



MCCMS - Rochester Campus 2019 ANNUAL SECURITY REPORT

Introduction

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 MCCMS - Rochester Campus ("College") with information on: the College'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 College 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.

Policy for Preparing the Annual Report

This report is prepared by the MCCMS Office of Compliance, Licensure and Continuous Accreditation in cooperation with local law enforcement authorities and includes information provided by them as well as by the College's campus security authorities and various other elements of the College. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting David L. Dahlen, Education Compliance Officer, Siebens Building, 5th Floor, Mayo Clinic, 200 First Street SW, Rochester, MN 55905, Dahlen.David@mayo.edu, or 507-284-3208.

The College is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field, and are constantly tested and re-evaluated for their effectiveness.

General Safety and Security Policies

Campus Security Personnel & Relationship with Local Law Enforcement

The Mayo Clinic Security Department is responsible for campus safety at the College.

Members of Mayo Clinic Security are not commissioned law enforcement officers and therefore do not have arresting authority. Their role is to ensure safety within the jurisdiction of the campus and to enforce Mayo Clinic policies.

While the College does not have any written agreements with local law enforcement agencies, it does maintain a close working relationship with local police.

Campus Security Authorities

The College has designated certain officials to serve as campus security authorities. Reports of criminal activity can be made to these officials. They in turn will ensure that the crimes are reported for collection as part of the College's annual report of crime statistics. The campus security authorities to whom the College would prefer that crimes be reported are listed below.

- David Dahlen - Education Compliance Officer, Education at 507-284-3208 or dahlen.david@mayo.edu
- Troy Tynsky - Administrator at 507-538-3540 or tynsky.troy@mayo.edu
- Robert Speary - Administrator at 507-284-3163 or speary.robert@mayo.edu
- Marcia Andresen-Reid - Administrator at 507-266-2808 or andresen@mayo.edu
- Deb Lafferty - Director, Student Services at 507-266-4077 or lafferty.debra@mayo.edu
- Amy Boyer - Title IX Coordinator at 507-284-4724 or boyer.amy@mayo.edu
- Security Office at 507-284-2179

Reporting a Crime or Emergency

The College encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the College, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so.

- All crimes occurring on or near College property should be reported immediately to Mayo Clinic Security. The number to contact is 507-284-2179. A dispatcher is available 24/7.
- If a crime is in progress or there is some other situation posing imminent danger, local law enforcement can be reached by dialing 911.
- Students, staff, and visitors should also report situations to one of the campus security authorities identified above. Once reported, the individual may also be encouraged to report the situation to the appropriate police agency. If requested, a College staff member will assist in making the report to police.
- Anonymous incident reports can also be made by using the Compliance Hotline. Reports can be made via a toll-free phone number (800-721-5391) or an online [Incident Submission Form](#).

Submissions/Reports regarding the College are routed to the Administrator for the Office of Continuous Accreditation, Licensure, and Compliance.

Confidential Reporting

The College will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity.

Pursuant to the College's Title IX Sexual Misconduct Policy, when an individual who is designated as a "responsible employee" becomes aware of alleged misconduct under that policy (including, but not limited to, dating violence, domestic violence, sexual assault, and stalking), the individual must report that information, including the status of the parties if known, to the Title IX Coordinator. "Responsible employees" include the Board of Governors, all faculty members, advisors to student organizations, MCCMS administrators, and other Mayo Clinic employees engaged in educational programs and activities. However, professional counselors are not "responsible employees" and thus will not provide your information to the Title IX Coordinator without your permission.

A victim of other types of crimes (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the College disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. Upon the victim's request, a report of the details of the incident can be filed with the College without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the College take appropriate steps to ensure the future safety of the victim and others. With such information, the College can keep an accurate record of the number of incidents involving members of the campus community, determine where a pattern of crime may be developing and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the College.

The College encourages its professional counselors, if and when they deem it appropriate, to inform the person they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics. The College does not have pastoral counselors.

Security of and Access to Campus Facilities

All academic buildings are secured during the evenings and weekends. Access to the buildings is only allowed for faculty/staff members and students who are accompanied by faculty/staff members. Mayo Clinic Security officers provide security for these buildings and also perform vehicle patrols of parking lots and surrounding areas.

Students and employees are asked to be alert and to not circumvent practices and procedures that are meant to preserve their safety and that of others:

- Do not prop doors open or allow strangers into campus buildings that have been secured; be aware of persons attempting to tailgate
- Do not lend keys or access cards to non-students and do not leave them unattended
- Do not give access codes to anyone who does not belong to the campus community

Keys to the offices, laboratories, and classrooms on campus will be issued to employees only as needed and after receiving the proper authorization. Each department supervisor is responsible for assuring his/her area is secured and locked.

Employee and student identification cards may be used to verify the identity of persons suspected to be in campus facilities without permission.

Security Considerations in the Maintenance of Facilities

Mayo Clinic Security works with the Facilities Department to identify maintenance issues on campus that may be safety hazards. Safety checks are completed to identify street or safety lights that are not functioning properly, or to determine if shrubs or other landscaping might need trimming. Maintenance personnel regularly check to ensure there is adequate lighting on pathways and that egress lighting is working in hallways and stairwells.

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

The College seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. These programs are discussed below.

The College provides information during orientation for students and employees regarding the College's security procedures and practices. This information is in the form of a podium presentation with time allotted for questions. Annually thereafter students and employees receive updated information via a course in the online Learning Management System. Among other things, it advises students and employees of the importance of reporting criminal activity, to whom crimes should be reported, being responsible for their own safety and the safety of others and practices regarding timely warnings and emergency notifications.

Crime prevention programs are also presented regularly through the Learning Management System.

Monitoring Off Campus Locations of Recognized Student Organizations

The College does not have any officially recognized student organizations with off campus locations and therefore does not monitor or record criminal conduct occurring at such locations.

Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense

Upon written request, the College will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

Drug and Alcohol Policy

The College is committed to creating and maintaining an environment that is free of alcohol abuse. The College prohibits the possession, use, and sale of alcohol beverage on campus or as any part of the College's activities, unless it is done so in accordance with applicable College policies, and it also enforces the state's underage drinking laws.

The College also enforces federal and state drug laws. The possession, sale, manufacture or distribution of illegal drugs is prohibited on campus or as any part of the College's activities. Violators of the College's policies or federal and state laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

Drug and Alcohol Abuse Prevention Program

In compliance with the Drug Free Schools and Communities Act (DFSCA), the College has a drug and alcohol abuse prevention program, which includes an annual notification to students and employees regarding certain drug/alcohol-related information (such as legal sanctions for violations of applicable laws, health risks, etc.) and a biennial review of this program to evaluate its effectiveness and assess whether sanctions are being consistently enforced. For more information, see below.

- Drug-Free Schools and Community Act (DFSCA) Policy:
<https://college.mayo.edu/media/mccms/content-assets/about/college-profile/consumer-information-and-disclosures/doc-20381769.pdf>
- Substance Abuse and Drug/Alcohol Testing Policy:
<http://mayocontent.mayo.edu/collegeofmedicine/DOCMAN-0000197721?qt=drug>
- Students who are simultaneously employees may also be subject to consequences under the Allied Health Staff Substance Abuse and Alcohol/Drug Testing Policy:
<http://mayocontent.mayo.edu/hr-epm/DOCMAN-0000039700>
- Mayo Clinic has a Student Wellness webpage available on the intranet for students who may be struggling with alcohol or drug abuse, as well as other issues:
<http://intranet.mayo.edu/charlie/student-services/well-being/>
- Policy review/revision history, as well as scheduled review date, is contained within each policy. More information about the biennial review of the College's drug and alcohol abuse prevention program can be obtained by contacting the Mayo Clinic College of Medicine Policy Workgroup.

Policies, Procedures, and Programs Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Consistent with applicable laws, the College prohibits dating violence, domestic violence, sexual assault, and stalking. The College's policy used to address complaints of this nature, as well as the procedures for filing, investigating and resolving complaints, may be found at:

- Title IX Sexual Misconduct Policy: <https://college.mayo.edu/media/mccms/content-assets/about/college-profile/consumer-information-and-disclosures/title-ix-sexual-misconduct-procedure.pdf>
- Title IX Sexual Misconduct Complaint Resolution Procedure:
<https://college.mayo.edu/media/mccms/content-assets/about/college-profile/consumer-information-and-disclosures/title-ix-sexual-misconduct-policy.pdf>

The following sections of this report discuss the College’s educational programs to promote the awareness of dating violence, domestic violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses; and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

Primary Prevention and Awareness Program:

The College conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the College prohibits the offenses of dating violence, domestic violence, sexual assault and stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention.

Crime Definitions

Crime Type (Minnesota Statutes)	Definitions
Dating Violence	The institution has determined, based on good-faith research, that Minnesota law does not define the term dating violence.
Domestic Violence	<p>The institution has determined, based on good-faith research, that Minnesota law does not define the term domestic violence.</p> <p>However, Minnesota’s Domestic Abuse Act provides the following definitions (Minn. Stat. § 518B.01):</p> <ul style="list-style-type: none"> • “Domestic abuse” means the following, if committed against a family or household member by a family or household member: (1) physical harm, bodily injury, or assault; (2) the infliction of fear of imminent physical harm, bodily injury, or assault; or (3) terroristic threats [as defined by statute]; criminal sexual conduct [as defined by statute]; or interference with an emergency call [as defined by statute]. • "Family or household members" means: (1) spouses and former spouses; (2) parents and children; (3) persons related by blood; (4) persons who are presently residing together or who have resided together in the past; (5) persons who have a child in common regardless of whether they have been married or have lived together at any time; (6) a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and (7) persons involved in a significant romantic or sexual relationship. <p>In addition, Minnesota’s criminal statutes define the following:</p> <ul style="list-style-type: none"> • Domestic Assault (Minn. Stat. § 609.2242): Whoever does any of the following against a family or household member as defined in section 518B.01, subdivision 2, commits an assault and is guilty of a misdemeanor: (1) commits an act with

Crime Type (Minnesota Statutes)	Definitions
	intent to cause fear in another of immediate bodily harm or death; or (2) intentionally inflicts or attempts to inflict bodily harm upon another.
Stalking (Minn. Stat. § 609.749)	<p>Minnesota’s stalking statute provides the following:</p> <ul style="list-style-type: none"> • As used in this section, "stalking" means to engage in conduct which the actor knows or has reason to know would cause the victim under the circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated, and causes this reaction on the part of the victim regardless of the relationship between the actor and victim. • A person who stalks another by committing any of the following acts is guilty of a gross misdemeanor: (1) directly or indirectly, or through third parties, manifests a purpose or intent to injure the person, property, or rights of another by the commission of an unlawful act; (2) follows, monitors, or pursues another, whether in person or through any available technological or other means; (3) returns to the property of another if the actor is without claim of right to the property or consent of one with authority to consent; (4) repeatedly makes telephone calls, sends text messages, or induces a victim to make telephone calls to the actor, whether or not conversation ensues; (5) makes or causes the telephone of another repeatedly or continuously to ring; (6) repeatedly mails or delivers or causes the delivery by any means, including electronically, of letters, telegrams, messages, packages, through assistive devices for people with vision impairments or hearing loss, or any communication made through any available technologies or other objects; (7) knowingly makes false allegations against a peace officer concerning the officer's performance of official duties with intent to influence or tamper with the officer's performance of official duties; or (8) uses another's personal information, without consent, to invite, encourage, or solicit a third party to engage in a sexual act with the person.
Sexual Assault	The institution has determined, based on good-faith research, that Minnesota law does not define the term sexual assault
Rape, Fondling, Incest, Statutory Rape	<p>For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Minnesota law are as follows:</p> <ul style="list-style-type: none"> • Rape: The institution has determined, based on good-faith research, that Minnesota law does not define the term rape. • Fondling: The institution has determined, based on good-faith research, that Minnesota law does not define the term fondling. • Incest (Minn. Stat. § 609.365): Whoever has sexual intercourse with another nearer of kin to the actor than first cousin, computed by rules of the civil law,

Crime Type (Minnesota Statutes)	Definitions
	<p>whether of the half or the whole blood, with knowledge of the relationship, is guilty of incest and may be sentenced to imprisonment for not more than ten years.</p> <ul style="list-style-type: none"> • Statutory Rape: The institution has determined, based on good-faith research, that Minnesota law does not define the term statutory rape.
Other “sexual assault” crimes	<p>Other crimes under Minnesota law that may be classified as a “sexual assault” include the following:</p> <ul style="list-style-type: none"> • Criminal Sexual Conduct in the First Degree (Minn. Stat § 609.342): A person who engages in sexual penetration with another person, or in sexual contact with a person under 13 years of age is guilty of criminal sexual conduct in the first degree if any of the following circumstances exists: <ul style="list-style-type: none"> a. the complainant is under 13 years of age and the actor is more than 36 months older than the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; b. the complainant is at least 13 years of age but less than 16 years of age and the actor is more than 48 months older than the complainant and in a position of authority over the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; c. circumstances existing at the time of the act cause the complainant to have a reasonable fear of imminent great bodily harm to the complainant or another; d. the actor is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit; e. the actor causes personal injury to the complainant, and either of the following circumstances exist: (i) the actor uses force or coercion to accomplish sexual penetration; or (ii) the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless; f. the actor is aided or abetted by one or more accomplices within the meaning of section 609.05, and either of the following circumstances exists: (i) an accomplice uses force or coercion to cause the complainant to submit; or (ii) an accomplice is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant reasonably to believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit; g. the actor has a significant relationship to the complainant and the

Crime Type (Minnesota Statutes)	Definitions
	<p>complainant was under 16 years of age at the time of the sexual penetration. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; or</p> <p>h. the actor has a significant relationship to the complainant, the complainant was under 16 years of age at the time of the sexual penetration, and: (i) the actor or an accomplice used force or coercion to accomplish the penetration; (ii) the complainant suffered personal injury; or (iii) the sexual abuse involved multiple acts committed over an extended period of time. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense.</p> <ul style="list-style-type: none"> • Criminal Sexual Conduct in the Second Degree (Minn. Stat. § 609.343): A person who engages in sexual contact with another person is guilty of criminal sexual conduct in the second degree if any of the following circumstances exists: <ul style="list-style-type: none"> a. the complainant is under 13 years of age and the actor is more than 36 months older than the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense. In a prosecution under this clause, the state is not required to prove that the sexual contact was coerced; b. the complainant is at least 13 but less than 16 years of age and the actor is more than 48 months older than the complainant and in a position of authority over the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; c. circumstances existing at the time of the act cause the complainant to have a reasonable fear of imminent great bodily harm to the complainant or another; d. the actor is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the dangerous weapon to cause the complainant to submit; e. the actor causes personal injury to the complainant, and either of the following circumstances exist: (i) the actor uses force or coercion to accomplish the sexual contact; or (ii) the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless; f. the actor is aided or abetted by one or more accomplices within the meaning of section 609.05, and either of the following circumstances exists: (i) an accomplice uses force or coercion to cause the complainant to submit; or (ii) an accomplice is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to

Crime Type (Minnesota Statutes)	Definitions
	<p>reasonably believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit;</p> <p>g. the actor has a significant relationship to the complainant and the complainant was under 16 years of age at the time of the sexual contact. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; or</p> <p>h. the actor has a significant relationship to the complainant, the complainant was under 16 years of age at the time of the sexual contact, and: (i) the actor or an accomplice used force or coercion to accomplish the contact; (ii) the complainant suffered personal injury; or (iii) the sexual abuse involved multiple acts committed over an extended period of time. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense.</p> <ul style="list-style-type: none"> • Criminal Sexual Conduct in the Third Degree (Minn. Stat. § 609.344): A person who engages in sexual penetration with another person is guilty of criminal sexual conduct in the third degree if any of the following circumstances exists: <ul style="list-style-type: none"> a. the complainant is under 13 years of age and the actor is no more than 36 months older than the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant shall be a defense; b. the complainant is at least 13 but less than 16 years of age and the actor is more than 24 months older than the complainant. In any such case if the actor is no more than 120 months older than the complainant, it shall be an affirmative defense, which must be proved by a preponderance of the evidence, that the actor reasonably believes the complainant to be 16 years of age or older. In all other cases, mistake as to the complainant's age shall not be a defense. Consent by the complainant is not a defense; c. the actor uses force or coercion to accomplish the penetration; d. the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless; e. the complainant is at least 16 but less than 18 years of age and the actor is more than 48 months older than the complainant and in a position of authority over the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; f. the actor has a significant relationship to the complainant and the complainant was at least 16 but under 18 years of age at the time of the sexual penetration. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense;

Crime Type (Minnesota Statutes)	Definitions
	<p data-bbox="553 363 1482 604">g. the actor has a significant relationship to the complainant, the complainant was at least 16 but under 18 years of age at the time of the sexual penetration, and: (i) the actor or an accomplice used force or coercion to accomplish the penetration; (ii) the complainant suffered personal injury; or (iii) the sexual abuse involved multiple acts committed over an extended period of time. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense.</p> <ul style="list-style-type: none"> <li data-bbox="488 625 1482 730">• Criminal Sexual Conduct in the Fourth Degree (Minn. Stat. § 609.345): A person who engages in sexual contact with another person is guilty of criminal sexual conduct in the fourth degree if any of the following circumstances exists: <ul style="list-style-type: none"> <li data-bbox="553 751 1482 919">a. the complainant is under 13 years of age and the actor is no more than 36 months older than the complainant. Neither mistake as to the complainant's age or consent to the act by the complainant is a defense. In a prosecution under this clause, the state is not required to prove that the sexual contact was coerced; <li data-bbox="553 940 1482 1224">b. the complainant is at least 13 but less than 16 years of age and the actor is more than 48 months older than the complainant or in a position of authority over the complainant. Consent by the complainant to the act is not a defense. In any such case, if the actor is no more than 120 months older than the complainant, it shall be an affirmative defense which must be proved by a preponderance of the evidence that the actor reasonably believes the complainant to be 16 years of age or older. In all other cases, mistake as to the complainant's age shall not be a defense; <li data-bbox="553 1245 1377 1276">c. the actor uses force or coercion to accomplish the sexual contact; <li data-bbox="553 1297 1450 1360">d. the actor knows or has reason to know that the complainant is mentally impaired, mentally incapacitated, or physically helpless; <li data-bbox="553 1381 1482 1518">e. the complainant is at least 16 but less than 18 years of age and the actor is more than 48 months older than the complainant and in a position of authority over the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; <li data-bbox="553 1539 1482 1675">f. the actor has a significant relationship to the complainant and the complainant was at least 16 but under 18 years of age at the time of the sexual contact. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; <li data-bbox="553 1696 1482 1871">g. the actor has a significant relationship to the complainant, the complainant was at least 16 but under 18 years of age at the time of the sexual contact, and: (i) the actor or an accomplice used force or coercion to accomplish the contact; (ii) the complainant suffered personal injury; or (iii) the sexual abuse involved multiple acts committed over an extended period of time.

Crime Type (Minnesota Statutes)	Definitions
	<p>Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense.</p> <ul style="list-style-type: none"> • Criminal Sexual Conduct in the Fifth Degree (Minn. Stat. § 609.3451): A person is guilty of criminal sexual conduct in the fifth degree: (1) if the person engages in nonconsensual sexual contact; or (2) the person engages in masturbation or lewd exhibition of the genitals in the presence of a minor under the age of 16, knowing or having reason to know the minor is present. • Criminal Sexual Predatory Conduct (Minn. Stat. § 609.3453): A person is guilty of criminal sexual predatory conduct if the person commits a predatory crime that was motivated by the offender's sexual impulses or was part of a predatory pattern of behavior that had criminal sexual conduct as its goal.
Consent (as it relates to sexual activity) (Minn. Stat. § 609.341 subd. 4)	<ul style="list-style-type: none"> a. "Consent" means words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the complainant or that the complainant failed to resist a particular sexual act. b. A person who is mentally incapacitated or physically helpless as defined by this section cannot consent to a sexual act. c. Corroboration of the victim's testimony is not required to show lack of consent.

College Definition of Consent

The College uses the following definition of consent in its Title IX Sexual Misconduct Policy for the purpose of determining whether sexual violence (including sexual assault) has occurred:

Consent: Consent is informed, freely given, and mutually understood. Consent is not passive and requires an affirmative act or statement by each participant. Consent can be withdrawn. A person who initially consents to sexual activity is deemed not to have consented to any sexual activity that occurs after he or she withdraws consent. Lack of consent is a critical factor in determining whether sexual violence has occurred.

- If coercion, intimidation, threats, and/or physical force are used, there is no consent (see Coercion below).
- If a person is mentally or physically incapacitated or impaired by alcohol or drugs, such that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent.
- If a person is asleep or unconscious, there is no consent.
- If a person is below the minimum age of consent in the applicable jurisdiction, there cannot be consent.

- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Being in a romantic relationship with someone does not imply consent to any form of sexual activity.
- Effective consent may not exist when there is a disparity in power between the parties (e.g., faculty/student, supervisor/employee).

Coercion: Direct or implied threat of force, violence, danger, hardship, or retribution sufficient to persuade a reasonable person of ordinary susceptibility to perform an act which otherwise would not have been performed or acquiesce in an act to which one would not have submitted. Coercion can include unreasonable and sustained pressure for sexual activity. Consent cannot be obtained through coercion.

Coercive behavior differs from seductive behavior in the type and amount of pressure someone uses to convince another to engage in sexual activity. A person's words or conduct cannot amount to coercion unless they wrongfully impair the other's freedom of will and ability to choose whether or not to engage in sexual activity. When someone makes it clear that he/she does not want to engage in sexual activity, that he/she wants to stop, or that he/she does not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Risk Reduction

If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

- Make your limits known before going too far.
- You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor "NO" clearly and loudly.
- Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
- Grab someone nearby and ask them for help.
- Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
- Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
- Be aware of someone trying to slip you an incapacitating "rape drug" like Rohypnol or GHB.

If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:

- Remember that you owe sexual respect to the other person.
- Don't make assumptions about the other person's consent or about how far they are willing to go.
- Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
- If your partner expresses a withdrawal of consent, stop immediately.

- Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.
- Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
- Don’t take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don’t be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.
- Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.

It is also important to be aware of the warning signs of an abusive person. Some examples include: past abuse; threats of violence or abuse; breaking objects; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blames others for problems; hypersensitivity; cruelty to animals or children; “playful” use of force during sex; Jekyll-and-Hyde personality.

Bystander Intervention

In addition to reporting incidents to appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against another person.

- Look out for those around you.
- Realize that it is important to intervene to help others.
- Treat everyone respectfully. Do not be hostile or an antagonist.
- Be confident when intervening.
- Recruit help from others if necessary.
- Be honest and direct.
- Keep yourself safe.
- If things get out of hand, don’t hesitate to contact the police.

Other Information Covered by the PPAP

The PPAP also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in such a proceeding, available resources, and other pertinent information. Much of this information is set forth in the upcoming sections of this security report.

Ongoing Prevention and Awareness Campaign:

The College also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP, but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

PPAP and OPAC Programming Methods:

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the College. Methods include, but are not limited to: presentations, online training modules, distribution of written materials, periodic email blasts, and guest speakers. A summary of this programming is provided below.

- New students receive education on the prevention of dating violence, domestic violence, sexual assault, and stalking through a presentation by the Office of Compliance during orientation. All new employees are required to complete an online training module on these topics upon hire and are required to retake the online training each year.
- As part of its ongoing campaign, the College is currently considering a variety of strategies, such as in-person presentations by sexual assault organizations, emails blasts with pertinent information, portal announcements, etc., in order to relay pertinent information to students and employees. While such programming may occur throughout the year, the College is also planning programming to be delivered in conjunction with nationally recognized observances such as Sexual Assault Awareness Month and Domestic Violence Awareness Month.
- An online training module addressing bystander intervention to eliminate sexual and other harassment has been added to annual training for all employees and students.

Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking:

If you are a victim of dating violence, domestic violence, sexual assault, or stalking, go to a safe place and call 911 or the Mayo Clinic Security Department at 507-284-2179. You may also contact the College's Title IX Coordinator at 507-284-4714 or Boyer.Amy@mayo.edu.

Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported (contact the Title IX Coordinator or refer to the other resources listed in this report).
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

Preservation of Evidence & Forensic Examinations

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Don't bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at Mayo Clinic Hospital - Saint Marys Campus Emergency Department, 1216 Second Street SW, Rochester, MN 55905, 507-255-5591 and/or by contacting the Sexual Assault Program at 507-289-0636.

Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

Security/Law Enforcement & How to Make a Police Report

- Mayo Clinic Security Department, 507-284-2179
- Rochester Police Department, 507-328-6800, 101 4th Street SE, Rochester, MN 55904
- To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability.

Information about Legal Protection Orders

In Minnesota, victims of dating violence, domestic violence, assault, and stalking may be able to obtain an Order for Protection from domestic abuse or a Harassment Restraining Order through the court system. Filing such an order can be done at the Olmstead County District Court. The address is: 151 Fourth Street SE, Rochester, MN 55904. More information about these orders, including applicable forms needed for filing, can be found at: <http://www.mncourts.gov/Help-Topics/Domestic-Abuse-and-Harassment.aspx>. Additional useful information can be found through the LawHelpMN website: <https://www.lawhelpmn.org/resource/orders-for-protection-and-harassment-restrain?ref=|8|1h>. Victims may contact local domestic violence and sexual assault advocates for assistance in obtaining a protection order. When a protection order is granted, it is enforceable statewide. If you have obtained a protection order and need it to be enforced in your area, you should contact the local police department.

Mayo Clinic will enforce any temporary restraining order or other no-contact order against an alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protection order or no-contact order should notify the Title IX Coordinator and provide a copy of the restraining order so that it may be kept on file with the institution and can be enforced on campus, if necessary. Upon learning of any orders, Mayo Clinic will take all reasonable and legal action to implement the order on premises controlled by Mayo Clinic.

Mayo Clinic does not issue legal orders of protection. However, as a matter of institutional policy, it may impose a no-contact order between individuals in appropriate circumstances. It may also issue a No Trespass Warning if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

Available Victim Services:

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to them, both within the College and in the surrounding community. Those services include:

Mayo Clinic Resources

- Patient Receiving Unit - Mayo Clinic Hospital - Saint Marys Campus, 1216 Second Street SW, Rochester, MN 55902 (phone: 507-255-5591)

- Mayo Clinic Hospital - Methodist Campus, 201 W Center Street, Rochester, MN 55902 (phone: 507-266-7890)
- Employee Assistance Coordinators provide confidential assessments, counseling, and triage services (phone: 507-284-3352)
- Mental Health Clinicians/Academic Success Advising are available through Student Services. Call 507-266-6603 or email anand.uma@mayo.edu.
- Sexual Assault Program (24-hour assistance daily): 507-289-0636
- Student Financial Aid - Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based on the circumstances of a complaint under the Title IX Sexual Misconduct Policy, he/she should understand there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. The College's financial aid website can be found at: <https://college.mayo.edu/admissions-and-tuition/financial-aid/>.

State/Local Resources

- ULifeline is an anonymous and confidential online mental health and well-being resource. It serves as a one-stop-shop for emotional health or for finding help if you or a friend is in distress. You'll find national and local resources at your fingertips. Learn more at ulifeline.org/mccm.
- Domestic Violence Crisis Line: 866-223-1111
- Minnesota Coalition for Battered Women: <http://www.mcbw.org/>
- Minnesota Coalition Against Sexual Assault: <http://www.mncasa.org/>
- Rochester Area Family Y: 507-287-2265
- Southern Minnesota Regional Legal Services: <http://www.smrls.org/>
- LawHelpMN: <https://www.lawhelpmn.org/>
- Olmsted County Adult Behavioral Health: <https://www.co.olmsted.mn.us/cs/AFS/abh/Pages/default.aspx>
- Family Service Rochester: <http://familyservicerochester.org/>
- Student Services provides a list of local non-affiliated mental health providers and locations. These providers are listed in general alphabetical order with no respect to ranking in ordering. Please keep in mind that these providers may or may not accept insurance. Direct communication with the provider about coverage is advised. <http://intranet.mayo.edu/charlie/student-services/well-being/emotional/counseling/>

National Resources

- National Domestic Violence Hotline: 1-800-799-7233
- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse and Incest National Network (RAINN): <https://www.rainn.org/>
- U.S. Dept. of Justice Office on Violence Against Women: <https://www.justice.gov/ovv>
- National Coalition Against Domestic Violence: <http://www.ncadv.org/>

- National Sexual Violence Resource Center: <https://www.nsvrc.org/>
- U.S. Citizenship and Immigration Services: <https://www.uscis.gov/>
- Immigration Advocates Network: <https://www.immigrationadvocates.org/>

Accommodations and Protective Measures:

The College will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the College is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

Requests for accommodations or protective measures should be made to the Title IX Coordinator at 507-284-4714 or Boyer.Amy@mayo.edu. The Title IX Coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented.

When determining the reasonableness of such a request, the College may consider, among other factors, the following:

- The specific need expressed by the complainant.
- The age of the students involved.
- The severity or pervasiveness of the allegations
- Any continuing effects on the complainant
- Whether the complainant and alleged perpetrator share the same class or job location.
- Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

The College will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the College's ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or protective measure. Such decisions will be made by the College in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation or protective order, the College will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

Procedures for Disciplinary Action:

Allegations of dating violence, domestic violence, sexual assault or stalking will be processed through the College's Title IX Sexual Misconduct Complaint Resolution Procedure. The Procedure is the exclusive means of resolving complaints alleging violations of the Title IX Sexual Misconduct Policy, and it applies to the following persons when participating in Mayo Clinic educational programs, activities, organizations, or events:

- All Mayo Clinic employees, including Consulting Staff, Administrative Voting Staff, Allied Health employees, employed Research Temporary Professionals, faculty members, and other employees;

- Applicants for employment or admission to educational programs;
- The Board of Governors;
- All learners and students, including recognized learner or student organizations; and
- Third parties (such as non-employee physician/scientists, patients, alumni, contractors, vendors, and visitors).

The Procedure is invoked once a complaint is made to the Title IX Coordinator, Amy Boyer (507-284-44714 or boyer.amy@mayo.edu) or someone with information about a potential violation of the Title IX Sexual Misconduct Policy otherwise reports such information to her. Reports can also be made as described in the "Reporting a Crime or Emergency" section of this annual security report. When a complaint/report is made it should, to the extent possible, include the following information: (a) the date(s) and time(s) of the alleged conduct; (b) the names of all person(s) involved in the alleged conduct, including possible witnesses; (c) all details outlining what happened; and (d) contact information for the complainant and/or reporter so that Mayo Clinic may follow up appropriately.

Formal Investigation and Resolution Procedure

The Title IX Sexual Misconduct Complaint Resolution Procedure (Procedure) is intended to be flexible so as to allow Mayo Clinic to fulfill its mission and maintain a safe, non-discriminatory learning and working environment. At any and every step of the Procedure, the Title IX Coordinator or a designee has discretion to deviate from the Procedure when deemed appropriate under the circumstances.

This Procedure is the exclusive means of resolving complaints alleging violations of the Title IX Sexual Misconduct Policy. To the extent there are any inconsistencies between this Procedure and other Mayo Clinic grievance, complaint, or discipline policies or procedures, the Title IX Sexual Misconduct Complaint Resolution Procedure will control the resolution of complaints alleging violations of the Title IX Sexual Misconduct Policy.

Reporting

Complainant, or Any Person Providing a Report of Sexual Misconduct:

1. Report sexual misconduct as soon as possible to location officials and/or law enforcement, where appropriate:
 - Emergency Reports - dial 911 to be connected with emergency responders.
 - Title IX Coordinator (507-284-4714; boyer.amy@mayo.edu)
 - Mayo Clinic Security (507-284-2179)
 - Compliance Hotline/Anonymous Reports - Compliance Hotline at 888-721-5391 or emailing [The Compliance Hotline](#)
 - Law Enforcement
2. Include the following information in the complaint to the extent possible (do not be deterred from reporting if all information is not available):
 - the date(s) and time(s) of the alleged conduct;
 - the names of all person(s) involved in the alleged conduct, including possible witnesses;
 - all details outlining what happened; and

- contact information for the Complainant and/or Reporter so that Mayo Clinic may follow up appropriately.

Title IX Coordinator/Designee:

3. Receive report of Sexual Misconduct allegations.
4. Contact Complainant.
 - Where the Complainant was not person who reported the allegations to the Title IX Coordinator/Designee, attempt to contact the Complainant within 48 hours.
5. Give Complainant a written document providing information about the Title IX Sexual Misconduct Policy and this Procedure as used to investigate and resolve complaints of sexual misconduct, privacy and confidentiality, interim measures, options for filing complaints with the local police, and resources that are available on location and in the community, etc.
6. Give Complainant the opportunity to discuss the complaint further, identify witnesses, and provide evidence.
7. Provide Complainant with information about preserving evidence:
 - The victim of sexual assault or relationship violence should 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. As necessary to preserve evidence, victims of sexual violence or relationship 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, victim should seek immediate medical attention at an area hospital and take a full change of clothing, including shoes, for use after a medical examination.
 - It is also important to take steps to preserve evidence in cases of stalking, to the extent such evidence exists. In cases of stalking, evidence is more likely to be in the form of letters, emails, text messages, etc., rather than evidence of physical contact and violence.
8. Assist Complainant in preserving materials relevant to a Mayo Clinic sexual misconduct disciplinary proceeding.
9. Consult with Complainant about their wishes for an investigation.
10. Determine whether to proceed with an investigation based on Complainant's wishes and other relevant factors.
 - For incidents reported after the passage of more than two years consult with other appropriate Mayo Clinic officials, based on the availability of the parties, witnesses, and evidence and in light of Mayo Clinic's interest in providing a safe, non-discriminatory learning and working environment, to determine how to proceed.
11. At the direction of law enforcement, assist in obtaining, securing, and maintaining evidence in connection with a sexual assault, relationship violence, or stalking incident.

Investigation

Mayo Clinic will attempt to conclude most investigations in 60 days, depending on the availability of parties, witnesses, evidence, and other scheduling considerations.

Where it is determined that an investigation will proceed:

Title IX Coordinator/Designee:

12. Provide written notice of the complaint to, and initiate a meeting with, the Respondent, typically within 7 days of receipt of the complaint.
 - The written notice of the complaint will include information concerning the essential nature of the complaint, including, if possible:
 - when and where the alleged sexual misconduct occurred,
 - the type of sexual misconduct alleged, and
 - the alleged policy violation(s) to be investigated.
13. Give Respondent a written document providing information about the Title IX Sexual Misconduct Policy and this Procedure as used to investigate and resolve complaints of sexual misconduct, privacy and confidentiality, interim measures, options for filing complaints with the local policy, and resources that are available on campus and in the community, etc.
14. Give Respondent an opportunity to respond to the complaint, identify witnesses and provide evidence.
15. Investigate the complaint or, at one's discretion, designate a trained investigator to investigate a complaint.
 - The investigator may be a Mayo Clinic employee or an outside investigator.
16. Provide the parties with periodic updates regarding the status of the investigation.

Respondent:

17. At any time prior to the issuance of a final investigatory report, may accept responsibility for the conduct underlying the complaint.
 - If and when a Respondent accepts responsibility, the final investigatory report will be prepared.

Complainant and Respondent:

18. Request additional updates, at any time, by contacting the Title IX Coordinator/Designee.

Investigator (Title IX Coordinator or Designated Investigator):

19. Conduct fact finding including review of statements and evidence presented by the parties.
 - Depending on the circumstances, may also:
 - interview others with relevant knowledge,
 - review documentary materials,
 - conduct follow up interviews, and
 - take any other appropriate action to gather and consider information relevant to the complaint.

20. Facilitate effective cross-examination of the relevant information.
 - The parties will not cross-examine the other party or witnesses directly in person.

At the conclusion of the investigation:

21. Prepare an interim investigatory report.
 - The interim investigatory report will include a summary of information learned during the investigation but will not include a determination of whether a policy violation occurred.
22. If investigator is not the Title IX Coordinator, provide interim report to Title IX Coordinator.

Title IX Coordinator/Designee:

23. Meet with each party and provide parties with an opportunity to read the interim investigatory report.
 - Neither party will be given a copy of the report.
 - Share, if determined appropriate, evidence collected and reviewed during the investigation process.

Complainant and Respondent:

24. Respond in writing the interim investigatory report, generally within 72 hours of reviewing the report.

Title IX Coordinator/Designee:

25. Receive and consider any timely responses.
26. If the Respondent accepts responsibility prior to the issuance of a final investigatory report, refer the case to the appropriate sanctioning official for imposition of any appropriate disciplinary or remedial action.
27. Conduct, as appropriate, any additional investigation deemed necessary in her/his discretion.
28. Edit the interim investigatory report as appropriate given any response from the parties.
29. Make a determination about whether a preponderance of the evidence substantiates a finding of a violation of the Title IX Sexual Misconduct Policy.
 - In making any determination on the resolution of the complaint following an investigation, the evidentiary standard is the preponderance of the evidence; that is, whether it is more likely than not that sexual misconduct occurred.
 - The burden is on Mayo Clinic College of Medicine and Science, as investigator, to gather sufficient information to reach a fair, impartial decision as to whether a policy violation has occurred.
30. Finalize the report.
 - The final report will contain a:
 - Summary of information learned during the investigation;
 - Determination of whether a preponderance of the evidence substantiates a finding of a violation of the Title IX Sexual Misconduct Policy;

- Designation of the appropriate official(s) to:
 - Where necessary, make a determine of appropriate disciplinary and remedial action, and
 - Determine any appeal.
- 31. Meet with each party and provide an opportunity to read the report. The parties will not be given a copy of the report.
 - The written determination of the investigator, and any sanction issued by the sanctioning official, is final, subject only to the right of appeal.

If a respondent is found to have committed a policy violation:

- 32. Communicate the decision to the appropriate sanctioning official based on the respondent's status (learner, employee, third party). Note: the investigatory provisions of the policies and procedures listed below do not apply to investigations under the Title IX Sexual Misconduct Policy and Procedure.
- 33. Relevant sanctioning policy/procedures for respondents:
 - For learners:
 - Warning, Probation, Dismissal and Appeal Policy
 - Warning, Probation, Dismissal and Appeal Procedure
 - For Mayo Clinic employees, as applicable:
 - Appeals Policy/Procedure
 - Appeals Procedures
 - Faculty Misconduct Policy
 - Third Parties (such as non-employee physicians/scientists, patients, alumni, contractors, vendors, and visitors)

Sanctioning Official:

- 34. Determine a sanction, in accordance with the applicable policy/procedure based on Respondent's status, or remedial action.
- 35. Communicate the sanctioning decision to the parties, in a manner consistent with applicable laws.
 - This sanction decision is final, subject only to the right of appeal.
- 36. Report any sanctions issued to the Title IX Coordinator.

Appeal

Complainant and/or Respondent:

- 37. Consider whether to appeal either:
 - A report finding that the preponderance of the evidence does not substantiate a finding of a policy violation, or
 - The determination of any sanction or remedial action.

38. Based on the Respondent's status (learner, employee, third party), the relevant appeal procedures are found in corresponding policies/procedures identified below:
- For learners: Warning, Probation, Dismissal, and Appeal Policy and Warning, Probation, Dismissal, and Appeal Procedure
 - For Mayo Clinic employees, as applicable:
 - Appeals Policy/Procedure
 - Appeals Procedures
 - Faculty Misconduct Policy
 - Third Parties (such as non-employee physicians/scientists, patients, alumni, contractors, vendors, and visitors)

Appellate Official(s):

39. In accordance with applicable policies/procedures, review the appeal and make one or more of the following determinations.
- Reject the findings of the investigatory report and request further investigation;
 - Reject the sanctions issued by the sanctioning official(s) based on evidence in the investigatory report and other relevant evidence; or
 - Deny the appeal in whole or in part.
40. Provide a written determination of any appeal, summarizing the reasoning behind the determination, to the Title IX Coordinator.

Title IX Coordinator/Designee:

41. Promptly notify each party in writing of the outcome of the appeal.

Complainant and/or Respondent:

42. May request to review the written appeal determination.
- Parties will not be given a copy of the appeal determination.

Mayo Clinic has designated the following person to coordinate its compliance with laws regarding sexual misconduct, including Title IX/VAWA, and to receive inquiries regarding sexual misconduct, including complaints of sex discrimination:

Title IX Coordinator
Amy Boyer
Office phone: (507) 284-4714
Pager: (507) 538-2958
Email: Boyer.Amy@mayo.edu

Rights of the Parties in an Institutional Proceeding:

During the course of the process described in the previous section, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
 - A prompt, fair and impartial process is one that is:
 - Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
 - Conducted in a manner that:
 - Is consistent with the institution's policies and transparent to the accuser and the accused.
 - Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
 - Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
 - Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
 - The College Administrator for Compliance, Licensure and Accreditation, as well as a Mayo Clinic Compliance Officer, has completed comprehensive Title IX Coordinator Certification Training provided by ATIXA. Such training addresses topics such as relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest.

The Mayo Clinic personnel who implement the Title IX Policy and Procedure receive annual training on issues related to sex discrimination, sexual harassment, coercion, sexual assault, sexual exploitation, relationship violence, stalking and related retaliation, and how to conduct a fair and equitable investigation.

Mayo Clinic has created a Clery Compliance Workgroup consisting of staff from Education, Security, Compliance, and the Legal Department. Members of this Workgroup have participated in multiple online training modules offered by the Clery Center and by Husch Blackwell.
3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor, but may establish

limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.

4. Have the outcome determined using the preponderance of the evidence standard.
5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, “result” means “any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters” and must include the rationale for reaching the result and any sanctions imposed.

Possible Sanctions or Protective Measures that the College May Impose for Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses:

Following a final determination in the institution’s disciplinary proceeding that dating violence, domestic violence, sexual assault, or stalking has been committed, the institution may impose a sanction depending on the mitigating and aggravating circumstances involved. The possible sanctions include:

Verbal warning	Termination of contract (for contractors)
Written warning	Demotion
Disciplinary hold on academic and/or financial records	Loss of pay increase
Performance improvement/management process	Transfer (employment)
Required counseling	Termination of contractual arrangements
Required training or education	Revocation of offer (employment or admissions)
Campus access restrictions	Disciplinary suspension
No trespass order (with respect to campus locations)	Suspension with pay
No contact directive (with respect to an individual)	Suspension without pay
Loss of privileges	Expulsion
Loss of oversight, teaching or supervisory responsibility	Degree revocation
Probation	Termination of employment

If a warning or probation is imposed on a student, it may be for part of a semester, a full semester, or an entire academic year. An employee may be suspended for any length of time determined appropriate by the Director of Human Resources. The individual will be required to meet with the Dean of Students (student) or Director of Human Resources (employee) to discuss re-entry and expectations going forward.

In addition, the College can make available to the victim a range of protective measures. They include: forbidding the accused from communicating with the victim, other institutional no-contact orders, security escorts, modifications to academic requirements or class schedules, changes in working situations, etc.

Publicly Available Recordkeeping:

The College will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of dating violence, domestic violence, sexual assault, and stalking who make reports of such to the College to the extent permitted by law.

Victims to Receive Written Notification of Rights:

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

Sex Offender Registration Program:

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the College of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the Mayo Clinic Security Department at 507-284-2179. State registry of sex offender information may be accessed at the following link: <https://mn.gov/doc/family-visitor/search-offenders-fugitives/>.

Timely Warnings and Emergency Response

Timely Warnings

In the event of criminal activity occurring either on campus or off campus that in the judgment of the Crisis Incident Response Team (CIRT) constitutes a serious or continuing threat to members of the campus community, a campus-wide “timely warning” will be issued. Examples of such situations may include a sexual assault or a series of motor vehicle thefts in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and employees via one or more of the methods discussed later in this section. Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to:

- Crisis Incident Response Team, c/o Student Services Director, 507-284-3678
- Mayo Clinic Security Department, 507-284-2179

The College has communicated with local law enforcement asking them to notify the College if it receives reports or information warranting a timely warning.

Emergency Response

The College has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. The College has communicated with local police requesting their cooperation in informing the College about situations reported to them that may warrant an emergency response.

Students, staff and visitors are encouraged to notify the Mayo Clinic Security Department at 507-284-2179 of any emergency or potentially dangerous situation.

The Incident Commander of the Mayo Clinic Healthcare Incident Command System (HICS) will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating the institution’s response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other College departments may be involved in the confirmation process.

Once the emergency is confirmed and based on its nature, the HICS Incident Commander will consult with other appropriate College officials to determine the appropriate segment or segments of the College community to be notified.

The HICS Incident Commander in collaboration with other appropriate personnel, will determine who should be notified, and will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The HICS Incident Commander will direct the issuance of emergency notifications, which will be accomplished using one or more of methods discussed later in this section, depending on the nature of the threat and the segment of the campus community being threatened.

If deemed necessary, the HICS Incident Commander and/or College's CIRT will notify local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency.

Methods for Issuing Timely Warnings and Emergency Notifications

The method(s) listed below may be utilized when the College issues a timely warning or emergency notification to the campus community.

Method	Sign-Up Instructions
Broadcast/Overhead paging system	N/A
Email	https://mc.sendwordnow.com/homepage.aspx
Text message	https://mc.sendwordnow.com/homepage.aspx
Telephone (mobile and/or landline)	https://mc.sendwordnow.com/homepage.aspx
Priority pager	https://mc.sendwordnow.com/homepage.aspx

Testing & Documentation

The College tests its emergency response and evacuation procedures at least once a year. The tests may be announced or unannounced. Also, the CIRT meets regularly to test, evaluate, and update training for the College’s emergency response plan.

The CIRT and Student Services Director maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the College will distribute to its students and employees information to remind them of the College’s emergency response and evacuation procedures.

Crime Statistics

The statistical summary of crimes for this College over the past three calendar years follows:

Crime	On Campus			Non Campus			Public Property		
	2018	2017	2016	2018	2017	2016	2018	2017	2016
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	3	0	0	0	0	0	0	0	0
Fondling	9*	2	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Aggravated Assault	2	0	1	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Arrest - Liquor Law Violation	0	0	0	0	0	0	0	0	0
Arrest - Drug Abuse Violation	0	1	0	0	0	0	0	0	0
Arrest - Weapon Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Liquor Law Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Drug Abuse Violation	3	0	0	0	0	0	0	0	0
Disciplinary Referral - Weapon Violation	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	4	0	0	0	0	0	0	0	0

*Three fondling incidents took place in a locked behavioral health unit inaccessible to students.

Other than drug abuse violations, all incidents involved hospital patient/staff interaction.

MCCMS students were not involved in any of the above incidents.

The College does not have on-campus student housing facilities.

Hate crimes:

2018: No hate crimes reported.

2017: No hate crimes reported.

2016: No hate crimes reported.

Crimes reported to the College that were later unfounded:

2018: 1 unfounded crime.

2017: 0 unfounded crimes.

2016: 0 unfounded crimes.

Statistics for unfounded crimes provided by law enforcement agencies:

2018: 0 unfounded crimes.

2017: 0 unfounded crimes.

2016: 0 unfounded crimes.

Data from law enforcement agencies:

- The data above reflects statistics provided from law enforcement agencies related to crimes that occurred on the College's Clery Geography.
- The College was provided with some crime data from law enforcement agencies for which it cannot be determined whether any of the statistics apply to or include the College's Clery Geography.