		0
Visual Comm. Building	0	0	0		X		1
Wilson Hall	0	0	0		X		1

FIRE SAFETY REPORT LOG 2014/2015/2016

The [MSU Fire Log](#) includes date, time and location of fire reports and the nature of the fire for the past three years. The MSU Fire Log is accessible online and hard copies are available at the Residence Life Office during normal business hours.

The following table indicates the fire statistics for each on-campus housing facility during the last three years.

Date	Location	Cause	Damage	Injures	Deaths
11/07/16	Freshman Apts	Intentional - Couch set on fire by a burning paper towel under it.	\$100-999	0	0
05/02/16	S. Hedges Hall	Intentional - Burned corner of a poster on the 8th floor	\$0-99	0	0
03/05/16	Madison Hall	Unintentional - Grease on tin foil covering stove top burner caught on fire	\$0-99	0	0
02/06/16	Langford Hall	Intentional - Room 221 had door decorations, door, and carpet burn marks	\$0-99	0	0
01/01/16	Langford Hall	Intentional - Burned rubber strip and painted wall	\$0-99	0	0
11/01/15	Freshman Apts	Unintentional – Minor fire outside of apartment 113 WJM, backseat of a vehicle.	\$0-99	0	0
10/21/15	Roskie Hall	Intentional – Poster in second floor stairwell had a small burn	\$0-99	0	0

08/14/15	Roskie Hall	Intentional – Burn holes in ceiling tiles on 6th floor.	\$0-99	0	0
03/01/15	E. Julia Martin	Intentional – Freshman Apt. 101A had door decoration that was burned	\$0-99	0	0
02/02/15	Johnstone Center	Intentional – Corner of poster burned in 2nd floor stairwell of Pryor Wing	\$0-99	0	0
12/04/14	Langford Hall	Intentional – Explosion in a resident room as a result of a flammable substance from an aerosol can being exposed to an open flame.	\$10,000-24,999	2	0
11/09/14	Johnstone Center	Intentional – Resident had a poster on door with a corner burned	\$0-99	0	0
07/02/14	Madison Hall	Unintentional - Pizza boxes in kitchen caught on fire. Residents put it out with fire extinguisher	\$0-99	0	0
04/27/14	Quad B	Unintentional – Residents put hot coals in dumpster after a BBQ, melting dumpster lid	\$0-99	0	0
02/1/14	S. Hedges Hall	Intentional - 11th floor bathroom poster burned	\$0-99	0	0

Plans for Future Improvements in MSU's Fire Safety

Montana State University is committed to reviewing trends as it relates to residence hall fire incidents, alarms and best practices in order to provide our campus community with a fire-safe living and learning environment. New programs and policies are developed as needed to help ensure the life safety for all faculty, staff and students.