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The Jeanne Clery Act

This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended. It provides students and employees of the University with information on: the University’s security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the University will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

The Annual Safety Report (ASR) is prepared by The Dean of Students Office annually prior to the October 1 deadline in conjunction with the Compliance, and Campus Safety departments. The following departments assist in the compiling of information and statistics: Campus Safety, Residence Life, and Student Affairs. The crime statistics contained in the ASR are based on reports of criminal activity submitted to campus security authorities and to local law enforcement agencies and through internal reporting to the Dean of Students Office, Athletics, or Residence Life. All staff, faculty, students, and third party complaints or reports will be tracked through the Dean of Students Office complaint system. The data collected is the required statistics per the Clery, VAWA, and SaVE act mentioned above. Notification of the ASR is through email to all staff, faculty, and students quarterly and is on the Consumer Information web page. Paper copies of the ASR can be obtained through the Dean of Students’ Office by contacting them at (402) 557-7028 or dso@bellevue.edu.

Clery Geography

The geographical boundaries for the main Bellevue campus run along Harvell Drive on the North, Lloyd Street on the South, Galvin Road South on the East, and Fort Crook Road on the West. Geographical Boundaries for the residential buildings, which opened in August, 2015, is 13th St off of 1307 Galvin Rd. South.

Bellevue University has no officially recognized student organization with off-campus locations, including student housing. Bellevue University uses local police and local staff to monitor and document criminal activity by its students at non-campus locations. Non-campus locations include the Lozier Professional Center in Omaha, NE; Mid-Plains Community College - Broken Bow, NE; Central Community College - Grand Island, NE; Southeast Community College - Lincoln, NE; Mid-Plains Community College - McCook, NE; Northeast Community College - Norfolk, NE; Mid-Plains CC - North Platte, NE; Western Nebraska Community College - Scottsbluff, NE; Offutt Air Force Base, NE; Metropolitan CC – (Elkhorn, NE; Omaha, NE); Southeast Technical Institute - Sioux Falls, SD; Mount San Jacinto College - Menifee, CA; Santiago Canyon College, Orange, CA; Cerro Coso Community College – Ridgecrest, CA; Onondaga CC – Syracuse, NY; Mohawk Valley CC – Utica, NY; Jamestown CC – Jamestown, NY; Rockland CC – Suffern, NY; Danville CC – Danville, VA; Northcentral Technical College – Wausau, WI; Gateway Technical College – Racine, WI; Des Moines (Stand Alone) – Des Moines, IA; Western Iowa Technical Community Co - Sioux City, IA; Indian Hills Community College – Centerville, IA; Baltimore City Community College, Baltimore, MD; Mid-Michigan Community
Campus Safety Overview

Bellevue University’s Campus Safety Department is responsible for providing safety services that include responding to emergencies, handling traffic issues, enforcing campus rules and regulations, and assisting with various other services and requests on the main campus and local off-campus sites (Lozier). Safety Officers are located at the main campus during campus hours and the various centers as needed. The main campus is patrolled on a regular, routine basis to ensure the safety of others, as well as giving assistance. Campus Safety has trained Safety Officers who provide for the security of students, faculty, staff and visitors, but do not have the power of arrest. The Safety Officers are distinguished by their yellow uniforms, which distinctively say Campus Safety.

Law Enforcement Policy

In addition to the security staff mentioned above, Campus Safety has working relationships with the Bellevue Police Department and Sarpy County Sheriff’s Office and working relationships with other city police departments and sheriff offices located within the jurisdictions that are served by Bellevue University. The collaboration extends not only with assistance answering calls when necessary but also with assistance in every phase of follow-up investigations.

Reporting

Prevention of campus crime is a priority at all Bellevue University sites. The staff is dedicated first and foremost to prevention of incidents and crimes. In cases where incidents do occur, however, it is imperative that all students, faculty, staff and campus visitors report crime, suspicious activity or campus emergencies to Campus Safety as soon as possible. All Campus Safety personnel are trained to continually reinforce the policy of prompt reporting of crimes and all incidents.

Campus Safety can be reached at (402) 557-5000.
The crime or incident may be reported to one of the following additional Campus Security Authorities (CSA) on the Main Bellevue Campus:

Greg Allen, Director of Safety          402-557-7581  
James A. Smith, Dean of Students       402-557-7744  
Kevin J. Cleary, Title IX Coordinator  402-557-7028  
Ed Lehotak, Director of Athletics      402-557-7050  
Alaina Smith, Director Student Life    402-557-7031  
Val Henderson, Student Housing Manager 402-557-7250  
Athletic Coaches                      402-557-7058  
Head Residents                        402-557-7250  
Library Personnel                     402-557-7313  
Student’s Academic Coaches             402-293-2000  

In addition reporting can be made by completing an Incident Report at http://www.bellevue.edu/footer/contact-us/incident-report or through the University’s Advocate Complaint/Feedback system at https://bellevue-advocate.symphlicity.com/public_report/.

Security of and Access to Campus Facilities

Campus Safety personnel are responsible for patrolling and ensuring safety in all campus buildings and parking lots, in all Bellevue University locations. Full-time, as well as evening and weekend Campus Security personnel, are responsible for making sure all facilities are secure and that visitors to the University are there for a legitimate purpose. There is a security desk in the lobby of the ASB building where visitors can check in. Various parts of campus are only accessible through badge access which is provided to appropriate employees. Campus buildings are generally open between 7 am-10pm.

Residential Student Housing Access

Each student will be issued a key to his/her assigned apartment. Head Residents, Campus Security, and key Bellevue University personnel have access.

Students who reside in Student Housing will have their Bruin ID card coded for access rights to their building’s exterior entry doors. Your Bruin ID card will only provide access to your building’s exterior doors. These doors are locked at all times. Lost or stolen e-keys must be reported to the Head Resident immediately for security purposes and to receive a temporary loaner key.

Emergency Response and Evacuation Procedures

The University uses the Emergency Email Broadcast System (EEBS) to distribute email notifications of an emergency. EEBS is capable of sending email to all members of the University community with a bellevue.edu address. Bellevue University employees receive emergency notifications by the “Same time” desktop alert system; the ENS alert system with all campus
telephones, by a voiceover and a digital read out that comes across the telephone screen. Employees also have the option to sign up alerts on their cell phones.

Emergency notifications can be sent through the Desktop Emergency Notification System (ENS), called Desktop Alerts, which is capable of sending out notifications via multiple modes such as: voice messaging to cellular, work and home phones, text message to cellular and paging devices, email messages, conference call bridges, and fax. Emergency notifications are sent by the Campus Safety Team. Bellevue.edu serves as the main web-based information source for both general and incident-specific emergency information.

In the event of an emergency affecting the campus community, Bellevue.edu will be updated regularly by the Public Relations Department to provide incident-specific emergency information. Finally, the University maintains a system of emergency warning sirens around the Campus that may be triggered by the Crisis Management Team in the event of a campus emergency or dangerous situation that is an immediate threat to the health and safety of the campus community.

Emergency response and evacuation procedures are posted in all facilities and tested on an annual basis. Employees are provided a Guide to Emergency Preparedness and are provided training over Behavioral Emergencies, Severe Weather or Tornado procedures and drills, Medical Emergencies, Fire Emergencies, Bomb Threats, Active Shooter, Inclement Weather Closing, policies, and procedures. Additionally, at enrollment, students are provided information about safety and the prevention of crime on campus.

**Annual Testing of the Emergency Warning System**

The University conducts numerous tests and drills each year in connection with its emergency response and evacuation procedures. These may be announced or unannounced and are documented with a description of each, the date and time it was conducted and whether it was announced or unannounced. In conjunction with at least one test annually, the University’s emergency response and evacuation procedures are distributed annually to students and employees. Each test with a description of the exercise stating the date and time, and whether it was announced or unannounced is documented. The Safety Department staff is expected to contact Local Law Enforcement or Fire when there is an emergency.

**Drug and Alcohol Policy**

Bellevue University prohibits the possession, use, sale or distribution of illicit drugs and/or alcohol by students and employees on university property or as a part of any university activities. Alcohol, or any other drug or substance used to induce intoxication, or unnatural states (such as anabolic steroids), being irrelevant and unnecessary to higher education while posing potential health and safety risks to those proximate to their use, are prohibited at any activity involving students either sponsored by, or connected to, the University, or on any property supervised by the University. Students found in possession face disciplinary under the Student Code of Conduct, which can be found in the Student Handbook. State and federal laws
and any applicable city ordinances pertaining to the possession and use of alcoholic beverages and illicit drugs are also enforced, including the enforcement of underage drinking laws.

In addition Student Affairs maintains the Center for Health and Safety web page on the University website that provides resources for students, faculty, staff, and the public including but not limited to the Drug and Alcohol Abuse Prevention Program (DAAPP); list of prevention events and awareness training, and resources specific for parents of college students.

Policy, Procedures, and Programs Related to Various Sex-Related Offenses

Bellevue University prohibits acts of domestic violence, dating violence, sexual assault, and stalking. An offense of this nature likely will also violate the University’s Title IX policy, which prohibits discrimination based on sex in its educational programs and activities, including sexual harassment and acts of sexual violence. A full statement of the University’s Title IX policy and the procedures for filing, investigating and resolving complaints for violations of that policy may be found on the University’s Center for Health and Safety website.

Education and Training for Sexual Harassment and Discrimination and Primary Prevention and Awareness Program

All current and new employees are required to take Title IX training. The University's Primary Prevention and Awareness Program are for all incoming students and new employees. Among other items this training covers relevant definitions, procedures a victim should follow, procedures the University will follow when an offense is reported, resources and accommodations available to victims, confidentiality and sanctions. The training also provides information on risk reduction so that individuals can recognize warning signs of abusive behavior and know how to avoid potential attacks. The training also addresses safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk that another individual may become a victim.

State Law Definitions

DOMESTIC VIOLENCE/ASSAULT and DATING VIOLENCE/ASSAULT*


*Based on good-faith research, Nebraska law does not have a separate criminal statute addressing “dating violence.” Note, however, that a dating relationship is included in the definition of domestic violence/assault set forth below.

Definitions:

Intimate partner means a spouse; a former spouse; persons who have a child in common whether or not they have been married or lived together at any time; and persons who are or were involved in a dating relationship.
Dating relationship means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement, but does not include a casual relationship or an ordinary association between persons in a business or social context.

First-degree domestic assault:
A person commits the offense of domestic assault in the first degree if he or she intentionally and knowingly causes serious bodily injury to his or her intimate partner.

Second-degree domestic assault:
A person commits the offense of domestic assault in the second degree if he or she intentionally and knowingly causes bodily injury to his or her intimate partner with a dangerous instrument.

Third-degree domestic assault:
A person commits the offense of domestic assault in the third degree if he or she:

- Intentionally and knowingly causes bodily injury to his or her intimate partner;
- Threatens an intimate partner with imminent bodily injury; or
- Threatens an intimate partner in a menacing manner.

SEXUAL ASSAULT


As used in sections 28-317 to 28-322.04, unless the context otherwise requires:

1. Actor means a person accused of sexual assault;

2. Intimate parts mean the genital area, groin, inner thighs, buttocks, or breasts;

3. Past sexual behavior means sexual behavior other than the sexual behavior upon which the sexual assault is alleged;

4. Serious personal injury means great bodily injury or disfigurement, extreme mental anguish or mental trauma, pregnancy, disease, or loss or impairment of a sexual or reproductive organ;

5. Sexual contact means the intentional touching of the victim's sexual or intimate parts or the intentional touching of the victim's clothing covering the immediate area of the victim's sexual or intimate parts. Sexual contact shall also mean the touching by the victim of the actor's sexual or intimate parts or the clothing covering the immediate area of the actor's sexual or intimate parts when such touching is intentionally caused by the actor. Sexual contact shall include only such conduct which can be reasonably construed as being for the purpose of sexual arousal or gratification of either party. Sexual contact shall also include the touching of a child with the
actor's sexual or intimate parts on any part of the child's body for purposes of sexual assault of a child under sections 28-319.01 and 28-320.01;

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

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

(8) Without consent means:

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

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

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

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


(1) Any person who subjects another person to sexual penetration (a) without the consent of the victim, (b) who knew or should have known that the victim was mentally or physically incapable of resisting or appraising the nature of his or her conduct, or (c) when the actor is nineteen years of age or older and the victim is at least twelve but less than sixteen years of age is guilty of sexual assault in the first degree.

(2) Sexual assault in the first degree is a Class II felony. The sentencing judge shall consider whether the actor caused serious personal injury to the victim in reaching a decision on the sentence.

(3) Any person who is found guilty of sexual assault in the first degree for a second time when the first conviction was pursuant to this section or any other state or federal law with essentially the same elements as this section shall be sentenced to a mandatory minimum term of twenty-five years in prison.

(1) Any person who subjects another person to sexual contact (a) without consent of the victim, or (b) who knew or should have known that the victim was physically or mentally incapable of resisting or appraising the nature of his or her conduct is guilty of sexual assault in either the second degree or third degree.

(2) Sexual assault shall be in the second degree and is a Class IIA felony if the actor shall have caused serious personal injury to the victim.

(3) Sexual assault shall be in the third degree and is a Class I misdemeanor if the actor shall not have caused serious personal injury to the victim.

Neb. Rev. Stat. § 28-320.01. Sexual assault of a child; second or third degree; penalties.

(1) A person commits sexual assault of a child in the second or third degree if he or she subjects another person fourteen years of age or younger to sexual contact and the actor is at least nineteen years of age or older.

(2) Sexual assault of a child is in the second degree if the actor causes serious personal injury to the victim. Sexual assault of a child in the second degree is a Class II felony for the first offense.

(3) Sexual assault of a child is in the third degree if the actor does not cause serious personal injury to the victim. Sexual assault of a child in the third degree is a Class IIIA felony for the first offense.

(4) Any person who is found guilty of second degree sexual assault of a child under this section and who has previously been convicted (a) under this section, (b) under section 28-319 of first degree or attempted first degree sexual assault, (c) under section 28-319.01 for first degree or attempted first degree sexual assault of a child, or (d) in any other state or federal court under laws with essentially the same elements as this section, section 28-319, or section 28-319.01 shall be guilty of a Class IC felony.

(5) Any person who is found guilty of third degree sexual assault of a child under this section and who has previously been convicted (a) under this section, (b) under section 28-319 of first degree or attempted first degree sexual assault, (c) under section 28-319.01 for first degree or attempted first degree sexual assault of a child, or (d) in any other state or federal court under laws with essentially the same elements as this section, section 28-319, or section 28-319.01 shall be guilty of a Class IC felony.


(1) No person shall knowingly solicit, coax, entice, or lure (a) a child sixteen years of age or younger or (b) a peace officer who is believed by such person to be a child sixteen years of age or younger, by means of an electronic communication device as that term is defined in section 28-833, to engage in an act which would be in violation of section 28-319, 28-319.01, or 28-
320.01 or subsection (1) or (2) of section 28-320. A person shall not be convicted of both a violation of this subsection and a violation of section 28-319, 28-319.01, or 28-320.01 or subsection (1) or (2) of section 28-320 if the violations arise out of the same set of facts or pattern of conduct and the individual solicited, coaxed, enticed, or lured under this subsection is also the victim of the sexual assault under section 28-319, 28-319.01, or 28-320.01 or subsection (1) or (2) of section 28-320.

(2) A person who violates this section is guilty of a Class ID felony. If a person who violates this section has previously been convicted of a violation of this section or section 28-308, 28-309, 28-310, 28-311, 28-313, 28-314, 28-315, 28-319, 28-319.01, 28-320.01, 28-813.01, 28-833, 28-1463.03, or 28-1463.05 or subsection (1) or (2) of section 28-320, the person is guilty of a Class IC felony.

STALKING


(1) It is the intent of the Legislature to enact laws dealing with stalking offenses which will protect victims from being willfully harassed, intentionally terrified, threatened, or intimidated by individuals who intentionally follow, detain, stalk, or harass them or impose any restraint on their personal liberty and which will not prohibit constitutionally protected activities.

(2) For purposes of sections 28-311.02 to 28-311.05, 28-311.09, and 28-311.10:

(a) Harass means to engage in a knowing and willful course of conduct directed at a specific person which seriously terrifies, threatens, or intimidates the person and which serves no legitimate purpose;

(b) Course of conduct means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose, including a series of acts of following, detaining, restraining the personal liberty of, or stalking the person or telephoning, contacting, or otherwise communicating with the person;

(c) Family or household member means a spouse or former spouse of the victim, children of the victim, a person presently residing with the victim or who has resided with the victim in the past, a person who had a child in common with the victim, other persons related to the victim by consanguinity or affinity, or any person presently involved in a dating relationship with the victim or who has been involved in a dating relationship with the victim. For purposes of this subdivision, dating relationship means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement but does not include a casual relationship or an ordinary association between persons in a business or social context; and

(d) Substantially conforming criminal violation means a guilty plea, a nolo contendere plea, or a conviction for a violation of any federal law or law of another state or any county, city, or village ordinance of this state or another state substantially similar to section 28-311.03. Substantially conforming is a question of law to be determined by the court.
Any person who willfully harasses another person or a family or household member of such person with the intent to injure, terrify, threaten, or intimidate commits the offense of stalking.

CONSENT

Neb. Rev. Stat. § 28-318

Nebraska law addresses this concept by defining “without consent,” which it states means:

The victim was compelled to submit due to the use of force or threat of force or coercion, or

- the victim expressed a lack of consent through words, or
- the victim expressed a lack of consent through conduct, or
- the consent, if any was actually given, was the result of the actor’s deception as to the identity of the actor or the nature or purpose of the act on the part of the actor;

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

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

Policy on Harassment, Discrimination, and Sex-Related Offenses

Bellevue University is 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 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. Acts of discrimination, harassment, sexual misconduct, stalking, and retaliation will be addressed consistent with this policy.

Consistent with state and federal law, reasonable accommodation will be provided to persons with disabilities.
SCOPE AND JURISDICTION

It is important that members of the University community understand that the law does not just prohibit discrimination and harassment of employees by employers. The law also prohibits discrimination and harassment between members of the University community more generally: for example, between an instructor and a student, between two students, or between a student and an applicant or campus guest. The policy applies in all University programs and activities, including, but not limited to, discrimination in athletics, instruction, grading, university housing, if available, and university employment.

The University has jurisdiction over complaints alleging discrimination and harassment when the conduct occurs on campus or any other property owned by the University, during or at an official University program or activity (regardless of location), or off campus when the conduct creates a hostile environment on campus. The University will investigate all complaints made under this policy and, if necessary, take action to prevent the recurrence of discrimination and harassment and remedy its effects.

RETRIBUTION

In addition, the law prohibits retaliation against an individual for opposing any practices forbidden under this policy, for bringing a complaint of discrimination or harassment, for assisting someone with such a complaint, for attempting to stop such discrimination or harassment, or for participating in any manner in an investigation or resolution of a complaint of discrimination or harassment. It is central to the values of this University that any individual who believes they may have been the target of unlawful discrimination or harassment feel free to report their concerns for appropriate investigation and response, without fear of retaliation or retribution.
TITLE IX STATEMENT

It is the policy of the University to comply with Title IX of the Education Amendments of 1972 and its implementing regulations, which prohibit discrimination based on sex in the University’s educational programs and activities. Title IX and its implementing regulations also prohibit retaliation for asserting claims of sex discrimination. The University has designated a Title IX Coordinator (TC) to coordinate its compliance with Title IX and to receive inquiries regarding Title IX, including complaints of sex discrimination and all other complaints under this policy (including retaliation):

Kevin J. Cleary, M.A.
Title IX Coordinator
Bellevue University
1000 Galvin Road South
Bellevue, Nebraska 68005
402-557-5299
TitleIX@bellevue.edu

Upon receiving a complaint, the TC will follow the procedures described in the Bellevue University Discrimination and Harassment Grievance Procedures.

A person may also file a complaint of sex discrimination with the United States Department of Education’s Office for Civil Rights regarding an alleged violation of Title IX by visiting www2.ed.gov/about/offices/list/ocr/complaintintro.html or by calling 1-800-421-3481.

MANDATORY REPORTING AND CONFIDENTIAL DISCUSSIONS

Mandatory Employee Reporting of Sex-based Discrimination, Sexual Harassment & Sexual Misconduct
In order to enable the University to respond effectively and to stop instances of sex-based discrimination, sexual harassment and sexual misconduct involving students or employees at the University proactively, all University employees must, within 24 hours of receiving the information, report information they have about alleged or possible sex-based discrimination, sexual harassment, and sexual misconduct involving students or other employees to the Title IX Coordinator with the understanding that all reports will be kept confidential to extent possible.
Services Available to Victims
If a victim wishes to have a confidential discussion regarding his or her situation, the following community resources are available:

**LOCAL RESOURCES**
- Methodist Sexual Assault and Domestic Violence 24-Hour Hotline (402) 354-8899
- Women's Center for Advancement Hotline (Douglas County) (402) 345-7273
- Heartland Family Service (Sarpy County) (402) 292-5888 or 1-800-523-3666
- Lydia House/Family Crisis Center (402) 422-1111
- Nebraska Domestic Violence Sexual Assault Coalition Spanish Hotline (402) 672-7118 or 1-877-215-0167
- Crisis Center for Domestic Abuse & Sexual Assault 1-888-721-4340
- Planned Parenthood 1-877-811-7526
- Urgent Care or Emergency Room
- Private Physician or other health care provider

**NATIONAL RESOURCES**
- National Domestic Violence Hotline 1-800-799-SAFE
- National Sexual Assault Hotline 1-800-656-HOPE

These resources are available to assist victims and will not report confidential discussions to the University without permission, unless otherwise required by law (such as when the victim is a minor). Non-identifying information of a crime may be provided to the University so that it can be included in the University’s annual crime statistics disclosure. Bellevue University does not have on site counseling, mental health, or above resources on campus. Students can contact either the Title IX Coordinator at 402-557-5299 or TitleIX@bellevue.edu or the Dean of Students office at 402-557-7028 or dso@bellevue.edu for assistance in seeking the above resources.

**RESOLUTION PROCEDURES**

Upon receiving a report of alleged or possible sex-based discrimination, sexual harassment, or sexual misconduct, the TC will evaluate the information received and determine what further actions should be taken. The TC will follow the procedures described in the Bellevue University Discrimination Grievance Procedures. The TC will take steps, either directly with the complainant or through a designated employee, to provide information about the University’s discrimination grievance procedures, as well as available health and advocacy resources and options for criminal reporting.

**AMNESTY FOR DRUG OR ALCOHOL POSSESSION AND CONSUMPTION VIOLATIONS**

The University strongly encourages students to report instances of sex-based discrimination, sexual harassment, and sexual misconduct involving students. Therefore, students who report information about sex-based discrimination, sexual harassment, or sexual misconduct 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. However, the University cannot guarantee that, if the misconduct is reported to local law enforcement, the police will not take action against the individual.

FREE SPEECH AND ACADEMIC FREEDOM

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

Bellevue University has a long tradition of, and a deep commitment to, academic freedom. The welfare and strength of the University and of society at large depend upon the ability to engage in free expression in the search for meaning. To this end, Bellevue University recognizes and protects full freedom of inquiry, teaching, research, discussion, study, publication, and for artists, the creation and exhibition of works of art, without hindrance, restriction, equivocation, or reprisal. This right extends to other facets of campus life to include the right of a faculty member or student to speak on general educational questions or about the Administration and operation of his/her own institution.

Constitutionally protected speech and traditional notions of academic freedom are valued in higher education. These ideals help to create the stimulating and challenging learning environment that should characterize higher education. In the spirit of a true university environment, individuals are encouraged to invite, rather than inhibit, discourse on ideas. In addressing all complaints and reports under this policy, the University will take all permissible actions to ensure the safety of students and employees while respecting the freedom of speech of students and employees. While the University will vigilantly protect students’ and employees’ rights against sex discrimination under this policy, this policy does not apply to curriculum or in any way prohibit or abridge the use of particular textbooks or curricular materials, as long as the instructor can show a curricular need for the material, if a complaint is filed. The University, in attempting to protect students and other staff from sexual harassment, will always consider academic freedom to be of the utmost importance and will respond appropriately.

EXTERNAL COMPLAINTS

If a student or an employee filed a complaint with the TC and believes the University’s response was inadequate, or you otherwise believe you have been discriminated against by the University on the basis of race, color, national origin, sex, including sexual harassment, disability, age, or retaliation, you may file a complaint with the Office for Civil Rights (OCR) of the U.S. Department of Education based in Kansas City, Missouri 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.

As an employee, if you filed a complaint with the TC and believe the University’s response was inadequate, or you otherwise believe you 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, you may file a complaint with the Nebraska Equal Opportunity Commission at http://www.neoc.ne.gov/.

Procedures for Victims

PRESERVING EVIDENCE

If you are the victim of sexual assault, domestic violence, or dating violence, do everything possible to preserve evidence by making certain that the crime scene is not disturbed. Preservation of evidence may be necessary for proof of the crime or in obtaining a protection order. Victims of sexual violence, domestic violence, or dating violence should not bathe, urinate, douche, brush teeth, or drink liquids until after they are examined and, if necessary, a rape examination is completed. Clothes should not be changed. When necessary, seek immediate medical attention at an area hospital and take a full change of clothing, including shoes, for use after a medical examination.

REPORTING

If you or someone else is in immediate danger or needs immediate medical attention, the first place to report is 911.

If you are a victim of a sexual assault, domestic violence, dating violence, or stalking, go to a safe place and call 911 or a University Safety Officer at 402-557-5000, or contact another University campus security authority (such as a Professor, Coach, or Advisor). You should also contact the University’s Title IX Coordinator:

**Title IX Reporting Form**
Kevin J. Cleary, M.A.
Assistant Dean of Students/Title IX Coordinator
Bellevue University
1000 Galvin Road South
Bellevue, Nebraska 68005
402-557-5299
titleix@bellevue.edu
NOTICE TO VICTIMS If you are a victim of a sexual assault, domestic violence, dating violence, or stalking, you will be notified in writing of the procedures to follow, including:

- The importance of preserving evidence as may be necessary to prove the offense of to obtain a protective order, and where to get a forensic examination;
- To whom and how the offense should be reported;
- The options regarding notification to law enforcement, including:
  - The option to notify either on-campus safety personnel or local police;
  - The option to be assisted by a campus security authority in notifying law enforcement if you so choose; or
  - The option to decline to notify such authorities;
- Where applicable, the rights of victims and the University’s responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

The University recommends that criminal reports be made to law enforcement, even if it is uncertain whether the particular conduct is a crime, and University staff will assist individuals in notifying law enforcement if requested. 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, initiate a criminal investigation, and answer questions about the criminal process. However, a victim may decline to notify such authorities.

Court Orders

Any student or employee who has a restraining order, order of protection, no contact order or any other such order issued by any court or the University against another individual (whether or not that individual is also a student or employee of the University) is highly encouraged to notify a campus security authority of the threat and to provide a copy of the restraining order so that it can be kept on file with the Security Department and can be enforced, if necessary.

Confidentiality

The University will use its best efforts to protect the confidentiality of victims, including the maintenance of publicly available records without the inclusion of identifying information about the victim to the extent permitted by law.

Those who have filed complaints ("complainants") under Bellevue University’s policy related to harassment, discrimination, and sex-related offenses and individuals accused of a policy violation ("respondents"), 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. University Officials will keep confidential the complaint, report, witness statements, and any other information provided by the complainant, respondent, or witness and will disclose this information only to the complainant, respondent, 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; to other University officials as necessary for coordinating interim measures or for health, welfare and safety reasons, and to government agencies who review the University’s compliance with federal laws. The investigation report and any written decision from the TC and IN will be disclosed only to the complainant, respondent, Dean of Students or Sr. Director of Human Resources and if necessary, Director of Campus Safety. These University designees have the same strict obligations to keep all information they learn confidential, subject to the limited exception when necessary to protect health, welfare or safety. Information about complaints and reports, absent personally identifiable information, may be reported to University officials, including the Campus Safety Department, and external entities for statistical and analysis purposes pursuant to federal and state law and University policy.

In the event a complainant requests confidentiality, the University will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality. If a complainant insists that his or her name not be disclosed to the alleged perpetrator, the University’s ability to respond may be limited. The University reserves the right to initiate an investigation despite a complainant’s request for confidentiality in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the University Community.

The Title IX Coordinator is the person responsible for evaluating requests for confidentiality. In addition, the University will keep information about accommodations and any similar protective measures confidential to the extent that maintaining confidentiality would not impair the University’s ability to provide them.

Written Notifications

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration, and other services available to them, both within the University and in the surrounding community. A listing of such services is contained above in this report.

The University will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations. If victims request these accommodations and they are reasonably available they will be provided, regardless of whether the victim chooses to report the crime to campus security or local law enforcement. The University will keep information about these accommodations and any similar protective measures confidential to the extent that maintaining confidentiality would not impair the University’s ability to provide them. If necessary to disclose personal information in order to provide the accommodation, the University will so advise the victim.

These written notifications will be provided to students and employees regardless of whether the offense occurred on or off campus.

To request an accommodation, victims should contact Campus Security at 402-557-5000.
Registered Sex Offender Policy Statement

Any Bellevue University student or employee who requests information about a suspected sex offender who is working or studying on campus should contact the Nebraska State Patrol (NSP), which keeps a list of registered sex offenders. The (NSP) Omaha telephone number is 402-331-3333. The (NSP) Sex Offender Registry web site is:

https://sor.nebraska.gov/

Disciplinary Procedures in cases of Dating Violence, Domestic Violence, Sexual Assault, or Stalking

Allegations of domestic violence, dating violence, sexual assault or stalking will be processed under the Bellevue University Discrimination and Harassment Grievance Procedures. The procedures are designed to provide for a prompt, fair and impartial resolution of the allegations from the initial investigation to the final result. The procedures are the same regardless of the role of the parties (students, staff, faculty, etc.).

These proceedings are conducted by officials who have no conflict of interest or bias for or against the accuser or the accused and who at a minimum receive annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. All officials involved in the resolution of the allegation will have timely access to all relevant information. A decision on the allegation will be determined using a preponderance-of-the-evidence standard based on the totality of the evidence presented.
PROCEDURES

1. **Complaints and Reporting.** Complaints and third-party reports of discrimination, including policy violations, should be made to the Title IX Coordinator (“TC”). The TC and Investigator (“IN”) 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 TC is listed below.

   Kevin J. Cleary, M.A.
   Assistant Dean of Students/Title IX Coordinator
   Bellevue University
   1000 Galvin Road South
   Bellevue, NE 68005
   402-557-5299
   1-800-7567920 ext. 5299
   TitleIX@bellevue.edu

   Under Bellevue’s Anti-Discrimination and Harassment Policy, all University employees have an obligation to report discrimination and harassment (unless otherwise specified in the Policy). Complaints and reports should be made as soon as possible after an incident. Failure to make a timely report could inhibit the University’s ability to investigate and respond to the conduct complaint of. The TC coordinates and tracks all complaints and reports under this procedure.

   There are several avenues available for submitting a complaint or report:
   • Leave a private voice message for the Title IX Coordinator;
   • Report to another trusted University official (e.g., Professor, Coach, Academic Advisor) who will provide information to the Title IX Coordinator as required under the policy.

   If there is a complaint about the TC and/or IN staff members, or if the TC and/or IN staff has a complaint, that complaint should be filed with the Dean of Students or Sr. Director of Human Resources. The Dean or Sr. Director will appoint another trained individual to take the place of the TC and/or IN staff for purposes of the complaint.

2. **Role of the Title IX Coordinator (TC) and Investigator (IN).** The TC is charged with coordinating the University’s compliance with federal Title IX regulations. The TC and/or IN is not an advocate for either the complainant or the respondent. The TC and/or IN will explain to both parties the process outlined below and the confidentiality provisions as outlined above. Where appropriate, the IN will provide to both parties information about options for obtaining medical and counseling services, information about making a criminal report, information about receiving advocacy services, and information about
other helpful campus and community resources. The TC will offer to coordinate with other campus officials, when appropriate, to implement interim remedial measures such as no-contact orders, rearrangement of living arrangements, or academic accommodations. The IN will describe the process of a fair and impartial investigation. The IN will explain to both parties their rights to have a person of support or advisor with them during all stages of the process. The support person or advisor does not serve as an advocate on behalf of the complainant or respondent, may not be actively involved in any proceedings, and he or she must agree to maintain the confidentiality of the process. The University reserves the rights to remove or dismiss a support person or advisor who becomes disruptive or who does not abide by the limitations noted in the previous sentence.

The IN 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.

3. **Interim Measures and Protective Actions.** The University may take interim measures to assist or protect the parties at any point during the grievance process, as necessary. This may include assisting and allowing the complainant to change his or her academic, transportation, work, or living situation if options to do so are reasonably available and upon request of the complainant. Such changes may be available regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Requests to change an academic, transportation, work, or living situation, or a request for the University to take any other protective measure, should be made to the Title IX Coordinator.

Examples of such measures for a student complainant may include issuing a no-contact directive; referring individuals for counseling; placing an employee on administrative leave; or arranging for changes in employee assignments, class schedules, non-campus living arrangements, class requirements, and/or testing schedules as needed.

If a complainant has obtained a temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court, the complainant should provide such information to the Title IX Coordinator. The University will take all reasonable and legal action to implement the order.

4. **Timing of the Investigation.** The University will endeavor to conclude its investigation and resolution of the complaint within sixty (60) calendar days of receiving it or, if additional time is required, keep all parties informed of the estimated timeframe for resolution and the reasons for the extension. Both the complainant and the respondent will be given periodic updates regarding the status of the investigation. If either the complainant or respondent needs additional time to prepare or to gather their witnesses or information, they shall notify the IN in writing explaining how much
additional time is needed and why it is needed. The IN shall respond to any such request within three (3) business days.

5. Pending Criminal Investigation. Some complaints under Anti-Discrimination and Harassment Policy may also constitute criminal conduct, especially as it relates to sexual assault, domestic violence, dating violence, or stalking. In such instances, the complainant is also encouraged to file a report with the appropriate law enforcement authorities and, if requested, the University will assist the complainant in doing so. The pendency of a criminal investigation, however, does not relieve the University of its responsibilities under Title IX. Therefore, to the extent doing so does not interfere with any criminal investigation, the University will proceed with its own investigation and resolution of the complaint.

6. Rights of the Parties. During the investigation and resolution of a complaint, the complainant and respondent shall have equal rights. They include:
   • Prompt, fair and impartial investigation and resolution of the complaint with any extension of time frames being only for good cause and with written notice to both parties of the delay and the reason for it.
   • Timely notice of meetings at which one or the other or both may be present;
   • Timely access to information that will be used after the fact-finding investigation but in any informal or formal disciplinary meeting or hearing;
   • The same opportunities to have others present during any disciplinary hearing, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The support person or advisor does not serve as an advocate on behalf of the complainant or respondent, may not be actively involved in any proceedings, and he or she must agree to maintain the confidentiality of the process. The University reserves the rights to remove or dismiss a support person or advisor who becomes disruptive or who does not abide by the limitations noted in the previous sentence.
   • Equal opportunity to identify and have considered witnesses and other relevant evidence.
   • Equal opportunity to review any statements or evidence provided by the other party.
   • Equal access to review and comment upon any information independently developed by the IN.

7. Investigation. The IN conducts or oversees the conducting of a fair and impartial investigation of the alleged policy violation and proceeds to Step 3.
   • Only a trained investigator will conduct an investigation. All parties involved in implementing the procedures will receive annual training on this policy and procedures and related issues.
   • The IN will ensure that the investigation is commenced as soon as practicable, but not later than seven (7) business days after the complaint is made.
• The purpose of the investigation is to determine whether it is more likely than not that the alleged behavior occurred and, if so, whether it was a violation of the Anti-Discrimination and Harassment Policy.
• During the course of the investigation, the IN may receive counsel from University administrators, the University’s attorneys, or other parties as needed.
• During the investigation:
  o The complainant will have the opportunity to describe his or her allegations and present supporting witnesses or other evidence.
  o The respondent will have the opportunity to respond to the allegations and present supporting witnesses or other evidence.
  o The IN will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint.
All parties and witnesses involved are expected to cooperate and provide complete and truthful information.

8. Findings. At the conclusion of the investigation, the IN determines whether there is a preponderance of the evidence to believe that an individual engaged in a violation of the University’s Anti-Discrimination and Harassment Policy. The IN will prepare a written report and the report will explain the scope of the investigation, identify findings of fact, and state whether any allegations were found to be substantiated by a preponderance of the evidence.
  • Option 1: If the IN finds a preponderance of the evidence of a policy violation does not exist, the matter is documented and closed; in this case the Complainant may appeal the finding to the appropriate University Official based upon the respondent’s status. If the respondent is a student, the designee will be the Dean of Students. If the respondent is an employee, the designee will be the Sr. Director of Human Resources.
  • Option 2: If the IN finds that a preponderance of the evidence of a policy violation exists, the IN’s written report will include recommendations for steps to take to prevent recurrence of any such violation, and as appropriate, remedies for the Complainant. The IN will provide the written report and recommendations to the appropriate designee for a determination of findings and appropriate sanctions, if necessary. In the case of student Respondents, the designee will be the Dean of Students. In the case of employee respondents, the designee will be the Sr. Director of Human Resources. The designee, in cooperation with appropriate management, will have the authority to impose sanctions in accordance with University policies and procedures. The Dean or Sr. Director must inform the TC of the ultimate sanctions imposed upon a Respondent.

9. Notice of Findings and Sanctions. The University will provide both parties simultaneous, written notification of the results of the proceeding, the procedures to appeal the results, any change in results prior to becoming final, and when the results become
final. The notification will also include the rationale for the results and any sanctions imposed.

10. Appeal Process. **Grounds for Appeal.** The complainant or respondent may appeal the determination of a complaint only on the following grounds:

- There is a substantial likelihood that newly discovered information, not available at the time evidence was presented to the IN, would result in a different decision;
- There was a procedural error significant enough to call the outcome into question;
- There was a clear error in factual findings;
- Bias or prejudice on the part of the IN; or
- The punishment or the corrective action imposed is disproportionate to the offense.

**Filing an Appeal.** A request to appeal University sanctions must be filed in writing within five (5) business days of the receipt of the TC’s notification of the Dean of Student’s or Sr. Director of Human Resources’ decision, unless good cause can be shown for an extension of time. The request must be filed with the TC in writing and must describe the appellant’s desired outcome including specific reasoning for the appeal. The appeal request should contain the following information:

- Name of the complainant;
- Name of the respondent;
- A statement of the determination of the complaint, including corrective action if any;
- A detailed statement of the basis for the appeal including the specific facts, circumstances, and argument in support of it and
- Requested action, if any.

**Appellate Officer.** As soon as practicable, the TC will provide the non-appealing party and the appropriate University Official (“Appellate Officer”), based on the status of the Respondent, with a copy of the written appeal. The Appellate Officer will be the Vice President for Community and Student Affairs (VP, Community and Student Affairs) if the respondent is a student, or the Vice President for Academic Affairs (VPAA) if the respondent is an employee or a third party.

The appealing party may request a meeting with the Appellate Officer, but the decision to grant a meeting is within the Appellate Officer’s discretion. If a meeting is granted, then the other party will be granted a similar opportunity.

**Appeal Decision.** Within ten (10) business days of receiving the appeal, the Appellate Officer reviews the appeal, findings and sanctions, if applicable, imposed by the Dean of Students or the Sr. Director of Human Resources. The Appellate Officer may approve, overturn, or modify the findings and/or sanctions.
The Appellate Officer’s decision is final. The Appellate Officer shall issue a short and plain, written statement of the resolution of the appeal, including any changes made to the previous determination made at the investigation stage of the process. The Appellate Officer’s written statement shall be provided simultaneously to the complainant, respondent, and the TC within three (3) business days of the final resolution.

The University will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense the report on the results of any disciplinary proceeding conducted by the University 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 purpose of this paragraph.

Sanctions and Protective Measures

Violations of this policy will be addressed through the Bellevue University Discrimination Grievance Procedures. Consequences for violating this policy will depend upon the facts and circumstances of each particular situation. Sanctions and Protective Measures could include:

1. A requirement not to repeat or continue the discriminatory, harassing, or retaliatory conduct.
2. A reprimand
3. A no-contact directive. A written directive from the Dean of Students or Sr. Director of Human Resources that the involved parties not have contact with one another until resolution of the incident.
4. Ban and Bar. Campus Safety may issue written notices to any person who has been contacted or observed on University property while engaged in any unlawful or unauthorized activity banning and barring such person from University property. Violation of any such notice will be deemed to be trespassing on University property, and the offending party may be cited and subject to prosecution for criminal trespass in violation of Neb. Rev. Stat. § 28-520 or § 28-521. The term “unlawful or unauthorized activity” shall mean any conduct, act, or omission by any person that is in violation of (i) any law, rule, regulation or order of the State of Nebraska or of the United States, or (ii) any policy, rule or regulation of Bellevue University.
5. Reassignment of employment
6. Suspension of employment
7. Termination of employment
8. Any of the sanctions identified in the Bellevue University Student Code of Conduct, which are listed below:
   • Warning. A verbal or written statement that the student has violated University rules, and may be subject to more severe disciplinary action if such behavior continues or is repeated
   • Restitution. Required reimbursement for damage to or misappropriation of University or any other public or private property. Where this sanction is imposed, the decision shall direct that restitution be made by a certain date. The consequences of failure to make such restitution shall be stated in writing. Restitution may take the form of appropriate services or other compensation.
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- **Non-Academic Reflective Activity.** Work, assignments, essays, service to the University, or other related discretionary assignments.
- **Academic Sanctions.** Penalties may include a reduction in coursework grade(s), including, but not limited to participation, assignments, or presentations based off inappropriate classroom conduct.
- **Disciplinary Probation.** Exclusion from the privilege of using specified facilities of the University or from participating in extracurricular activities of the University, including the holding of any student or student organization office, for a specified period of time, or other terms of disciplinary probation deemed appropriate under the circumstances. The terms of any such disciplinary probation imposed will be specified in writing, and may include the withdrawal of any privileges or services otherwise provided by the University.
- **Interim Suspension.** Immediate exclusion from attending the University or designated courses, curriculum offerings or class sections pending a hearing.
- **Suspension.** Exclusion from attending the University or designated courses or curriculum offerings or class sections as a student for a definite period of time, not to exceed one year.
- **Expulsion.** Termination of student status and resulting exclusion from attending the University or from attending or enrolling in designated courses, curriculum offerings, class sections, programs, or University-sponsored events for an indefinite period of time. The President or Board of Directors of Bellevue University may also establish, at any time, conditions upon which a dismissed student may be readmitted to the University.

The severity of sanctions or corrective action will depend on the frequency and severity of the offense and any history of past discriminatory, harassing or retaliatory conduct. A finding of discrimination or 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 procedures. The University may also take appropriate action if it does not find discrimination or harassment that creates a hostile environment or results in a tangible employment or educational action, (a) if the University found that the respondent engaged in disruptive behavior or (b) to prevent the creation of a hostile environment.

**Victims to Receive Written Notification of Rights:**

When a student or employee reports to the University that he or she has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

**Timely Warnings**

The purpose of this directive is to codify this department’s policy and procedures concerning the Timely Warnings/Crime Alerts issued by the Bellevue University Safety Department. It is the
policy of this department to issue Timely Warnings/Crime Alerts in effort to notify community members about certain crimes in and around our community. For the purpose of this policy, "timely manner" generally means within 24 hours after an incident has been brought to the attention of a "campus safety authority" as defined by the Clery Act. It is further the policy of this department to maintain compliance with applicable features of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act as mandated by the Department of Education. University Administration consults with Local Law Enforcement authorities in making the determination on a case-by-case basis of when "timely warning" information in the form of a Crime Alert is disseminated. It is the decision of the Safety Department on whether a Crime Alert will be issued. This is based on the following:

1. If it is identified as a Clery Act crime (Murder; Non-Negligent Manslaughter; Aggravated Assault; Robbery; Forcible Sex Offense; Forcible Rape; Forcible Sodomy Sexual Assault with an Object; Burglary; and
2. Is the crime considered to represent a serious or continuing threat to students, faculty, staff, or visitors?

Determining whether to issue a Crime Alert for non-Clery Act crimes shall be evaluated on a case-by-case basis.

With regard to juvenile case reports, a notation will be placed in the "Miscellaneous Comments/Information" section of the Crime Alert action report.

The body of the Notification will include information regarding the Clery Act requirements; a short description of the incident or crime giving the time and date, location, reported offense, suspect description, weapon used, suspect vehicle, and MO or method of operation used to facilitate the crime. The Notification should also include personal safety information to aid members of the University community in protecting themselves from becoming victims of a similar crime and promote overall safety for our educational community. The dissemination of this information will be distributed through all the Universities resources available, which could include EEBS, email, desktop and phone notification, sirens on campus, and local news outlets.

Any crimes reported within the vicinity of the University will be monitored. This Administration communicates with Local Law Enforcement on a daily basis. Other Departments: If community members report crimes or serious incidents to other campus security authorities or university administrators, those persons will notify the Safety Department.

**Safe and Positive Options for Bystander Intervention**

Often the most effective way to help is through intervention by peers. Students and members of the University community should be invested in the well-being of their peers. If you see something going on with a fellow student that does not seem right, say something to someone and consider doing something to help. Do not be afraid to talk to a friend or acquaintance about your concern for them and provide them with assistance. Below are some ways a bystander could intervene.
• Notice the issue: Listen to your gut instincts. If something does not look or feel right about a situation, take a few moments to assess the situation.
• Interpret the urgency: Now that the situation has been briefly assessed, determine the urgency of the situation. Is this something that is an emergency? Is this something where someone needs help? Is this something myself (or perhaps two of us) could address and assist with?
• Take responsibility: Take responsibility for providing help. Whether intervening firsthand or calling for help, once the decision is made to offer assistance, follow-through is vital.

Ways to provide help

• Call police or a friend to assist.
• Help the person leave the situation; connect them with friends or help them get home safely.
• Confront the behavior that is occurring; address the issue.
• Diffuse the situation – distract the parties, introduce others (such as friends of either party) who can help de-escalate the situation; separate the individuals.

Tips for intervening

• Always approach everyone from a place of care and concern.
• Do not be antagonistic, accusatory or condescending.
• Avoid using violence or threats of violence.
• Be honest, direct and as clear as possible as to why you are there.
• Get help if necessary.
• Keep yourself safe.
• If things escalate or you feel unsafe, call the police.

Students have the ability to create a University environment free of interpersonal and sexual violence, free of words and behaviors that make any member of the community feel marginalized. We encourage students to educate themselves about interpersonal and sexual violence, as well as issues surrounding bias and to share this knowledge and information with their friends and peers. We encourage students to confront their friends and peers who make excuses for their (or other people’s) abusive or inappropriate behaviors. We encourage students to speak up against racist, homophobic and sexist remarks.

Information on Risk Reduction

The cooperation and involvement of students, faculty and staff in a campus safety program is essential. People on campus can take responsibility for their own personal safety and the security of their personal belongings by taking simple precautions.

• Be aware of your surroundings at all times.
• Walk to your vehicle in pairs or request a Campus Safety officer to escort you to your vehicle.
Park in designated, well-lit parking areas.
Keep vehicles locked at all times.
Lock valuables in the trunk.
Do not leave personal items unattended.
Report suspicious activity or unusual incidents.
Always keep your doors and windows locked. Never leave personal property unattended.
If possible, let a friend or roommate know where and with whom you’ll be and when you will return.
Trust your instincts! If you feel uncomfortable about someone head for a populated place or yell for help.
Use well-lit and busy sidewalks.
Learn the locations of all call boxes on campus.
Carry a cell phone, whistle or a personal alarm to alert people that you need help.
Try to park in an area that will be well-lit and heavily traveled when you return.
If you choose to drink, drink legally and responsibly. Remember that your ability to respond is diminished by over-consumption of alcohol.
Follow all rules of the road when driving a car, riding a bike or using other forms of personal transportation such as rollerblades, skateboards or scooters.
Listening to loud music, wearing headphones or using your cell phone distracts you from being alert to potential safety issues. Unplug yourself and tune in to your immediate environment.
Missing Student Policy

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, that information should be reported immediately to:

- Head Resident
- Director, Residence and Student Life
- Director, Campus Safety
- Dean of Students Office
- Assistant VP of Student Affairs
- Vice President, Community and Student Affairs

Anyone receiving a missing person report will immediately notify the Campus Safety and an investigation will be initiated.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the University only in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the University will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to designate a confidential contact may do so by providing the information to the Director, Residence and Student Life on the emergency contact information form. A student’s confidential contact information will be accessible only by authorized campus officials and law enforcement in furtherance of the investigation.

After investigating a missing person report, if it is determined that the student has been missing for 24 hours, the University will notify local police authorities unless it was local law enforcement that made the determination that the student is missing. If the missing student is under the age of 18 and is not emancipated, the University will also notify that student’s parent or legal guardian immediately after the University has determined that the student has been missing for 24 hours.
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** How sex offenses are to be reported changed effective with publication of the 2015 Annual Security Report

\(^\wedge\) Bellevue University offered On-Campus Housing beginning in 2015
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<th>Offense</th>
<th>On-Campus Property</th>
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## Crime Statistics for 2016

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Public Crime Statistic Resources and Definitions:

Bellevue Police Department; Omaha Police Department; or Douglas County Sheriff

www.bellevuepd.com
www.opd.ci.omaha.ne.us
www.omahasherrif.org

Please see the definitions below to associate the exact meaning for each crime. The definitions are taken from the Federal Bureau of Investigation Uniform Crime Reporting (UCR) Handbook and National Incident Based Reporting System (NIBRS) and used to classify the criminal offenses listed.

Homicide: 1 - Murder & Non-Negligent Manslaughter (Must have intent), 2. Negligent Manslaughter (No Intent Necessary, caused by acts of gross negligence).

Forcible Sex Offense - Any sexual act directed against 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.

Non-forcible Sex Offenses - Unlawful, non-forcible sexual intercourse or other sexual act.

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.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim.

Incest: non-forcible sexual intercourse between persons who are related to each other within degrees wherein marriage is prohibited by state law.

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

Robbery - The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or 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.

Assault (Simple) - Lesser assaults, usually committed without instruments/weapons, not likely to produce serious bodily harm or death (i.e. general fighting).

Burglary - The unlawful entry into a structure to commit a felony or theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the above.
**Motor Vehicle Theft** - The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by person not having lawful access even though the vehicles are later abandoned; including joyriding.)

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

**Larceny/Theft** - The unlawful taking, carrying, leading, or riding away of property from the possession of constructive possession of another. Examples are thefts of bicycles or automobile accessories, shoplifting, pocket-picking or the stealing of any property or article that is not taken by force and violence or by fraud. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc. are excluded.

**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.

**Alcohol Violations** - The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

**Drug Abuse Violations** - Violation of Federal, 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, heroine, codeine); marijuana, synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**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 above.

**Domestic Violence** - includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred or by any other person against an adult or youth victim who is protected from that person’s actions under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
Dating Violence - means violence committed by a person A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and B) where the existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the following factors: i) the length of the relationship, ii) the type of relationship, iii) the frequency of interaction between the persons involved in the relationship.

Stalking - means engaging in a course of conduct directed at a specific person that would cause a reasonable person to A) fear for his or her safety or the safety of others; or B) suffer substantial emotions distress.
Fire Safety Report

The Higher Education Opportunity Act, enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. This report refers to the Bellevue campus, where BU has residential facilities.

Fire Procedure

Residential Housing Fire Safety: There are two residential halls located at 1307 Galvin Road, Bellevue, NE; building numbers for each are 1403 and 1409. Both residential halls have fire detection devices, smoke detectors, fire extinguishers.

Bellevue University began student residential housing in August, 2015. In 2014, no fire drills were conducted because there was no student housing in the previous years. Testing began in the fall of 2015.

Procedures for Evacuation

Smoke or fire sighted:

- Activate the nearest fire pull station
- Call 402.557.5000 and give:
  - Exact location of fire (room number and building), your name and type of fire (if known)
  - Remember: Let the operator hang up first Contain the fire by closing all doors and windows. Extinguish fire if possible or evacuate to the rally point; Residential Housing rally point is between the pool and the clubhouse where students are away from the buildings and out of the way for emergency vehicles.
- If time allows, turn on all lights and close all doors behind you as you leave.
- Walk when possible; try not to run. Smell something burning, but see no smoke: call your Head Resident or the Office of Residence and Student Life: 402.557.7250. If no answer, call the OneStop Service Center at 402.293.2000, option 0.

Self-Protective Measures

- If your clothes catch on fire; stop, drop, and roll.
- If you are caught in smoke, drop to your hands and knees and crawl below the smoke level.
- If you are trapped in a room, place cloth and material under the door to prevent smoke from entering.
- Retreat and close as many doors as possible between you and the fire. Signal for help.

When a fire alarm sounds, every resident is required to leave the building using the nearest exit. First, feel your door from top to bottom (follow this procedure for all closed doors you encounter).

If the door feels cool:

- Crouch low and open the door slowly. Close the door quickly if heavy smoke or fire is present.
- If visibility permits, take your key and close your door.
- Evacuate (using the stairway if necessary). Stay as low as possible if there is smoke – crawl if
necessary.
• Meet in between the pool and the clubhouse where students are away from the buildings and out of the way for emergency vehicles
• Return to the building only when officials tell you it is safe.

**If the door feels hot:**

• Do not open the door.
• If possible, call 911 and report your situation and location. Stay off the phone after calling 911 as fire officials may try to reach you.
• Wedge wet towels or clothing under the door to keep smoke out.
• Keep a soaked towel over your head.
• Open window and hang out a bed sheet or towel to call attention to your location – then close window on sheet/towel if necessary to keep smoke from entering the window.
• Stay low until help arrives.

**Reporting a Fire:**

• In the event of fire, you should immediately activate a building fire alarm, which alerts building staff and all residents of impending danger.
• Call 911 to report the fire.
• Evacuate, if possible, and stay away from the building.

**Tampering with Fire Alarm/Smoke Detectors**

Fire equipment is to be used only as necessary in case of a fire. Tampering with fire safety equipment, fire alarms and/or smoke detectors is a very serious offense. Students found tampering with the student housing fire protection system will be charged for damages and subject to disciplinary action.

Safety precautions include:
• Do not tamper with fire alarms or smoke detectors.
• Do not discharge or remove a fire extinguisher.
• Do not tamper with or damage fire exit lights.
• Do not obstruct fire exits.

**Prohibited Items:**

• Open flames.
• Candles and Incense.
• Multiple outlet “octopus” plugs.
• Any grills designed for outdoor use.
• Lighter Fluid.
Suggested Ways to Prevent Fire in the Apartments:

If the power goes out, use flashlights only.
Use surge protectors for big tickets electrical items.
All extension cords must be Underwriters Laboratories (UL) approved.
Student Housing staff will use their discretion if they see a kitchen appliance or other item that might be considered a fire hazard.
Prohibited items may be removed by University Staff.

Policy Regarding Fire Safety Education and Training

The Campus Safety and Residence and Student Life departments are responsible for the University’s fire prevention and safety training programs as well as regular fire and safety inspections. A fire and evacuation drill is coordinated by the Campus Safety and Stud Residence and Student Life departments in the Fall and Spring term in each residential facility. Students learn the locations of the emergency exits in the buildings. The Campus Safety and Residence and Student Life departments do not tell individuals in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat.

The purpose of the fire and evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. In addition to educating occupants of each building about fire safety and evacuation procedures during the drills, the process also provides the Campus Safety department with an opportunity to test the operation of fire alarm system components. Evacuation drills are monitored by the Campus Safety department to evaluate egress and behavioral patterns and identify deficient equipment so that repairs can be made immediately.
Recommendations for improvements are also submitted to the appropriate departments for consideration. The Head Residents are trained in these procedures and act as an ongoing resource for students living in residential facilities.

The Campus Safety department documents each test it conducts, including a description of the test, the date the test was held, the time the test started and ended, and whether the test was announced or unannounced.

Future Improvements in Fire Safety

As resources become available, the institution will consider the installation of additional pull stations, heat detectors, sprinkler systems, and fire extinguisher devices at all residential facilities. The institution will continue to develop training programs and improving current training programs. The institution will work to better develop evacuation routes and informing the residents the importance of participating in fire drills.
### Residential Fire Safety Equipment

<table>
<thead>
<tr>
<th>Residential Building</th>
<th>Fire Extinguishers</th>
<th>Smoke Detectors</th>
<th>Carbon Monoxide Detectors</th>
<th>Fire Drills per academic year</th>
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### Residential Fire Statistics 2015 **

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**Bellevue University opened residential housing August, 2015.

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