

## **Campus Security and Safety Report for the Cedar Rapids, IA Center**

This information is being provided to all students and employees as part of Upper Iowa University's commitment to safety and security at the Cedar Rapids Center and in compliance with the Federal Student Right-to-Know and Campus Security Act (1990), Public Law 101-542, as amended by the Higher Education Technical Amendments of 1991, Public Law 120-26, and the Sexual Abuse Bill, House File 2026, which was passed into law by the Iowa General Assembly effective July 1, 1992.

Upper Iowa University is located in Fayette, Iowa a small rural community of 1,317 people. The community is located in the Volga River Basin of Northeast Iowa. In addition to the main campus, the University has centers in Des Moines, Waterloo, Cedar Rapids, and Ankeny, Iowa; Rockford, Illinois; Fort Riley and Fort Leavenworth, Kansas; Fort Polk , Louisiana; and Elkhorn, Janesville, Madison, Wausau, Milwaukee and Prairie du Chien, Wisconsin.

Upper Iowa University-Cedar Rapids Center is located in Cedar Rapids, Iowa, a community of over 120,000 people. There were 496 registrations during the 2009-2010 academic year.

### **General Philosophy**

Upper Iowa University is committed to creating an environment that promotes the intellectual, social, emotional, spiritual or ethical, and physical well-being of its community members. The commitment includes encouraging and reinforcing healthy, responsible living and respect for center standards and regulations, and community laws.

### **Reporting of Criminal Actions or Emergencies**

The Center Director is responsible for the security at the center. In conjunction with staff and faculty, the Center Director locks and checks the building. Building doors are secured by 6:30 p.m. each evening that classes are held. The University employs a private security company to check the Center classrooms and offices immediately after classes have ended each day. A report is filed by that private security company with the Center Director indicating any activity that is contrary to accepted Center policy. The private security company is also responsible for checking the grounds and adjoining parking lot. All criminal matters will be handled by the Cedar Rapids Police Department.

The University has policies and procedures followed by the Cedar Rapids Center administrative staff to handle violations of conduct standards and the law by students or employees. This information is contained in the Upper Iowa University Academic Extension Catalog, which is distributed to all students and staff members.

To report a crime, a student should call 911. Cedar Rapids maintains large, well-equipped police and fire departments. All other matters can be referred to the Center Director.

### **Cedar Rapids Center Facilities**

The Cedar Rapids Center is open only when staff and/or faculty are present. Center hours are Monday through Thursday, 9:00 a.m. to 10:00 p.m., Friday 9:00 a.m. to 3:00 p.m., and Saturday 9:00 a.m. to 1:30 p.m. The staff are issued keys and a private security company secures and alarms the center following classes.

### **Residence Halls**

The Cedar Rapids Center is for commuters. Therefore, residence halls, or other university sponsored living facilities are not available.

### **The Law and University Policies - Alcohol, Drug, and Sex Offenses**

To provide for the safety of members of the University community at the Cedar Rapids Center, Upper Iowa University has set standards of conduct for members of the community and for those seeking admission to the University at the Cedar Rapids Center. These University standards are included in the Upper Iowa University Faculty Handbook, Handbook for Administration and Staff, and the Upper Iowa University Academic Extension Catalog given to all faculty, employees, and students.

The standards of conduct do not replace or relieve persons from complying with the requirements of civil or criminal laws. Unlawful behavior may result in criminal prosecution as well as disciplinary action.

Policies relating to alcoholic beverages, drugs, and sexual assaults are found in the Upper Iowa University Academic Extension Catalog, Handbook for Administration and Staff, and the Upper Iowa University Faculty Handbook. As part of the education process, members of the University community are informed about University expectations and consequences when an individual violates alcohol, drug, and sexual assault policies and related laws.

**Alcohol & Drugs:** In consideration of federal, state and local laws, the possession, use or sale of illicit drugs or alcohol is prohibited by Cedar Rapids Center students or employees on the grounds of the Cedar Rapids Center. The University neither condones nor sanctions the use of alcohol. All individuals are expected to observe the alcoholic beverage and illicit drug related laws of the State of Iowa. Members of the Cedar Rapids Center University Community who are of legal age (21) are expected to make responsible decisions about the use of alcohol or drugs and to assume full responsibility for their personal conduct and actions. This includes respecting the right of those individuals who choose not to use alcohol or drugs.

**Sexual Abuse:** Sexual harassment or assault are not tolerated at the Cedar Rapids Center. Specific procedures and policies are in place to handle reports of sexual harassment or assault. **Sexual abuse is prohibited and is defined as:**

- Unwanted or unwilling sexual contact-any sexual touching or attempting to disrobe a person without his/her willing consent.
- Unwanted or unwilling sexual intercourse-any unlawful sexual intercourse however slight that occurs without the consent of either party. Consent is defined as a

positive verbal acknowledgment such as “yes”. Any person under the influence of alcohol or other drugs is considered incapacitated and unable to give consent.

- Sexual exploitation-the observation or reproduction of any sexual act without the written consent of all parties involved.

Examples (not an exclusive list): Force or threats of force, including stranger and/or gang rape. Preventing a person from resisting by administering any intoxicant. Sexual intercourse with a person who is known to be unconscious of the nature of the act (e.g. sexual intercourse with a person who is sleeping, passed out or blacked out from alcohol or drugs.) Sexual intercourse with a person who is incapable of giving legal consent or under the legal age. Sexual intercourse with a student who is unable to give consent because of a language barrier.

The standards of conduct do not replace or relieve persons from complying with the requirements of civil or criminal laws. Unlawful behavior may result in criminal prosecution as well as disciplinary action by the appropriate disciplinary board or administrator.

### **Guide to Sexual Assault Referral Services for University Students and Employees**

It is an unfortunate fact that many individuals in our society are victims of personal violence. There is assistance available for a victim of such personal violence. A person who has been sexually abused will need support and information that will help clarify the issues and facilitate recovery.

#### **Victims of sexual abuse may wish to consider the following actions:**

If you are raped or sexually assaulted:

1. Get to a safe place as soon as you can.
2. Try to preserve all of the physical evidence. Do not wash, use the toilet, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not plastic, bag.
3. Get medical attention as soon as possible to assess and treat any injuries you may have sustained and to collect important evidence to assist police in legal action.
4. Contact the Cedar Rapids Police Department at 911.
5. Contact the Center Director of the Cedar Rapids Center who will maintain confidentiality, help explain your options, give you information and provide emotional support.
6. Contact someone you trust, a close friend or relative to be with you and support you.

**Male Victims:** While most victims of sexual assault are women, men can also be victims. Male victims at the Cedar Rapids Center should take the same steps as outlined in this document.

**Medical Treatment:** It is important to seek immediate and follow-up medical attention for several reasons: (1) to assess and treat any physical injuries you may have sustained; (2) to determine the risk of sexually transmitted diseases or pregnancy and take preventative measures; and (3) to gather evidence that could aid in criminal prosecution. Physical

evidence should be collected immediately, ideally within the first 24 hours. It may be collected later than this, but the quality and quantity of the evidence may be diminished. A Cedar Rapids Center student can receive the examination at the emergency room of the appropriate Cedar Rapids area hospital or any other area hospital emergency room.

**Transportation:** The administrative staff at the Cedar Rapids Center will help arrange transportation to the clinic or hospital during normal working hours. The Cedar Rapids Police Department will arrange appropriate transportation of anyone assaulted to the hospital at any time of day.

**Counseling and Emotional Support:**

There are several local counseling services available to provide counseling and emotional support. The staff at these agencies is able to intervene in a crisis situation and to provide you with information about your options.

**Reporting to the Cedar Rapids Staff:** The Cedar Rapids Center staff members are also available to help provide you with information about your options, including medical assistance, counseling, University disciplinary action, and legal prosecution information. Talking about your concerns with the Center Director may help you sort through your feelings and decide what to do. You can also report a recently occurring incident at a later date, if you do not choose to report it immediately. However, the sooner you report the incident, the sooner action steps can be outlined for your welfare.

The reasons for reporting to the Cedar Rapids staff are: (1) to protect yourself and others from future victimization; (2) to apprehend the assailant; and (3) to, in some way, seek justice for the wrong that has been done to you. If you choose to report the incident to the Cedar Rapids Police Department, an officer will take a statement from you regarding what happened. He/she will ask you to describe the assailant(s) (if you do not know them), or identify them if you do. He/she may ask questions about the scene of the crime, any witnesses and what happened before and after the incident. You may have a support person with you during the interview.

**University Disciplinary Action:**

If you have been sexually assaulted by another student or group of students and are considering University action, you are encouraged to discuss the matter with the Center Director or the Associate Vice President for the Academic Extension. Please note that the University is required by the Cleary Act (formerly the Campus Security Act) to report sexual assault statistics to the University community.

If you do not wish to have the assault reported statistically, you will need to discuss your options with the Center Director, Regional Director or the Associate Vice President for the Academic Extension. This will allow you a chance to review the procedures should you decide to file a formal complaint to be handled by the University. This discussion does not obligate you to pursue official action.

Charges may either be filed directly by you or by the University based on your written statement. Such a charge would be handled in accordance with the procedures relating to violations of the Code of Student Conduct in the Academic Extension Catalog.

Those students who are involved in sexual abuse cases are entitled to certain rights under Upper Iowa University's Disciplinary Hearing Procedures as well as the following:

1. Both the accuser and the accused have the right to present relative information and witnesses in a hearing.
2. Both the accuser and the accused have the right to be notified of the sanctions imposed.
3. The accuser may request reasonable accommodations as to academic arrangements after an alleged sexual assault.
4. The accuser has the right to file a complaint at any time during their enrollment at the University.
5. Students who violate University policies while involved in a sexual assault will be adjudicated for the policy violation. Sanctions will be of an educational nature instead of punitive.

**Non-student employee:** If you have been sexually assaulted or harassed by a non-student employee of the University, this is a violation of the law and University policy. Complaints should be filed with the Center Director, Regional Director or the Associate Vice President for the Academic Extension.

An employee (non-student) who has been sexually assaulted by another employee or student should report the matter to the Center Director or the Associate Vice President for the Academic Extension. If you want to press criminal charges, call the Cedar Rapids Police Department.

**Anonymous Reporting:**

If you are assaulted, and at this time do not want to pursue action within the University system or the local police department, you may still want to consider making an anonymous report. With your permission, the Center Director, Regional Director or the Associate Vice President for the Academic Extension can file a report of the incident without revealing your identity. The purpose of an anonymous report is to comply with your wish to keep the matter confidential, while taking steps to ensure future safety for yourself and others. With such information, the University can keep accurate records about the number of incidents involving students or employees, determine whether there is a pattern of assaults with regard to a particular location, method or assailant, and alert the Cedar Rapids student community to potential danger.

**Crime Information and Statistics**

After December 21, 1999, crime statistics will be maintained on a calendar year basis by this University and all universities across the country. These statistics are published and distributed to current faculty, staff, students and prospective students. This is in compliance with the Campus Security Act. The Campus Security Act covers the following areas, which are based upon the Federal Bureau of Investigation Uniform Crime Reporting/National Incident-Based Reporting System

## **Crime Definitions**

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

**Destructions/Damage/Vandalism of Property (except “Arson”)** – To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**Criminal Homicide – Manslaughter by Negligence** – The killing of another person through gross negligence.

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

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

**Aggravated Assault** – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

**Simple Assault** – An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**Intimidation** – To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Burglary** – The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempt to commit any of the aforementioned.

**Motor Vehicle Theft** – The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding).

**Weapon 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.

**Drug Abuse 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, methadones); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**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; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

**Larceny-Theft** – The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Note: Constructive possession is defined by Black's Law Dictionary, 6th ed. As "Where one does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.")

**Pocket-picking** – The theft of articles from another person's physical possession by stealth where the victim usually does not become immediately aware of the theft.

**Purse-snatching** – The grabbing or snatching of a purse, handbag, etc., from the physical possession of another person.

**Shoplifting** – The theft, by someone other than an employee of the victim, of goods or merchandise exposed for sale.

**Theft from Building** – A theft from within a building, which is either open to the general public or where the offender has legal access.

**Theft from Motor Vehicle** (except Theft of Motor Vehicle Parts or Accessories) – The theft of articles from a motor vehicle, whether locked or unlocked.

**Theft of Motor Vehicle Parts or Accessories** – The theft of any part of accessory affixed to the interior or exterior of a motor vehicle in a manner, which would make the item an attachment of the vehicle, or necessary for its operation.

**All Other Larceny** – All thefts that do not fit any of the definitions of the specific subcategories of Larceny/Theft listed above.

## **Sex Offenses Definitions**

**Sex Offenses-Forcible** – Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent.

**Forcible Rape** – The carnal knowledge of a person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

**Forcible Sodomy** – Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not forcibly against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Sexual Assault with an Object** – The use of an object or instrument to unlawfully penetrate; however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Forcible Fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will; or, not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

**Sex Offenses-Non-forcible** – Unlawful, non-forcible sexual intercourse.

**Incest** – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape** – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

U P P E R I O W A U N I V E R S I T Y

	<b>1/1 to 12/31 2009</b>			
<b>Category</b>	<b>O</b>	<b>R</b>	<b>N</b>	<b>P</b>
Homicide	0	0	0	0
Manslaughter	0	0	0	0
Forcible Sex Offense	0	0	0	0
Non-Forcible Sex Offense	0	0	0	0
Robbery	0	0	0	0
Larceny-Theft	0	0	0	0
Aggravated Assault	0	0	0	0
Simple Assault	0	0	0	0
Intimidation	0	0	0	0
Arson	0	0	0	0
Destruction/Damage	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Burglary	0	0	0	0
Drug Related	0	0	0	0
Weapons Possession	0	0	0	0
<b>Hate Crimes</b>				
Race	0	0	0	0
Gender	0	0	0	0
Religion	0	0	0	0
Sexual Orientation	0	0	0	0
Ethnicity	0	0	0	0
Disability	0	0	0	0

O = On Campus – includes incidents in/on residential facilities, buildings, and property.

R = Residential Facilities – includes incidents in residential facilities only.

N = In or on non-campus building property.

P = On public property.

Crime statistics will be maintained on a calendar year basis in compliance with the Campus Security Act. The statistics for the 2009 calendar year are reported in September 2010.